

39T-09501/OZ-7638  
Nancy Pasato

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: EXTRA REALTY 660 SUNNINGDALE ROAD EAST (NORTHWEST CORNER OF SUNNINGDALE ROAD EAST AND ADELAIDE STREET NORTH)  MEETING ON JULY 28, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications relating to the property located at 660 Sunningdale Road East, located on the northwest corner of Sunningdale Road East and Adelaide Street North (legally described as the South Half of Lot 13, Concession 6, (Geographic Township of London)):

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend the Official Plan to change the designation on Schedule "A" – Land Use **FROM** Low Density Residential, Multi-Family, Medium Density Residential and Open Space **TO** Low Density Residential, Multi-Family, Medium Density Residential, Main Street Commercial Corridor and Open Space; to change the designation on Schedule "B1" – Flood Plain & Environmental Features by removing the Unevaluated Corridors designation and refining the Provincially Significant Wetland boundary; and to change the designation on Schedule "C" – Transportation Corridors by amending the east-west secondary collector road to align with Street D, by amending the north-south secondary collector road to align with Street A, and by redesignating Street A from Sunningdale Road East to Street D as Primary Collector.
  
- (b) the request to amend the Official Plan to change the designation of the subject lands **FROM** a Multi-Family, Medium Density Residential designation which allows townhouses and various forms of cluster housing at a maximum density of 75 units per hectare **TO** a Multi-Family, High Density Residential designation to allow for apartments at a maximum height of 42 metres and a maximum density of 150 units per hectare, and a Neighbourhood Commercial Node designation to allow for a range of commercial uses including bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, video rental establishments, brewing on premises establishment, with a total maximum gross floor area of 3,200 m<sup>2</sup> (34,444.5 ft<sup>2</sup>) for food stores and 500 m<sup>2</sup> (5,382.0 ft<sup>2</sup>) for all other individual uses **BE REFUSED** for the following reasons:
  - Multi-Family, High Density Residential
    - i) The proposed development does not take into account surrounding land uses in terms of height and scale, and is not in keeping with the surrounding low-rise forms of development;
    - ii) This location for high density is not located in an activity node (adjacent to large scale shopping and employment centres) nor is it located at a point of high accessibility (such as transit service);

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- iii) High rise forms of development should be directed to higher order transit corridors in an effort to support future rapid transit and its associated corridors;
- iv) A mid-rise form is more appropriate given the road classification, while providing support for the surrounding commercial; and
- v) The proposed use does not meet the criteria within the Official Plans as it is not located near the periphery of the Downtown, is not in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities.
- vi) The original proposed high density block is less than 3 hectares in size. A minimum of 3 hectares is recommended for high density blocks in order to achieve and accommodate a mixing of housing types, building heights and densities, and a transition in scale.

Neighbourhood Commercial Node

- i) The amount of commercial proposed does not meet the intent of the Uplands North Area Plan;
  - ii) The commercial justification study has provided certain assumptions to base its conclusions on, that Staff do not agree with;
  - iii) The orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers was already considered in this area, and the addition of larger scale retail opportunities would likely compete with these planned areas;
  - iv) Recent applications to add commercial uses within the Uplands North Planning area were refused by Council and the decision upheld by the Ontario Municipal Board.
  - v) The Main Street Commercial designation is a more appropriate commercial designation for this area, as it encourages smaller scale commercial uses in mixed used buildings, achieves placemaking principles of mixed use development, encourages building form and design that is pedestrian oriented, and facilitates a wide range of small scale commercial and office/personal service establishments that are meant to fulfill the local needs of residents;
- (c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended above) to change the zoning of the subject lands **FROM** an Environmental Review (ER) Zone, and an Urban Reserve (UR4) Zone **TO**;
- i) a Holding Residential R1 Special Provision (h. h-100.h( )•R1-4(\*) Zone to permit single detached dwellings with a minimum lot area of 360 m<sup>2</sup> and minimum lot frontage of 12 m, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres;
  - ii) a Holding Residential R1 Special Provision (h. h-100.h( )•R1-5(\*) Zone to permit single detached dwellings with a minimum lot area of 415 m<sup>2</sup> and minimum lot frontage of 12 m, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres;
  - iii) a Holding Residential R1 Special Provision (h. h-100.h( )•R1-5(\*\*) Zone to permit single detached dwellings with a minimum lot area of 360 m<sup>2</sup> and minimum lot frontage of 12 m, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, a reduced interior side yard setback of 1.2 metres, and 20 m setback from the centre of the oil pipeline to the dwelling;
  - iv) a Holding Residential R4 Special Provision (h. h-100.h( )•R4-2(\*) Zone to permit street townhouse dwellings with a minimum lot area of 240 m<sup>2</sup>, with a special provision for a minimum lot frontage of 7.8 m;
  - v) a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h( )•R5-2(\*)/R6-4(\*) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and a maximum density of 30 units per hectare (R5) and to permit cluster single detached, semi-detached or duplex dwellings at a height of 10.5 m and a maximum density of 30 units per hectare (R6), with a special provision for a reduced front yard setback of 3.0

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- metre to the house and 5.5 metre to the garage from a collector or local road;
- vi) a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h( )•R5-2(\*\*)/R6-4(\*\*)) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and a maximum density of 30 units per hectare (R5) and to permit cluster single detached, semi-detached or duplex dwellings at a height of 10.5 m and a maximum density of 30 units per hectare (R6), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road and recognize that notwithstanding the provisions of the zoning by-law, frontage for this block will be along the secondary collector road (Street D);
  - vii) a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-4(\*)/R6-5(\*)/R8-4(\*) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and maximum density of 40 units per hectare (R5), to permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 m and a maximum density of 35 units per hectare (R6), and to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and a maximum density of 75 units per hectare (R8), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, a reduced rear yard setback adjacent to the conveyance block of 3 m in place of 8 m, and to allow for the adjacent Open Space lands within the conveyance block to be included in the Residential Block for the purposes of calculating density;
  - viii) a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-4(\*\*)/R6-5(\*\*)/R8-4(\*\*)) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and maximum density of 40 units per hectare (R5), to permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 m and a maximum density of 35 units per hectare (R6), and to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and a maximum density of 75 units per hectare (R8), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, a reduced rear yard setback adjacent to the conveyance block of 3 m in place of 8 m, and to allow for the adjacent Open Space lands within the conveyance block to be included in the Residential Block for the purposes of calculating density;
  - ix) a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-6(\*)/R6-5(\*\*\*)/R8-4(\*\*\*)) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and maximum density of 50 units per hectare (R5), to permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 m and a maximum density of 35 units per hectare (R6), and to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and a maximum density of 75 units per hectare (R8), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road;
  - x) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*)•D75•H18) Zone which permits a wide range of commercial uses on the first floor, with a maximum height of 18 m and a maximum density of 75 units per hectare, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m

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and maximum 4 m front and exterior side yard setback, and to require a mixed use building, with 500 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above;

- xi) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*)•D75•H18) Zone to permit a wide range of commercial uses on the first floor, with a maximum height of 18 m and a maximum density of 75 units per hectare, with special provisions to require the commercial/retail/office uses on the ground floor, to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and to require a mixed use building, with 250 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above;
- xii) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*\*)) Zone to permit a wide range of commercial uses, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and a maximum 3000 m<sup>2</sup> retail/commercial/office on site;
- xiii) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*\*\*)) Zone to permit a wide range of commercial uses on the first floor, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and a maximum 1000 m<sup>2</sup> retail/commercial on site;
- xiv) an Open Space (OS1) Zone to permit conservation lands and works, public and private parks, and public and private golf courses;
- xv) an Open Space Special Provision (OS4(\*)) Zone to permit conservation lands and public parks, with a special provision to permit the lands/area within the OS4 Zone to be used in the adjacent Residential Blocks (Block 26 and 28) for the purposes of calculating lot area, density, lot coverage, and landscape open space;
- xvi) an Open Space (OS5) Zone to permit conservation land and works.

The following holding provisions have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement;
- (h-100) -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;
- (h-( )) - to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-\_\_\_\_ shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

(d) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R9 Special Provision (R9-7(\*)) Zone and Neighbourhood Shopping Area Special Provision (NSA5(\*)) Zone **BE REFUSED** for the following reasons:

- i) The proposed R9-7 Zone and NSA5(\*) Zone are not in keeping with the recommended Official Plan amendments listed in (a) above.
- ii) The proposed R9-7 Zone would permit apartments at a height and density not in keeping with surrounding lands uses.
- iii) The proposed R9-7 Zone does not meet the criteria within the Official Plan as it is not located near the periphery of the Downtown, is not in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities.
- iv) The proposed NSA5(\*) Zone would permit a sizable amount of commercial that is

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not in keeping with the policies of the Official Plan, and is not consistent with the Uplands North Area Plan, and would compete with existing commercially-designated lands in the immediate vicinity;

- (e) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft plan of subdivision of Extra Realty relating to the property located at 660 Sunningdale Road East;
- (f) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Extra Realty (File No. 39T-09501), prepared by Zelinka Priamo Ltd., drawing No. SRG/LON/11-01, as red-line amended, which shows 23 low density blocks, 7 medium density blocks, 4 commercial blocks, 3 open space blocks, 2 park blocks, 6 walkway blocks, 1 stormwater management block, as well as several 0.3 m reserves and road widenings, all served by one new primary collector, 2 new secondary collectors, and 4 new local streets, **SUBJECT TO** the conditions contained in the attached Appendix "C", and the adopted Official Plan amendment coming into effect;
- (g) the applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in Appendix "D".

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**June 9, 2003** – Report to the Planning Committee recommending adoption of the Uplands North Area Plan.

**July 18, 2005** – Report to the Planning Committee regarding the Placemaking demonstration project.

**May 6, 2009** – Report to Planning Committee regarding tree cutting on the property.

**June 22, 2009** – Report to Planning Committee regarding status of subdivision/file.

**October 8, 2013** - Report to Planning Committee regarding status of subdivision/file.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose of this report is to recommend a redlined draft plan of subdivision containing 23 low density blocks, 7 medium density blocks, 4 commercial blocks, 3 open space blocks, 2 park blocks, 6 walkway blocks, 1 stormwater management block, as well as several 0.3 m reserves and road widenings, all served by one new primary collector, 2 new secondary collectors, and 4 new local streets.

<b>RATIONALE</b>
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The rationale for approval of the Official Plan amendments, Zoning By-law amendments and support for the redlined draft plan of subdivision is as follows:

- i) The proposed draft plan is consistent with the Provincial Policy Statement;
- ii) The proposed draft plan is consistent with the Planning Act;
- iii) The proposed draft plan is consistent with the Uplands North Area Plan and the Official Plan;
- iv) The recommended Official Plan and Zoning By-law amendments encourage the development of plan of subdivision that includes many placemaking elements, and creates a mixed use, pedestrian oriented development with parks and open space as key focal points.

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The rationale for the recommendation of refusal of the Official Plan and Zoning By-law amendment application is as follows:

- i) The amount of commercial and high density residential proposed does not meet the intent of the Uplands North Area Plan;
- ii) The proposed high density development does not take into account surrounding land uses in terms of height and scale, and is not in keeping with the surrounding low-rise forms of development;
- iii) The proposed location for high density is not located in an activity node (adjacent to large scale shopping and employment centres) nor is it located at a point of high accessibility (such as transit service);
- iv) High rise forms of development should be directed to higher order transit corridors in an effort to support future rapid transit and its associated corridors;
- v) The proposed high density use does not meet the criteria within the Official Plans as it is not located near the periphery of the Downtown, is not in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities.
- vi) The commercial justification study has provided certain assumptions to base its conclusions on, that Staff do not agree with;
- vii) The orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers was already considered in this area, and the addition of larger scale retail opportunities would likely compete with these planned areas.

<b>BACKGROUND</b>
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<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Agriculture – cash crops with a farm dwelling and several accessory buildings, woodland, wetland, drainage corridor</li> <li>• <b>Frontage</b> – 585.7 m (1,922 ft) along Sunningdale Road East                   - 685 m (2,232 ft) along Adelaide Street North</li> <li>• <b>Area</b>     - 41.8 ha (103 ac)</li> <li>• <b>Shape</b>   - Rectangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> – Agriculture, Woodland</li> <li>• <b>South</b> – Planned multi-family residential, small-scale commercial site containing a gas bar/convenience store and a restaurant</li> <li>• <b>East</b> – Agriculture (cash crops), future planned commercial</li> <li>• <b>West</b> – future medium density block, single detached dwellings, and draft approved plan of subdivision 39T-05510</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b>
<ul style="list-style-type: none"> <li>• Schedule “A” - Multi-Family, Medium Density Residential, Low Density Residential, Open Space</li> <li>• Schedule “B1” – Environmentally Significant Area; Provincially Significant Wetland; River, Stream, and Ravine Corridor Outside Flood Plain Regulated Corridors; Potential Naturalization Areas and Uplands Corridors</li> </ul>
<b>EXISTING ZONING:</b>
<ul style="list-style-type: none"> <li>• Urban Reserve (UR4) and Environmental Review (ER)</li> </ul>

<p><b>Date Application Accepted:</b> Original application - January 27, 2009; Most recent revised application – March 3, 2014</p>	<p><b>Agent:</b> 3<sup>rd</sup> and 4<sup>th</sup> submission - Michelle Doornbosch, Zelinka Priamo</p>
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**APPLICANT'S REQUESTED ACTION:**

**Note: The following is the most recent request from the Applicant (circulation date: March 6, 2014)**

**Official Plan Amendment Application**

- Redesignate a portion of Blocks 3, 10, 18, 19 and 20 to "Low Density Residential";
- Redesignate Block 24 to "Multi-Family, Medium Density Residential";
- Redesignate Block 28 to "Multi-Family, High Density Residential";
- Redesignate Blocks 29, 30 and 50 to "Main Street Commercial Corridor";
- Redesignate Block 31 to "Neighbourhood Commercial Node";
- Redesignate Blocks 34, 35, 42 and 43 to "Open Space"; and
- Realign the Secondary Collector Roads on Schedule C of the Official Plan to match Street A and Street D.

**Zoning By-law Amendment Application**

- Zone Block 1-20 to a site specific "Residential1 (R1-13(\*)/Residential4 (R4-2(\*)" zone;
- Zone Blocks 21-22 to a site specific "Residential 5 (R5-2(\*)/Residential6 (R6-4(\*)" zone;
- Zone Block 23 to a site specific "Residential 5 (R5-2(\*\*)/Residential 6 (R6-4(\*\*)r' zone;
- Zone Blocks 24-27 and 51 to a site specific "Residential 5 (R5-4)/Residential 6 (R6-5)/Residential 8 (R8-4(\*)" zone;
- Zone Block 28 to "Residential 9 (R9-7)" zone;
- Zone Blocks 29, 30 and 50 to a site specific "Business District Commercial (BDC1(\*)" zone;
- Zone Block 31 to a site specific "Neighbourhood Shopping Area (NSA5(\*)" zone;
- Zone Blocks 32 and 33 to an "Open Space (OS5)" zone; and
- Zone Blocks 34, 35, 42 and 43 to an "Open Space (OS1)"zone.

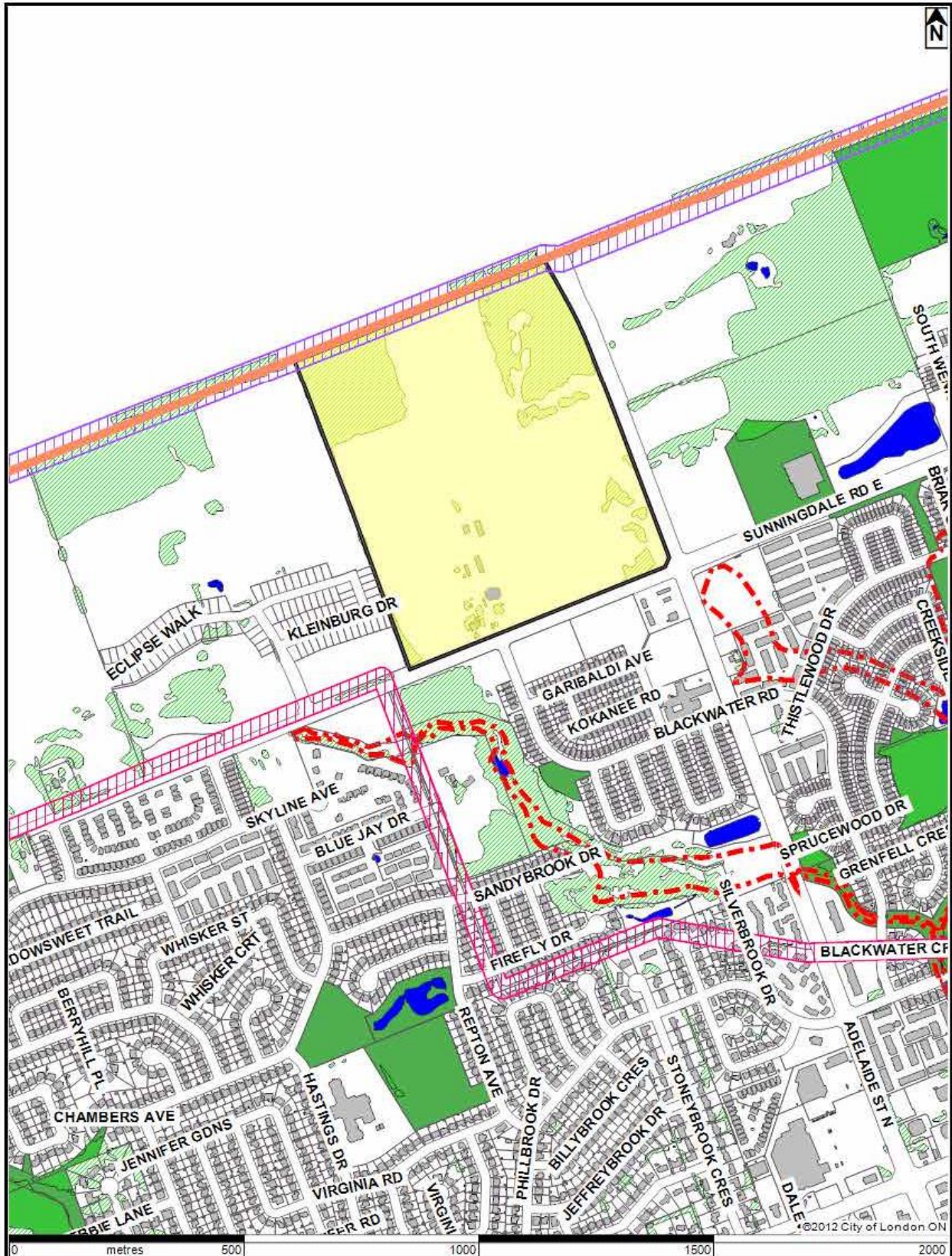
The site specific regulations proposed for the above noted zones are as follows:

- Residential 1 (R1-13(\*)): Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5 to garage (min); 6.0m (max); Interior Side Yard Setback - 1.2m on one side and 0.6m on other side
- Residential 4 (R4-2(\*)): Lot Frontage (min) - 7.8m per unit
- Residential 5 (R5-2(\*)): Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5 to garage (min); 6.0m (max)
- Residential 5 (R5-2(\*\*)): Lot Frontage (min) - 6.0m; Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5 to garage (min); 6.0m (max)
- Residential 6 (R6-4(\*)): Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5 to garage (min); 6.0m (max)
- Residential 6 (R6-4(\*\*)):Lot Frontage (min) - 6.0m; Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5 to garage (min); 6.0m (max)
- Residential 8 (R8-4(\*)): Building Height (max) - 18.0m
- Business District Commercial1 (BDC1(\*)): Building Height (max) – 18.0m; Dwelling Units to be permitted above the first floor or the rear of another permitted use on the first floor.



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


**LOCATION MAP**

Subject Site: **660 Sunningdale Rd E**  
 Applicant: **Extra Realty/Sergautis Peter**  
 File Number: **39T-09501**

Date: **2012-09-04**  
 Scale: **1:10 100**

**LEGEND**

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

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

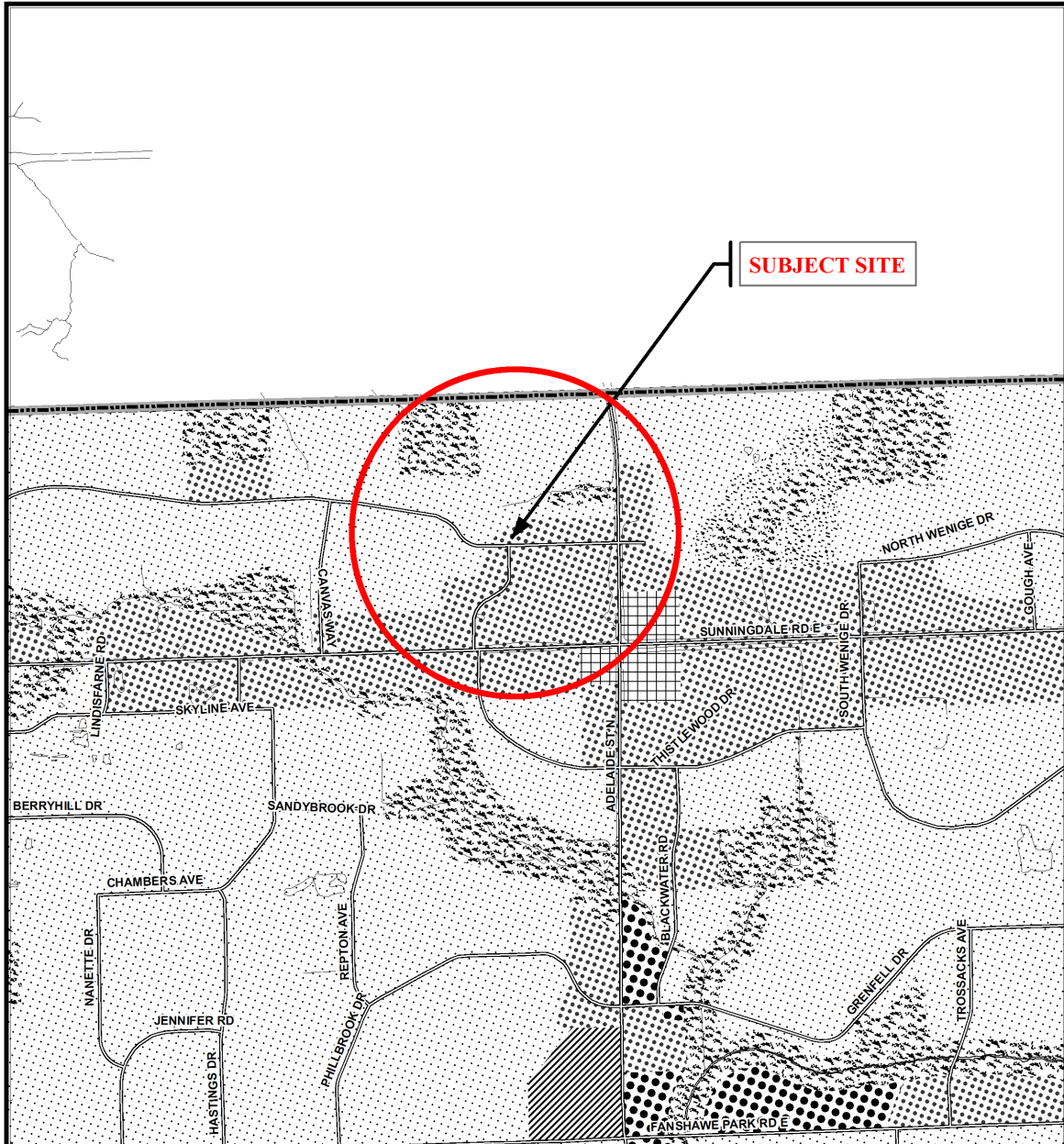




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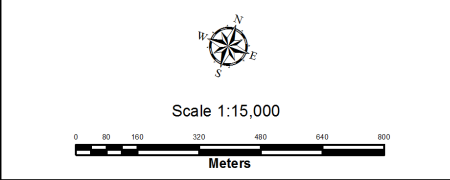
**Existing Official Plan**



**Legend**

- |  |                                   |
|--|-----------------------------------|
| Downtown Area                            | 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



FILE NUMBER: 39T-09501/OZ-7638  
PLANNER: NP  
TECHNICIAN: JTS  
DATE: September 24, 2013

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**Existing Zoning**



Zoning as of September 5, 2013



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- 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
  
- 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

2) ANNEXED AREA APEALED AREAS

**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING 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:  
39T-09501/OZ-7638 NP

MAP PREPARED:  
September 24, 2013 JTS

1:5,000  
0 25 50 100 150 200  
Meters

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<b>PLANNING HISTORY</b>
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Previous Applications

In 1999, Extra Realty Limited submitted an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Application for the subject site (files OZ-5723/39T-99513). The application was for a mix of community uses – predominately residential but including commercial and open space in a traditional subdivision. The applications were put on hold pending completion of the Uplands North Area Study.

Upon completion of the area study and the corresponding Official Plan Amendment in 2004, Extra Realty Limited indicated a desire to develop a subdivision incorporating smart growth and placemaking principles. Such a proposal would be significantly different than previously submitted and would require a new plan of subdivision, substantial revisions to the Official Plan, a Zoning By-law Amendment and a new circulation to the public and commenting agencies. With the original Official Plan Amendment application being addressed through the Area Study and no formal revision received, City Council refused the Zoning By-law Amendment on August 13, 2007 and the City of London Approval Authority refused the Plan of Subdivision Application on August 29, 2007. There were no appeals to these decisions.

Uplands North Area Plan

In March 2002, the City initiated an Area Study for the lands north of Sunningdale Road East between Adelaide Street North and Richmond Street (file O-6284). The Uplands North Area Study included an extensive consultation process with area property owners, affected departments, commenting agencies and the abutting municipality. The Study identified existing features, future needs and recommended both a mix of land uses and a transportation network to serve the community while protecting significant environmental features. The Area Study was adopted by Council on June 16, 2003 and resulted in amendments to Schedule “A”, “B”, and “C” of the Official Plan. The Township of Middlesex Centre and the County of Middlesex appealed the Official Plan Amendment to the Ontario Municipal Board primarily because they were not satisfied with the Rural/Urban Interface policies. Based on a settlement of the parties, the OMB Decision/Order 0954 (dated May 27, 2004) amended Schedules “A”, “B” and “C” of the Official Plan together with area specific text to Section 3.5.

Placemaking Demonstration Project/Placemaking Design Guidelines

In July 2005, the Planning Committee directed the Civic Administration work together with Peter Sergautis of Extra Realty and his consultant(s) who expressed an interest in pursuing an alternative community design for the subject lands. City staff provided ideas and concepts for Mr. Sergautis to consider and participated in a one-day charette.

Draft Placemaking Guidelines were prepared which support the principles of Smart Growth and Placemaking and circulated to stakeholder groups in November 2007. In November 2008 Municipal Council adopted Placemaking Guidelines for the City as a guideline document pursuant to Section 19.2.2. of the Official Plan.

Tree Cutting

In 2009, tree removal activity was reported on the subject property, in the area west of Adelaide Street and in the vicinity of the Provincially Significant Wetland. The OApplicantwner was contacted and on May 6, 2009 an information report was submitted to Planning Committee. The activity was suspended in response to City directives and no further action was taken.

Chronology of Previous Submissions for 39T-09501

An application for draft plan of subdivision and the associated Official Plan and Zoning By-law amendments were submitted to the City and deemed complete on January 27, 2009. The application was circulated in January/February of 2009. On March 13, 2009, a meeting was held with the Applicant to discuss deficiencies that prevented the file from moving forward, including Natural Heritage issues, inconsistency with the Official Plan designations, and supporting documentation on how Placemaking was to be implemented in the plan of subdivision. The Applicant was to work at addressing the identified deficiencies. On December 4, 2009, a letter was sent to the consultant working on behalf of the Applicant, which reiterated outstanding technical issues with the applications.

A revised application was submitted by the Applicant on April 29, 2010. Circulation of the

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application was delayed until the Applicant provided further information and the package was deemed complete on June 2, 2010. A new consultant was retained by the Applicant in August, 2010. This consultant worked with the City over the next year to create special policies for areas and prepare an Urban Design Brief to support new standards that were introduced by this application. However, no formal submission was made during this time.

In August of 2012, the City was informed that a new consultant had been retained by the Applicant (Zelinka Priamo Ltd.). A third submission was received and deemed complete on August 31, 2012.

Fourth Submission – not deemed complete

In April of 2013, the Applicant’s consultant submitted correspondence and revised plans for the proposed plan of subdivision. The submission did not include a fee and other information required to constitute a complete submission. A meeting was held on April 17<sup>th</sup> with the Applicant and consultants to discuss the revised plan, and identify additional information required to support a complete submission. A follow-up letter was sent to the Applicant and his consultants on June 14<sup>th</sup> confirming that the following supporting documentation was required to initiate evaluation of the revised application:

- Justification as to the amount of commercial space proposed as it is not consistent with the Official Plan or the Uplands North Area Plan.
- Justification for development proposed within an area that was identified by MNR mapping as “Provincially Significant Wetland”. It was noted that if a wetland evaluation was not submitted to the Province to justify a change in status, the current wetland area could be red-lined and zoned to preclude development, to ensure that the wetland feature is protected.
- Revision to the proposed 18 metre road widths, as this was not consistent with approved municipal standards; however, a reduced standard might be considered if access to the units was provided by private rear laneways.
- A “ghosted” plan, to show how the blocks within the subdivision could be developed based on the zoning that was being proposed.

The Applicant’s consultants indicated they would be able to provide justification for the amount of proposed commercial and design brief to support the form of commercial development being proposed. The Applicant’s consultant subsequently requested that the application be brought forward to the first Planning & Environment Committee (PEC) meeting in October in an effort to avoid a referral to the OMB and receive input from the public.

Public Meeting at Planning & Environment Committee – October 8, 2013

An information report was provided and a public meeting was held at PEC on October 8, 2013. After hearing from staff and the agent for the Applicant, PEC & Council recommended advising the Approval Authority of the outstanding issues on site, which included the wetland boundary, channel realignment on Adelaide Street, the proposed location of the parkland, and the proposed road allowances.

PEC and Council also resolved that the Applicant address all the issues raised with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications, including the following:

- i) submit additional information that addresses the outstanding issues raised by the Upper Thames River Conservation Authority and Ministry of Natural Resources;
- ii) submit a wetland evaluation report to the Province, in consultation with the City of London and the Upper Thames River Conservation Authority, to update the Provincially Significant Wetland (PSW) mapping within the plan;
- iii) identify the location and delineation of required parkland and open space on the plan, in consultation with City staff;
- iv) provide documentation that addresses the amount and location of proposed commercial development, including associated concept plans and design details;
- v) review the proposed roadway alignments, in consultation with City staff, to confirm the location of roundabouts and ensure the width of roads meet applicable municipal standards; and,
- vi) provide a revised plan for circulation that constitutes a complete application.



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Staff was directed by Council to consider the input received at the public participation meeting and undertake further dialogue with the Applicant and, upon completion of the application, report back at a future statutory public participation meeting of the Planning and Environment Committee.

Lastly, PEC and Council resolved that the application be consistent with the Uplands North Community Plan.

Fourth Submission – deemed complete (current submission)

The fourth submission and fees was received from the Applicant on February 25, 2014 and was deemed complete on March 3, 2014. Department and public comments, as well as Planning Analysis by Staff, are provided below.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

This section presents the key issues raised by significant department/agencies affecting the proposed subdivision. Italics indicate a direct quotation from the provided comments. Appendix “E” summarizes the specific details of comments received from departments/agencies that have been addressed through redline markups and/or conditions of draft approval.

**Servicing Related City Comments**

The following comments represent the consolidated feedback from Development Services Engineering Review Staff and the various Engineering Services Divisions.

*Wastewater*

- The Applicant is required to construct and connect sanitary sewers to the existing municipal sewer and provide any necessary easements when the sewer is not in a municipal roadway.

*Stormwater*

- The majority of this plan’s storm drainage flows (approx. 27 ha) shall be directed to the Regional Stoney Creek SWM Facility 1N.
- The remaining portion of this plan’s flows (minor flows) are designed to outlet to Powell Regional Facility B2.
- Major storm flows for this plan shall be directed to the proposed flood control facility, shown as Block 42 on this plan.

*Water*

- Construct and connect watermains to the existing watermain stub located on Sunningdale Road.

*Transportation*

- Street A is to be redesignated to a primary collector on Schedule “C” with a 26 m road allowance from Sunningdale to Street D. Additional minimum road allowances have been redlined on the plan.

Development Services recommends the following holding provisions and special provisions be added to the subdivision:

- ‘h’ holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.
- ‘h-100’ holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available, to the satisfaction of the City Engineer.
- A special provision is implemented with respect to minimum 7.8 metre lot frontages in R4-2 zones (street townhouse).

It should be also noted that an Official Plan Amendment will be required to designate Street A as a Primary Collector on Schedule “C”.



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**Urban Design – Planning**

*“Urban design staff have reviewed the proposed subdivision layout plan for the above noted property and provide the following comments:*

1. *In an effort to support future rapid transit and the associated corridors, a high-rise (or high density) built form at this location is not supported. That type of built form should be directed to higher order transit corridors. However, a mid-rise form is more appropriate given the road classification, while providing support for the surrounding commercial.*
2. *The overall design of the subdivision does not satisfy some aspects of the Placemaking Guidelines. These include:*
  - a. *The large block pattern reduces walkability to both commercial and transit activity.*
  - b. *Rear and side lotting onto parks, woodlots and stormwater management facilities does not provide an active frontage to these spaces.*

*The Applicant is encouraged to discuss the design opportunities for the site with urban design staff. There is a good foundation to work from and a lot of opportunities to create a unique neighbourhood.”*

**Ministry of Natural Resources – November 21, 2013**

*“Based on MNR’s review of the information provided, the proposed revision is accepted by MNR. This will result in the MNR undertaking an update to the Arva Moraine Provincially Significant Wetland evaluation file (including species list and mapping revisions).”*

**Upper Thames River Conservation Authority**

- Acknowledge the change in wetland boundary supported by the MNR on November 21, 2013. Our concerns have been addressed.

**Watercourses**

- Function of water movement for the channel located west of the PSW will be maintained and is to be accomplished through appropriate best management practices to ensure that water balance for the wetland is maintained.
- A water balance study and additional analysis with respect to the proposed channel alterations is to be provided as a condition of draft approval.
- The watercourse (Worall Drain) which flows along Adelaide Street be maintained in its current location and configuration. A 15 metre setback be applied from the bank of this feature. Accordingly Block 43 will need to be revised to accommodate this regulated feature and the required buffer.

**Buffers**

- Additional rationale needs to be provided to determine if a 10 metre buffer is adequate to protect the features and functions of the woodland and wetland that are located on the site.

**Additional Considerations/Conditions Required**

- As a condition of draft plan approval, the Authority will be requesting a Final EIS which addresses our outstanding concerns. A Water Balance Analysis will also be required. This information is also needed in order to secure the necessary approvals pursuant to Section 28 of the Conservation Authorities Act for the proposed development.
- The issues of the Provincially Significant Wetland (PSW) and channel realignment must be resolved before detailed SWM criteria are determined for the proposed development. Suitable setbacks must be provided for the PSW and it must be demonstrated that the base flow and the local hydrology of the feature are being maintained. The UTRCA does not support the proposed realignment of the channel along Adelaide Street and advises that the existing configuration be shown on the plan.
- Block 42 on the revised plan shows a proposed SWM block. The proposed SWM pond is within a regulated area and may impact the natural heritage and hazard features including a wetland and watercourse. Furthermore, the proposed SWM pond may increase the base flow into the wetland as demonstrated by the water balance analyses for the site in Functional SWM report by EngPlus dated January 26, 2010. Please address.

**Recommendations**

The Authority has a number of outstanding concerns regarding this proposed development, however we are of the opinion that they can be resolved and can be covered off with conditions of draft plan approval.

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**Sun Canadian Oil Pipeline (comments provided October 7, 2013)**

*We have no objection to the proposed residential development in the vicinity of Sun-Canadian's two high pressure liquid petroleum pipelines. Sun-Canadian owns and operates a 200 mm and a 300 mm diameter pipelines transporting refined products including gasoline, diesel, furnace oil, and jet fuel at operating pressures reaching 9900 kPa (1440 psi) adjacent to the north property line.*

*Our prime concern is for the safety of the public and the environment. The setback requirements must be respected regardless of the property lines and considered a necessary safety precaution for the nearby occupants.*

Note: An additional setback from the pipeline (20 m) has been included in the zoning for the Blocks adjacent to the pipeline (Blocks 1 and 2).

**Thames Valley District School Board (comments provided October 7, 2013)**

*The proposed subdivision is presently within the boundaries of Centennial Central PS for Grades JK to 8 and Medway HS for Grades 9-12. Students in grades 9-12 will be accommodated at Medway HS. due to increased enrolment at Lambeth PS.*

Note: The standard condition regarding notification of school board matters to purchasers will be included in the standard subdivision agreement.

**PUBLIC COMMENTS**

Below is a summary of the public comments received through each of the public circulations. Appendix "F" contains the full comments received through each circulation and a copy of the petition received through the first submission.

<b>PUBLIC LIAISON:</b>	<p><u>1<sup>st</sup> submission and circulation</u> - On February 10, 2009, Notice of Application was sent to 35 property owners in the surrounding area. Notice of Application was also published in the Living in the City section of the London Free Press on February 14, 2009.</p> <p><u>2<sup>nd</sup> submission and circulation</u> - On June 3, 2010, Notice of Application was sent to 35 property owners in the surrounding area. Notice of Application was also published in the Living in the City section of the London Free Press on June 12, 2010.</p> <p><u>3<sup>rd</sup> submission and circulation</u> - On September 7, 2012, Notice of Application was sent to 37 property owners in the surrounding area. Notice of Application was also published in the Living in the City section of the London Free Press on September 8, 2012.</p> <p><u>4<sup>th</sup> submission and circulation</u> - The most recent application was circulated on March 6, 2014. Notice of Application was sent to 42 property owners in the surrounding area. Notice of Application was also published in The Londoner on March 13, 2014.</p>	<p>1<sup>st</sup> submission and circulation - 3 telephone replies, 1 letter reply and 1 petition with 140 signatures was received.</p> <p>2<sup>nd</sup> submission and circulation – 1 reply received.</p> <p>3<sup>rd</sup> submission and circulation – no replies received.</p> <p>4<sup>th</sup> submission and circulation – 3 replies received.</p>
<p><b>Nature of Liaison:</b> (submission and circulation from March 2014)</p> <p>The purpose and effect of these applications is to permit the lands to be developed for residential, small scale commercial and a mix of residential/commercial uses. Residential areas will consist of single detached dwellings, street townhouse dwellings and cluster housing. Residential/commercial areas will consist of medium and high density apartment buildings, small scale commercial and office uses with units behind or above the first floor.</p>		

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**Responses:**

1<sup>st</sup> submission and circulation:

- One telephone respondent requested general information about the proposal and advised trees were being cut on the property.
- One telephone respondent requested information about rents in the proposed high density residential buildings.
- One telephone respondent also inquired about rental rates. He expressed concerns about changing the area to high density residential, about a possible decrease in property values and possible increase in crime rates.
- Written response was in support of the proposal. He believes the most serious impediments to sustainable building are zoning, transportation and engineering policy. While supportive of the proposal he offered comments on specific elements of the proposal and they were the following: rear lanes – should be supported; village green – excellent design feature; medium density residential – should be row-housing on public streets; high density housing – should be 4 – 8 storeys; walkway – inherently unsafe; parkland – larger more usable parks would be better; and woodlot – better integration with active parkland needed.
- Petition signed by 140 individuals - The following is a summary of the cover page of the petition. *“We the undersigned are opposed to the proposal to change from Low and Medium Density Residential to High Density Residential as it would create great congestion at this intersection of Adelaide Street North and Sunningdale Road East. We are also opposed the change from “Environmentally Significant” to “Vegetation Patch”. We are disappointed the developer has already destroyed a significant number of trees. We purchased our homes because of the Low and Medium density zoning. High density residential/commercial will detract from our quality of life.”*

2<sup>nd</sup> submission and circulation:

- One written response was against the application – believes the application will decrease property values due to lower end homes, businesses and apartment buildings. We do not believe this is in the best interest of property value in this neighbourhood. Do not want an apartment buildings built. Traffic concerns with apartments and business.

3<sup>rd</sup> submission and circulation: no responses.

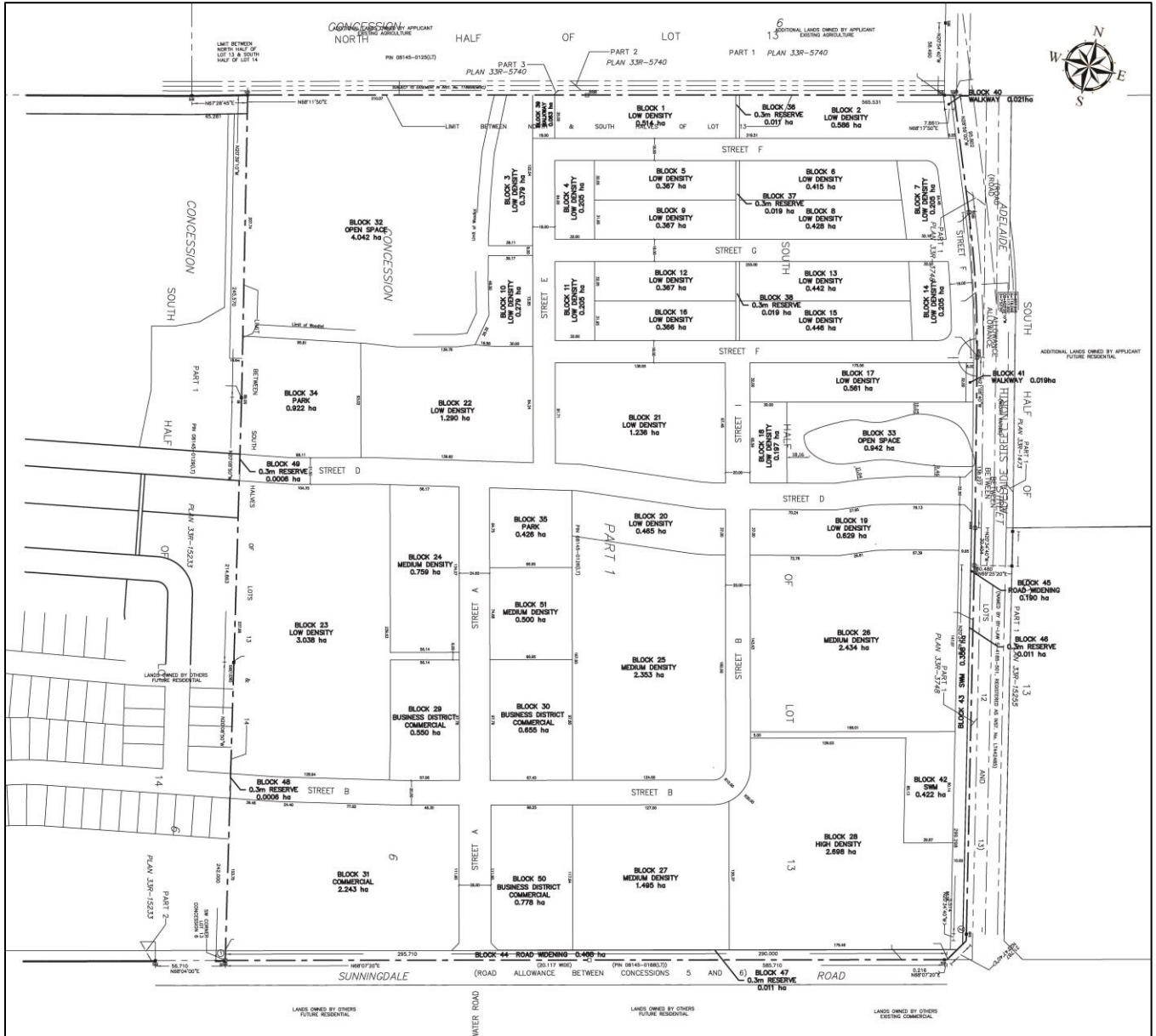
4<sup>th</sup> submission and circulation:

- One written response has concerns with the proposed high density residential. A building of that height will pre-determine the future of buildings to the north and no housing to the north of it will have a view of the city or to the north because of the south facing slope they would be built on. There is high density zoning only a few kilometres to the west. The notion of high density sprawl and how this constitutes good planning. Also concerns with the amount land requested to be zoned business/commercial. The amount of commercial poses a significant risk to become unfilled and derelict. Overall, application should be in compliance with the Area Plan.
- One written response was on behalf of the Stoneybrook Heights/Uplands Residents Association. The plans for the property have undergone numerous revisions over the past decade. Residents find the process difficult to follow. Many responded to an application submitted a few years ago and request that their individual comments should be considered as part of this review. The association is concerned that the high density block and commercial blocks do not reflect the community plan. A recent council resolution determined the application must be consistent with the community plan. Also of concern was the extent and amount of commercial in addition to the location. Previous plans showed a new urbanist community with mixed use commercial and residential/office uses in a main street village atmosphere. This plan simply places a glut of commercial in a location detached from the community centre. The association also expects that the city will ensure protection of natural heritage features as per the community plan.
- One written response has concerns with the adequate supply of housing already available in North London, the amount of commercial proposed on site, and the provision of services for the site.

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**Submitted Draft Plan from Applicant February 2014**



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<b>ANALYSIS</b>
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The Analysis section of this report assesses the proposed plan with regards to conformity with the Provincial Policy Statement, the Planning Act, the City’s Official Plan, the Uplands North Area Plan, and the City’s Placemaking Guidelines. It evaluates the proposed draft plan with respect to small lots, low, medium and high density blocks, commercial blocks, parkland, open space, stormwater and conveyance blocks, and evaluates the proposed zoning for each block. The analysis concludes with a summary of the proposed redline amendments to the plan.

**Subject Site**

The subject site is a 42 ha parcel of land located at the northwest corner of Adelaide Street North and Sunningdale Road East. It is located at the northerly limit of the City and borders with the Township of Middlesex Centre. The property slopes generally from north to south with a rolling terrain. The site currently contains a 4ha woodlot (designated as Environmentally Significant Area), a small Provincially Significant Wetland, and existing buildings being a residence, brick barn, and two outbuildings.

The subject site is surrounded by developed lands to the west, which consists of a future medium density block, existing single detached dwellings and future single detached dwellings (known as the Powell Subdivision, 39T-05510). To the east of Adelaide Street is vacant land designated for future commercial (Neighbourhood Commercial Node), and proposed residential (Low and Medium Density) development (known as the Comfort Subdivision, also owned by the Applicant, file 39T-11502 – not yet draft approved). To the north is the municipal boundary, as well as the Sun-Canadian Oil Pipeline. Lands to the north are currently farmed. Existing single detached dwellings, as well as proposed medium density development and low-rise apartment buildings are located south of the subject site. Existing commercial, comprised of a gas station, oil change facility, and Tim Horton’s, is also located south of the subject site.

**Does the Plan conform to the Provincial Policy Statement?**

As of May 1, 2014, all applications are required to be consistent with the new Provincial Policy Statement.

**1. Building Strong Healthy Communities**

The proposed subdivision accommodates a range and mix of residential units and densities, such as zoning to permit street townhomes and single detached dwellings, various cluster housing zones, as well as mixed use development with residential above the first floor along Street A. The grid type pattern promotes a more efficient subdivision pattern that allows for pedestrian walkability and efficiency in services. The subject lands are within the Urban Growth Boundary (settlement area) as identified in the Official Plan and are designated to permit a mix of uses. The proposed development will be serviced by full municipal services. The plan provides for two public parks, numerous walkways/connections which enhance pedestrian movement, and connections to a proposed recreational trail to be located along the northern edge of the City.

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

The subject lands include a Provincially Significant Wetland and an Environmentally Significant Area. An EIS was submitted in support of the application and its accepted buffers and recommendations have been incorporated into the plan. In addition, the conditions of draft approval require implementation of the Environmental Management Plan.

The subject lands also abut active agricultural lands; although no potential livestock facilities are located within 500 m of the property. The recommended draft plan provides a intervening land use (a 15 m open space corridor) between proposed residential uses and agricultural operations in the Township of Middlesex Centre. In addition the conditions of draft approval require a warning clause to be placed in the subdivision agreement to advise future residents of the potential impacts of nearby agricultural operations.

There are no Mineral and Petroleum, Mineral Aggregate Resources issues associated with this proposal.



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3. Protecting Public Health and Safety

There are no Natural or Human Made Hazards associated with this plan.

Overall, the plan has been reviewed and it has been determined to be “consistent with” the 2014 Provincial Policy Statement.

**Does the Plan conform to the Planning Act - Section 51(24)?**

Planning Staff have reviewed the requirements under section 2 of the Planning Act and regard has been given to matters of provincial interest. The subject lands are bordered by existing and planned development to the west. The two natural areas within the subject site have been assessed and the appropriate buffers and mitigation have been proposed and incorporated through the draft plan and conditions. Municipal services are planned for the site and will need to be extended by the Applicant prior to development occurring. The municipality will construct the stormwater management ponds required to serve this development. Other municipal services such as roads and transportation infrastructure will be provided and constructed as part of the conditions of draft plan approval. The proposed draft plan is located in a municipality which actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities. As part of the draft plan, two parks will be constructed, as well as numerous walkways and a municipal pathway located just outside the municipal boundary, which will connect lands to the east and west. Cash in lieu-of-parkland will also be required in addition to parkland. There is also access to nearby parks and recreational facilities, medical facilities, and emergency and protective services. The surrounding area is predominantly single family residential, with some higher density recently approved to the south of the subject site. This plan proposes a full range of housing types. There is adequate provision of employment areas throughout the City and in close proximity to this site. The proposed draft plan implements the land use policies in accordance with the City’s Official Plan, and the Uplands North Area Plan. The proposed draft plan supports public transit and promotes pedestrian movement through the adjacent subdivisions.

The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services are normally addressed in the subdivision agreement.

Based on Planning Staff’s review of the criteria in the Planning Act under Section 51(24), the proposed draft plan has regard for the health, safety, convenience, accessibility for persons with disabilities, and welfare of the present and future inhabitants of the municipality.

**Does the Plan conform to the Official Plan?**

The existing Official Plan designations were applied through the Uplands North Area Planning process, which was conducted in 2001/2002. The area is currently designated Multi-Family, Medium Density Residential along the Sunningdale Road and a portion of the Adelaide Street North frontage, and Low Density Residential within the internal of the site, as well as Open Space to recognize the Environmentally Significant Area (ESA) and the Provincially Significant Wetland (PSW).

The Applicant has proposed the following changes to the Official Plan:

Schedule “A” – Land Use

- Change the designation for a portion of Blocks 3, 10 and Block 18 from “Open Space” to “Low Density Residential”;
- Change the designation for a portion of Block 19 and Block 20 from “Multi-Family, Medium Density Residential” to “Low Density Residential”;
- Change the designation for Block 24 from “Low Density Residential” to “Multi-Family, Medium Density Residential”;
- Change the designation for Block 28 from “Multi-Family, Medium Density Residential” to “Multi-Family, High Density Residential”;
- Change the designation for Blocks 29, 30 and 50 from “Low Density Residential” and “Multi-Family, Medium Density Residential” to “Main Street Commercial Corridor”;
- Change the designation for Block 31 from “Low Density Residential” and “Multi-Family, Medium Density Residential” to “Neighbourhood Commercial Node”;
- Change the designation for Blocks 34, 35, 42 and 43 from “Low Density Residential”

and “Multi-Family, Medium Density Residential” to “Open Space”.

Schedule “B1” – Natural Heritage Features

- Remove “Unevaluated Corridors” from B1;
- Amend the “Provincially Significant Wetland” feature as it pertains to Block 33 and 18;
- Amend the “ESAs” feature as it pertains to Block 3, 10 and 22.

Schedule “C” – Transportation Corridors

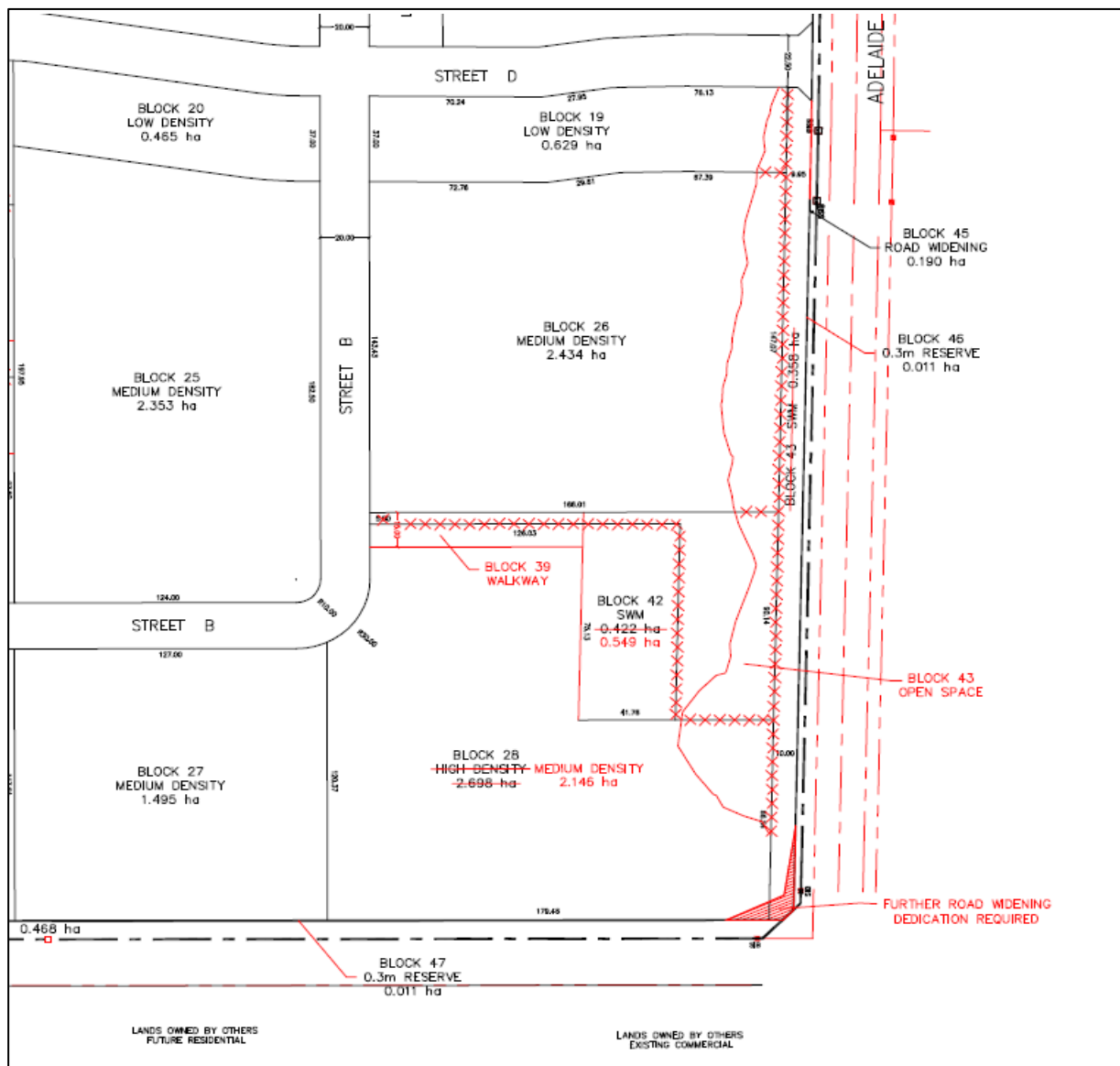
- Realign the Secondary Collector Roads to match Street A and Street D, and add Street B as a secondary collector.

Through the Transportation Division comments, an additional amendment to Schedule “C” was circulated, to reclassify Street “A” to a Primary Collector from a Secondary Collector.

For the most part, the above changes are minor and are supported. Some of the changes are as a result of the Environmental Impact Study (EIS) submitted by the Applicant which refined the boundary of the ESA and added buffers to the feature, and the Ministry of Natural resources (MNR) recent sign off on a revised wetland boundary for Block 33.

Multi-Family, High Density Residential

The requested change for Block 28 (located at the northwest corner of Adelaide Street and Sunningdale Road) from “Multi-Family, Medium Density Residential” to “Multi-Family, High Density Residential” is not supported by Staff.



**Figure 1 – Proposed High Density Residential Block and redline amendments**

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Based on a review of the policies of the Official Plan, the recommendation for refusal of the proposed Official Plan and Zoning By-law amendments is supported by the following:

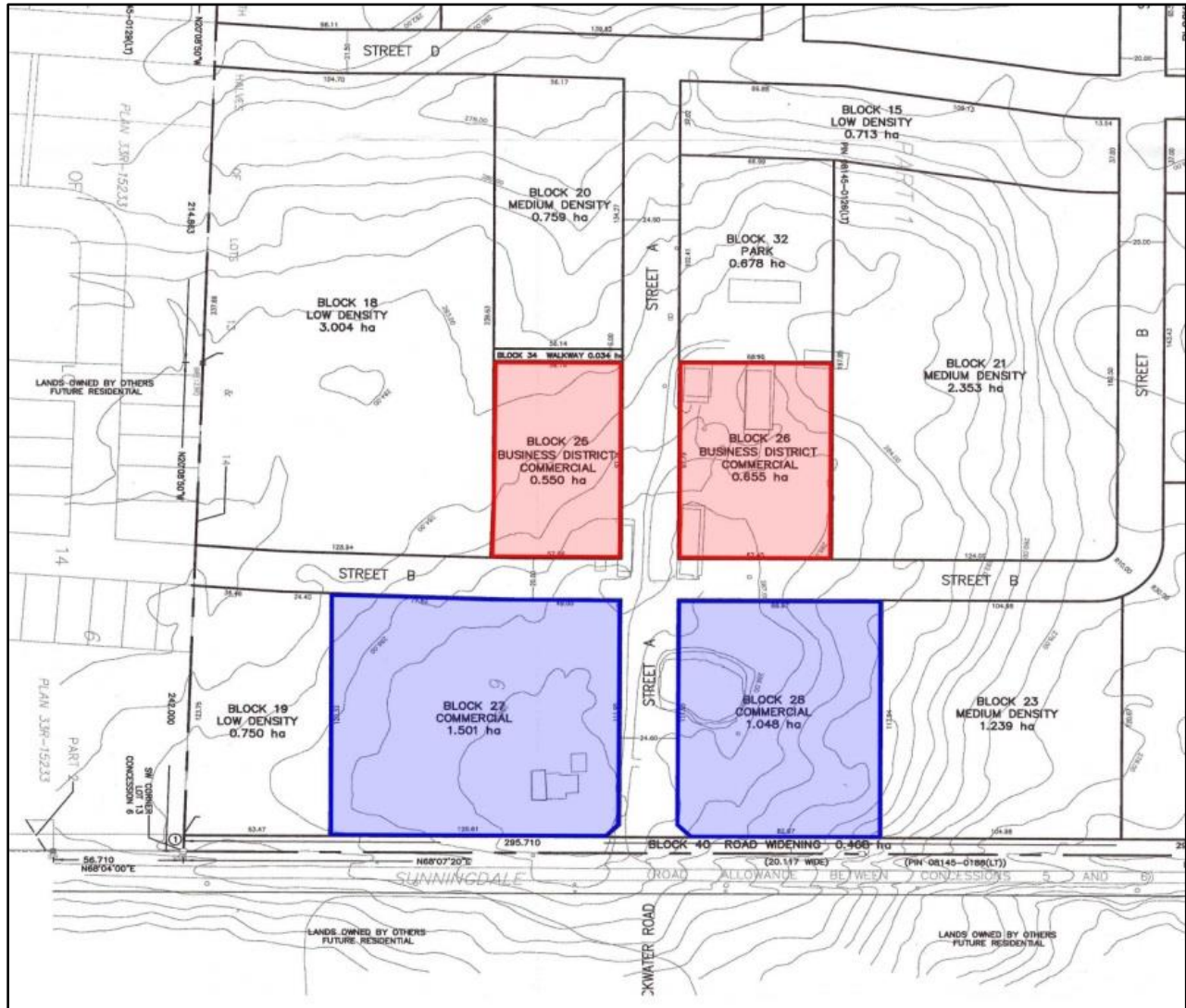
- Surrounding land uses will be capped at a maximum of 4 stories. The proposed high density block would have a potential height of 14 stories. The site has grade changes which may affect the building, possibly making it seem higher than the proposed height. Since there is no specific development proposal, Staff have no way of knowing what the proposed high density will look like, what sort of mitigation measures could be used, and what kind of impact a proposed 14 storey building could have on the amenities and character of the surrounding area.
- This location for high density is not located in an activity node (adjacent to large scale shopping and employment centres) nor is it located at a point of high accessibility (such as transit service).
- High rise forms of development should be directed to higher order transit corridors in an effort to support future rapid transit and its associated corridors. A mid-rise form is more appropriate given the road classification, while providing support for the surrounding commercial.
- It is unknown if the site will include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings, in order to minimize the overwhelming effect of large high-rise developments.
- While the site does conform to some of the locational criteria including its location on an arterial road, it does not fulfill the criteria for designation set out in the remainder of the policy including: it is not located near the periphery of the Downtown, in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities.
- The original proposed high density block is less than 3 hectares in size. A minimum of 3 hectares is recommended for high density blocks in order to achieve and accommodate a mixing of housing types, building heights and densities, and a transition in scale.

The Uplands North Area Plan allocated approximately 5% of the total land area within Uplands North for high density development, and this was strategically placed at the Richmond and Sunningdale intersection at the principle northern entranceway into the City of London. While development is encouraged to achieve a more compact urban form (i.e. increased densities) in order to maximize the use of land and the investment in infrastructure, services and community facilities, the existing medium density designation still has the ability to develop at 75 units per hectare, with the possibility of achieving up to 100 units per hectare through the bonus provisions of the Official Plan, and through design can still achieve a compact urban form. Recent applications in the area have increased density and height, but have still not achieved the height and densities requested through this application. Overall, Staff do not support the provision of High Density at this location, as it is not in keeping with the policies of the Official Plan for High Density, not in keeping with the Uplands North Area Plan, and is not a key location for higher density within the City.

Commercial

The requested change for Block 31 from “Low Density Residential” and “Multi-Family, Medium Density Residential” to “Neighbourhood Commercial Node” is also not supported by Staff. Staff is supporting a reduced amount of commercial within a “Main Street Commercial” designation.

The previous 3 submissions from the Applicant have included a substantial commercial component which was comprised of a Neighborhood Commercial Node and a Main Street Commercial Corridor. The previous applications had a total of 2.55 ha of Neighborhood Commercial Node designation and zoning, which could have permitted over 7,000 square meters (76,000 square feet) of commercial floor space, and a Main Street Commercial Corridor designation and zoning, which could have permitted an additional 6,305 square meters (68,000 square feet) of commercial floor space. The previous application is shown below in Figure 1.



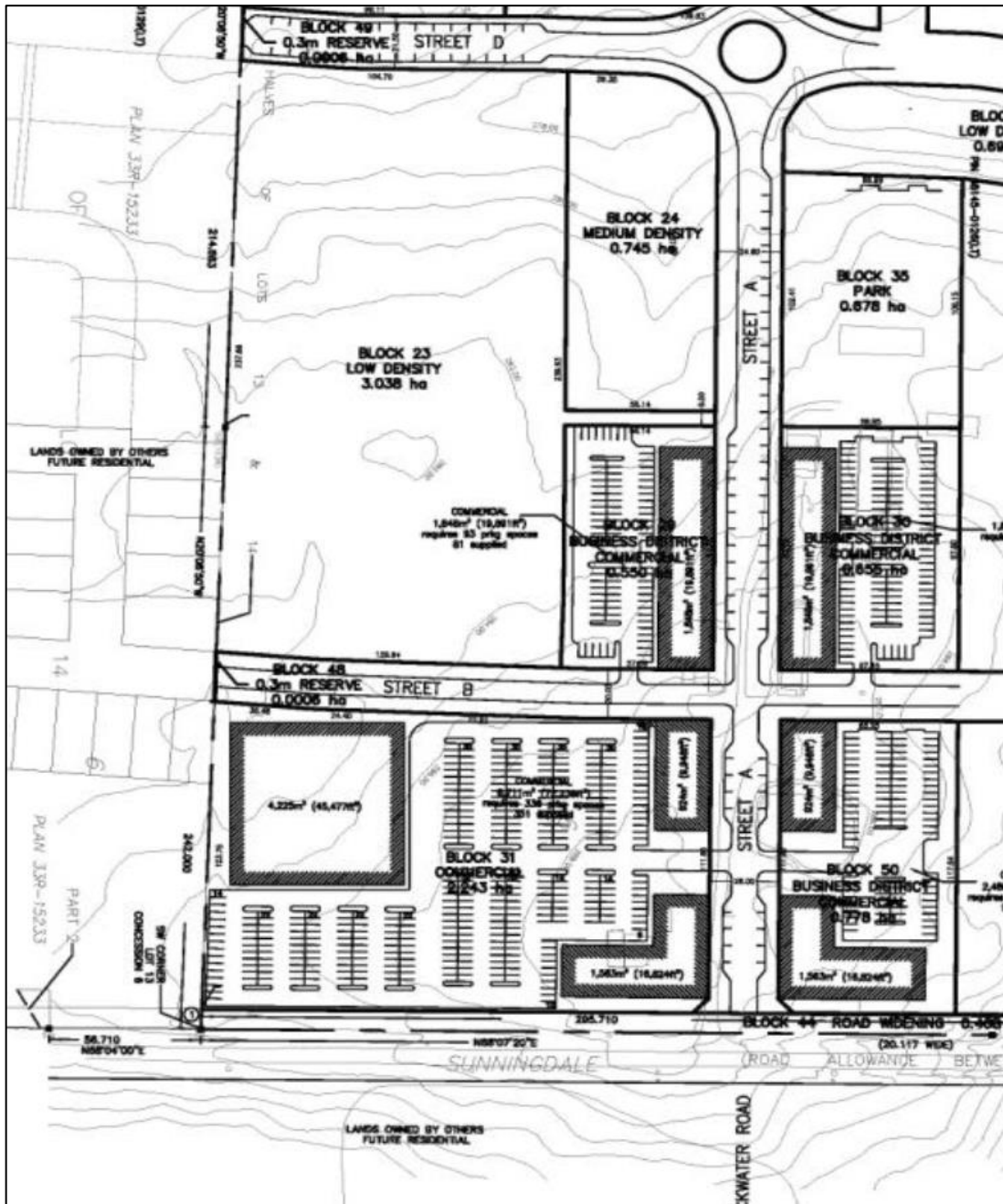
**Figure 2 – Previous commercial request from the Applicant April 2013**

This most recent revised application provided by the Applicant has changed the configuration and amount of commercial. The Applicant has also submitted a concept plan for the commercial blocks (see Figure 3 – Commercial Concept April 2014). The Applicant has now requested the following:

- 2.2 ha of Neighborhood Commercial Node designation, which now includes all of the lands west of Street “A” to the property boundary. The Applicant has indicated a possible floor area of 6,730 square metres (72,265 square feet).
- 2.0 ha of Main Street Commercial Corridor designation and zoning, divided amongst 3 blocks to the north and south of Street “B”. The Applicant has indicated a possible floor area of 6,201 square metres (66,747 square feet).

Business District Commercial zoning is intended to implement the Main Street Commercial Corridor designation. It permits a combination of retail, restaurant, neighbourhood facility, office and residential uses along pedestrian-oriented business districts. The uses in Business District Commercial zones are intended to serve the daily and weekly shopping needs of local residents, while also catering to certain specialty shopping needs, which have been identified based on their function, intensity and potential impacts. The Applicant has requested a Business District Commercial 1 Zone for the three Blocks located north and south of Street B. The Neighbourhood Shopping Area Zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. The Applicant has requested the NSA5 Zone variation to permit standalone buildings on the site.

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**Figure 3 – Commercial Concept April 2014**

As part of the resubmission, the Applicant has submitted a Commercial Justification Study. This study has indicated that through this application, up to 13,400 square meters (144,000 square feet) of commercial space, composed of small scale retail stores, food stores, restaurants, offices and personal service establishments could be added to the area. The Commercial Justification Study indicates there is a need for a large amount of additional commercial facilities to serve the rapidly growing population in the northeastern portion of London. The study suggests that there is a need for an anchor tenant, such as a supermarket, in order for the development to proceed. A strong anchor tenant would provide a significant customer attraction to the site, which would in turn provide support for the other facilities planned for the development. The study also indicates that other facilities on the subject site, particularly the proposed Business District Commercial uses, are unlikely to develop as intended in the absence of a strong anchor tenant. In addition, the new commercial facilities proposed at the site would not negatively impact the existing or planned commercial space in the Trade Area, recognizing that existing and future population growth in the local area warrants a significant amount of additional commercial space.

The Uplands North Area Plan indicated the following:

*"...Although opportunity for shopping is generally provided at 40 sq.ft. per person (Evaluation of Planned Commercial Land Supply in the City of London), only one of the Land Use Concepts identified any commercial land use designation within Uplands*



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*North.... It was concluded that there are sufficient nearby opportunities already planned for the daily and weekly shopping needs of future residents at the Richmond and Sunningdale and Adelaide and Sunningdale intersections. In terms of higher order goods and services, the Masonville regional shopping center is located within 2-3 km and offers a variety of major department and mid-sized retail stores, movie theatres and restaurants. As a result of the location of this planning area at the northernmost limit of the City, it is anticipated that most residents will be employed to the south which would provide for convenient shopping opportunities on return trips from work. Given the lands to the north within Middlesex Centre are not planned for urban/residential development, there is no need to site any commercial uses within the north end of the planning area. Due to these conditions, no new designations have been recommended for Community or Neighbourhood Shopping Areas."*

The Council resolution from the October 22, 2013 meeting clearly indicated that any application shall be consistent with the Uplands North Area Plan.

It is common to find small scale commercial nodes or areas within new urbanism/placemaking subdivisions. The issue with this proposal is focused on the location and scale.

Planning Staff are not supportive of the amount and type of commercial proposed through the plan of subdivision. The commercial justification study has provided certain assumptions to base its conclusions on that Staff do not agree with, such as the amount of commercial allocated per person in the subdivision (40 m<sup>2</sup> in the Uplands North Area Plan vs. 45 m<sup>2</sup> in the Commercial Justification Study), the parameters of the Trade Area used, and the importance of existing planned commercial already located and zoned in the immediate area. The report does not seem to address the immediate population and their local needs, but rather focuses on the larger area population. While commercial justification studies can be useful in establishing certain parameters around commercial uses, they are not the only consideration from a Planning perspective.

As per the Planning objectives for all Commercial land uses designations, Staff need to consider the impact the proposed commercial would have on existing and planned residential uses and the traffic carrying capacity for Street B. The existence of planned commercial to be located on the northeast and southeast corners of Adelaide and Sunningdale was a key consideration through the Uplands North Area Plan and is a major factor as to why additional commercial was not recommended through the Plan. The orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers was already considered in this area, and the addition of larger scale retail opportunities would likely compete with these planned areas. These planned commercial nodes have been located at key intersections and considerations such as transportation and services have already been considered. Recent applications to add commercial uses within the Uplands North Planning area were refused by Council and the decision upheld by the Ontario Municipal Board.

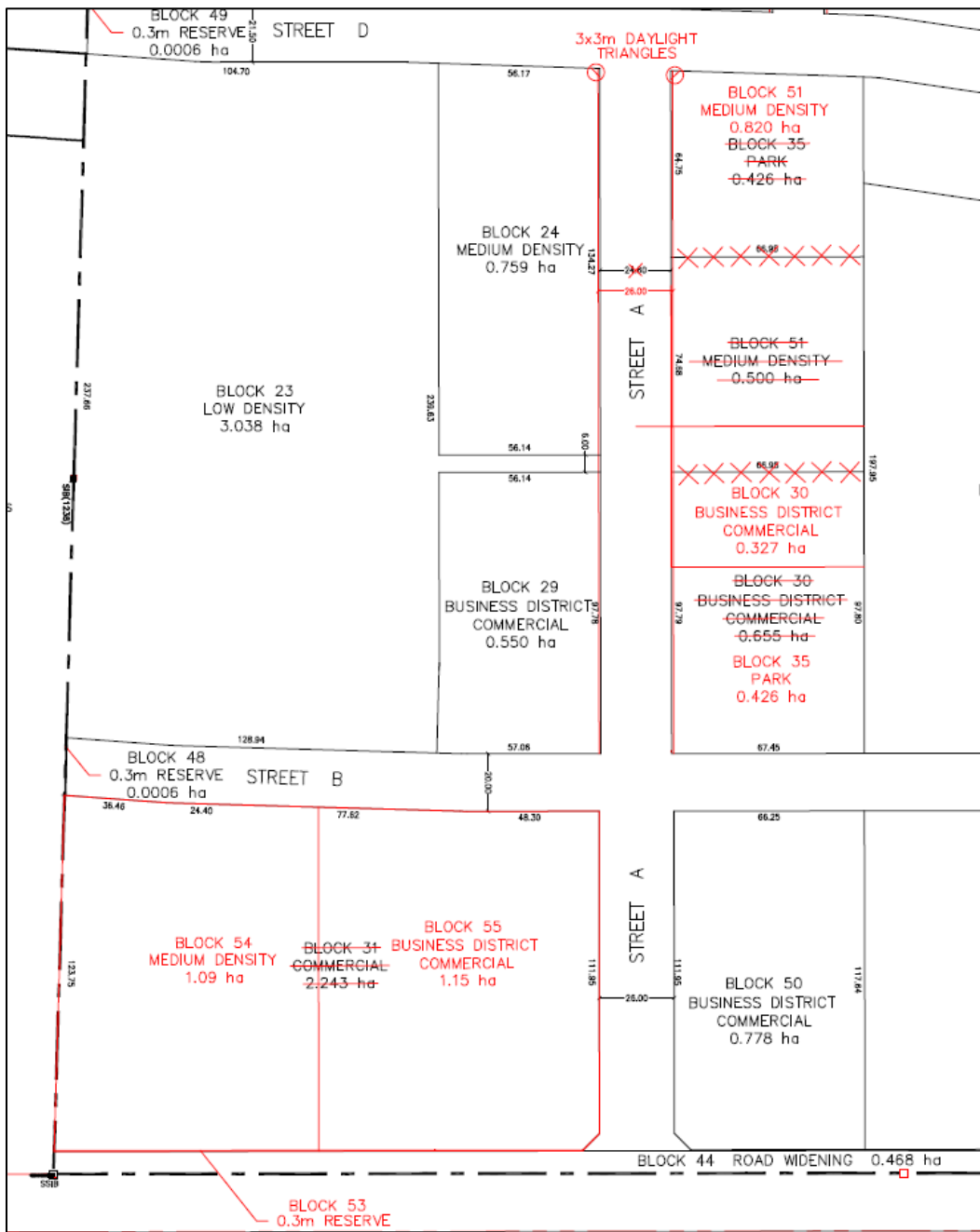
The Land Needs Study for the Uplands North Area Plan did identify, however, that there could be several opportunities to locate convenience commercial uses of a local/neighbourhood scale, and that small-scale office commercial development is an appropriate use within residential areas. There are obvious benefits to be gained by these 'close to home' employment opportunities and the reduction in the distances needed for vehicular trips to and from these local businesses.

The Main Street Commercial designation is an appropriate commercial designation for this area. It encourages smaller scale commercial uses in mixed used buildings, achieves placemaking principles of mixed use development, encourages building form and design that is pedestrian oriented, and facilitates a wide range of small scale commercial and office/personal service establishments that are meant to fulfill the local needs of residents. Such a mix is intended to provide live-work opportunities and pedestrian accessibility to consumer goods and services within the area and the surrounding residential communities. An integrated design with a clear focal point and quality pedestrian linkages is intended to support walkability and a strong sense of place. It is recommended that Blocks 29 and redlined Block 30 would take the form of a mixed use building, with commercial/office uses restricted to the first floor, and residential units above. These would be limited to a maximum of 500 m<sup>2</sup> (5,382 ft<sup>2</sup>) of commercial/office uses on Block 29, and a maximum of 250 m<sup>2</sup> (2691 ft<sup>2</sup>) of commercial/office uses on Block 30 (adjacent to the park). Block 30 would also be redlined to half its previous size as a substantial amount of commercial north of the park and farther away from the intersection of Street A and B is not

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feasible. Both Blocks would allow a maximum height of 18 m, which could facilitate up to a 6 storey mixed use building. Design principles, such as minimum and maximum building setbacks, will be incorporated into the implementing zoning. For Blocks 50 and 55 (located at the south west and southeast corners of Street A and Street B and adjacent to Sunningdale Road), a more traditional commercial development has been recommended, still in keeping with the Main Street Commercial designation. These buildings will also be pedestrian oriented, but will not be required to be developed as mixed use buildings. These buildings will be limited to 3,000 m<sup>2</sup> (32,292 ft<sup>2</sup>) of commercial space on Block 55, and 1,000 m<sup>2</sup> (10,764 ft<sup>2</sup>) of commercial space on Block 50. In total, the four commercial blocks would allow for 4,750 m<sup>2</sup> (51,129 ft<sup>2</sup>) of commercial uses. This amount of commercial is small in scale, similar in principal to convenience commercial, while still allowing the Applicant to develop a small scale “anchor” tenant on the west side of Street A, in order to draw residents into the community and towards other commercial opportunities to the north. This scale will not detract from the larger scale commercial uses already planned in the area. The form and function recommended by Staff will provide direct opportunities for local residents and create an excellent placemaking opportunity along Street A.



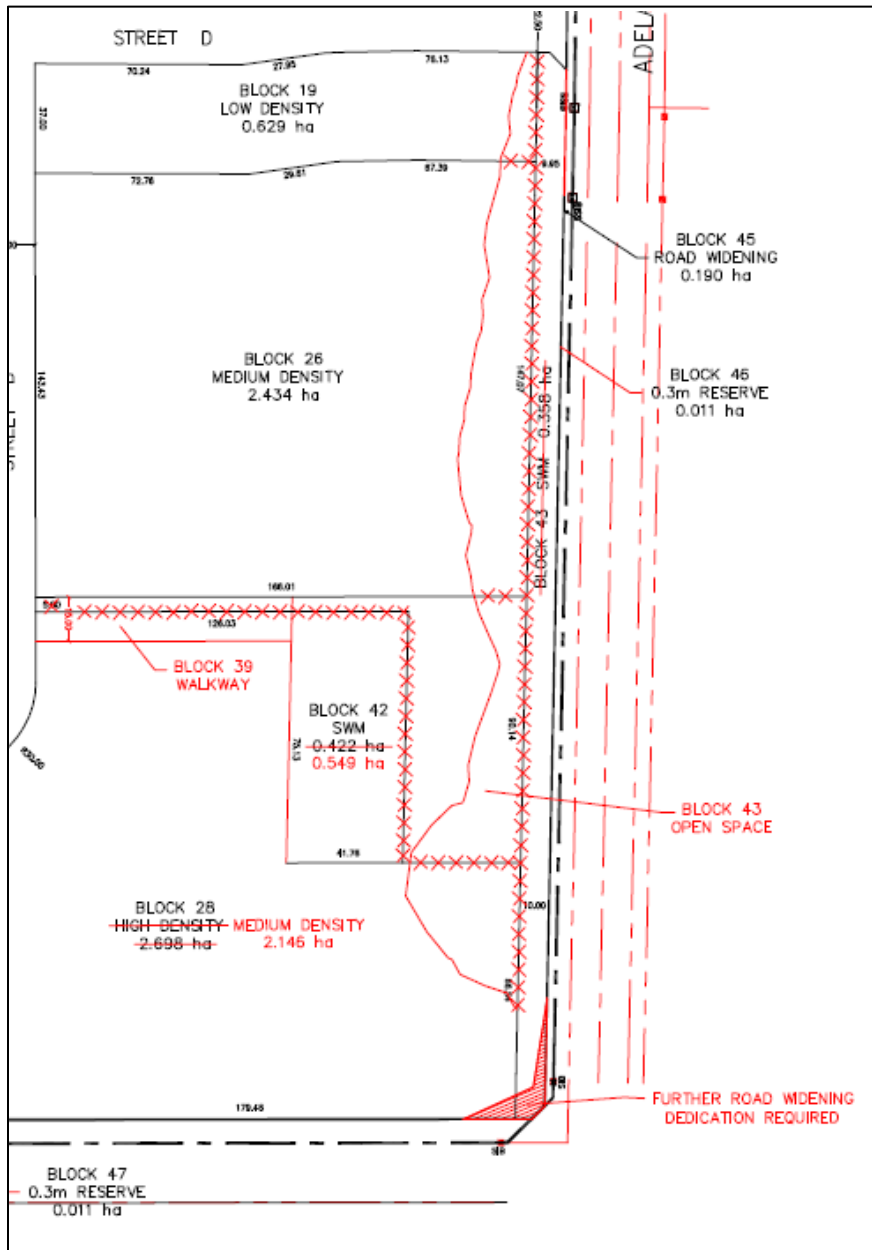
**Figure 4 – Staff recommendation for commercial**

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Stormwater Management Pond and Conveyance Channel

The Applicant has proposed a stormwater management pond (Block 42) and a conveyance channel (Block 43) as part of the stormwater management system. The Storm Drainage and Stormwater Management servicing for Stoney Creek Undeveloped Lands Schedule B Municipal Class Environmental Assessment (EA) had initially proposed the SWM pond directly adjacent to the PSW (Block 33); however, this scenario was not supported by Planning and UTRCA staff. The Applicant has submitted several iterations of the functional stormwater management servicing report over the last five years.



**Figure 5 – SWM Block (42) and Conveyance Channel (43), redlined**

The watercourse, known as the Worrall Drain, is designated as an “Unevaluated Corridor” on Schedule B1 of the Official Plan and extends through the PSW southerly towards the intersection of Adelaide and Sunningdale. The Uplands North Area Plan nor the Environmental Management Plan (EMP) produced by Earth Tech for Uplands North recommended that the conveyance channel be maintained in a natural state. The EMP recommended that surface water conveyance from the wetland be maintained and that the appropriateness of alternative conveyance measures be established through a site-specific Scoped Environmental Impact Study (EIS).

The EIS and addendums to the EIS stated that the Worrall Drain was classified as an F type drain (intermittent). Surface runoff from portions of the subject lands and lands east of Adelaide Street collect in this drain and flow south along Adelaide Street. At Sunningdale Road, the intermittent channel is directed under Adelaide and Sunningdale through a culvert to the southeast corner where storm runoff then flows along a grassed swale to an open channel of the Foran Gough Drain several hundred metres east. There is no direct fish habitat on the

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subject lands. The Drain is disconnected from downstream fish habitat by a grassed swale along Sunningdale Road and culverts under Adelaide and Sunningdale. The EIS recommended that the conveyance channel along Adelaide Street be reconstructed, as it does not support direct fish habitat, and could be piped with no direct fish habitat impacts.

A significant portion of the subject site is regulated under Section 28 of the Conservation Authorities Act. The UTRCA has jurisdiction over lands that are regulated under Section 28 of the Act and approval from the Authority is required prior to undertaking any site alteration or development activity within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland. Through the past several submissions, the UTRCA has indicated that the conveyance channel to be located in Block 43 is an “intermediate stream corridor” and is not the same alignment as the current flow path of the open channel. The UTRCA does not support the proposed channel realignment. The UTRCA has indicated through this most recent submission that the current open channel, meandering alignment should be maintained post-development. The most recent comments from the UTRCA state:

*“The UTRCA does not support the proposed realignment of the channel along Adelaide Street and advises that the existing configuration be shown on the plan.... Block 42 on the revised plan shows a proposed SWM block. The proposed SWM pond is within a regulated area and may impact the natural heritage and hazard features including a wetland and watercourse. Furthermore, the proposed SWM pond may increase the base flow into the wetland as demonstrated by the water balance analysis.”*

UTRCA has requested that the conveyance channel (Block 43) be redlined to incorporate a 15 metre setback for the watercourse. The UTRCA will not issue any approvals to alter this watercourse or to allow development to encroach into the setback/buffer.

The City’s Stormwater Unit has indicated a functional stormwater management report will be required, as the original stormwater report will need revisions if the conveyance channel is not to be engineered, and flows may not be able to be accommodated through the drain.

Staff have made a redline change to Block 43 to reflect the channel meander and include a 15 metre setback from the meander. This has also necessitated a redline revision to the stormwater management Block 42 as the stormwater management pond cannot be located within the 15 metre setback from the stream corridor. A condition of draft approval will ensure that once the functional design of the stormwater pond is acceptable, Block 42 may decrease in size. Any excess lands not needed for the pond may revert back to the Applicant. These changes may require a further redline amendment and may also require a Zoning By-law amendment.

The Applicant has asked if the additional lands/setbacks used for the channel can be used for the calculation of lot area, density, lot coverage and landscaped open space for the residential Blocks (Blocks 26 and 28) adjacent to Block 43. Staff have recommended this change and have included a special provision in the OS4 Zone that allows for the lot area within the channel to be used in the calculation of area, density, lot coverage and landscaped open space.

**Does the Plan conform to the Council adopted Uplands North Area Plan?**

The Uplands North Area Plan contains more detailed land use recommendations than the Official Plan and also process recommendations for each property in the Plan.

Land Use

The land uses as determined through the Uplands North Area Plan have generally been provided through this subdivision, save and accept the amount of commercial uses, and the high density block at the corner of Adelaide and Sunningdale Road. Discussion and analysis on these two land use changes was provided in the “Official Plan” section of this report (above).

Environmental/Open Space

The Uplands North Area Plan and Environmental Management Plan recognized and identified the significant components of the natural heritage system. The Applicant has provided several EIS’s and addendums to address the components and provide recommendations for buffers and preservation. The Environmentally Significant Area (Block 32) is to be maintained and a 10 metre buffer has been added to the Block. Environmental and Parks Planning is satisfied with

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this buffer. It should be noted that the Applicant is proposing to keep Block 32 under private ownership.

As per the October, 2013 report to Council on the subdivision, the delineation of the Provincially Significant Wetland (PSW) was the subject of much discussion. Since that time, the Applicant has submitted a request for a boundary amendment to the Arva Moraine Provincially Significant Wetland. The proposed revision was accepted by MNR on November 21, 2013. This will result in the MNR undertaking an update to the Arva Moraine Provincially Significant Wetland evaluation file (including species list and mapping revisions). The City is awaiting these revised files. An amendment to Schedule "A" (Open Space) and Schedule "B1" is prosed to match the revised wetland boundary. Additional issues were raised by the UTRCA about hydrology for the wetland and appropriate buffers. As part of Design Studies, the UTRCA has requested a Final Environmental Impact Study be prepared that compiles all of the addendums and also addresses the UTRCA's outstanding concerns. This has been added as a condition of draft approval.

Parks

The *Planning Act* permits the municipality to require the Applicant to dedicate 2% of the land proposed for commercial purposes and 5% of the land for all other purposes to the City for park or other public recreational purposes. The Act also permits parkland to be calculated at a rate of one hectare per 300 dwelling units in lieu of the 5% of land rate.

In addition to the general land use mix set out in the Official Plan, the Area Plan recommends the subject lands contain a neighbourhood park to be located in the eastern part of the community straddling the Powell Subdivision (39T-05510). The two parks will be combined to provide the opportunity for a larger park. By combining land dedication, this park would be approximately 3 ha.in size, and large enough to provide the flexibility of accommodating a range of recreational facilities, sportsfields, etc. as required by the community in the future. The Applicant has provided Block 34 to combine with park lands to the west to create a full sized neighbourhood park.

A smaller neighbourhood park is also required as part of the subdivision. The Applicant has proposed to locate the urban park (Block 51) at the southeast corner of Street A and Street D, just north of the proposed Medium Density Residential Block (51). The Applicant believes this location will allow the park to become an extension of the commercial corridor along Street A. Locating the park along Street A will assist in drawing the community into the commercial area, helping to promote the long term viability of the commercial uses proposed within the Business District Commercial (BDC) area. The Applicant believes this location for the park meets the intent of the Official Plan policies with respect to Neighbourhood Parks, as it is centrally located to serve the entire subdivision, and that the topography of this site is ideal for the park.

Staff have determined this Block is too close to the district park already proposed for the northwest corner of the site. Staff are recommending the park be moved to the northeast corner of Street A and Street B. The park at this location has many advantages, including being closer to a greater amount of population within the subdivision (adjacent medium density blocks), its adjacency to commercial development, which allows opportunities for commercial development to flank or front onto the park, making a more active park space, and its location along the main street will create an excellent Placemaking focal point for the whole community.

Servicing

There is currently downstream sanitary and storm sewer capacity to service these lands; however, there are several servicing challenges. In particular, provision must be made to accommodate storm and sanitary outlets for the subdivision which will require an alignment through the privately-owned lands east of Adelaide Street. The owner is aware of these constraints and it is anticipated that servicing issues for this subdivision can be addressed through conditions of Draft Approval. Issues related to the stormwater block and conveyance channel have been discussed in the "Official Plan" section of this report. It should be noted that the City will complete the functional design of the stormwater system.

Built Heritage & Archaeology

Within the subject site, there are three red tile barn buildings. The recommendations from the Uplands North Area Plan were these buildings be listed as a Priority 2 on the Inventory of Heritage Resources. It was also recommended that at least one of the two larger red tile barns be recommended for preservation. However, it was also noted in the Area Plan that the location of a future secondary collector road could interfere with any efforts to preserve these



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buildings as the location of this road is essentially fixed on the subject lands in order to properly align with the approved collector road location. Through the most recent submission, the Applicant has indicated that they will not be preserving any of the three buildings.

As part of the first submission for this application, the Applicant submitted an archaeological assessment of the subject site and clearance from the Ministry of Tourism, Culture and Recreation has been provided.

Rural/Urban Interface, Sun Canadian Pipeline & Municipal Walkway

The Official Plan contains a special policy (3.5.15.) relating to the Uplands North Area Plan and the rural/urban interface:

*“At the northern municipal boundary, between Richmond Street and Adelaide Street, an upland corridor will be established through the planning approvals process relating to applications for subdivision, severance, site plan and condominium. The width of this corridor will be variable, but in all cases will be adequate to meet the following functions:*

- i) to serve as natural heritage corridor linking natural heritage features on both sides of the municipal boundary;*
- ii) to allow for a landscaped recreational pathway facility with a minimum corridor width of 15 metres;*
- iii) to help mitigate potential conflicts at the rural/urban interface.*

*In determining the amount of land required south of the municipal boundary needed to meet these functions, consideration will be given to the Uplands North Area Plan, the securing of required easement agreements north of the municipal boundary along the Sun-Canadian Pipeline easement, and the extent to which such agreements may assist in fulfilling these functions.”*

The lands adjoining the subject property to the north are owned by the Applicant. The Applicant has been working with Parks Staff and Staff from the County of Middlesex/Township of Middlesex Centre to secure and use the Sun Canadian oil pipeline corridor along the northern edge of the subject property, right at the municipal boundary, as a recreational trail all along the northern edge of the municipality. Not only will this provide an ideal recreational feature for the residents of London, it will also provide a permanent separation and buffer for the rural/urban interface. This recreational trail, combined with the proposed rear yard building setbacks along the northern edge of the subdivision, will provide a clearly defined boundary that will limit intrusion into agricultural lands to the north. The Sun Canadian Pipeline is entirely within the Township of Middlesex Centre and the 20 metre setback required for buildings intended for human occupancy to the center of the pipeline will be reflected in the zoning for the site.

Overall, the proposed plan, as redlined by Staff, meets the intent of the Uplands North Area Plan. The proposed draft plan incorporates the features recommended by the Area Plan’s land use schedule and implementation of the accepted environmental management plan, as required in the recommended conditions of draft plan approval, will ensure development of the subject lands is consistent with the Council adopted Uplands North Area Plan.

**Does the Plan conform to the City’s Placemaking Guidelines?**

The original submission from 2009 contained several Placemaking design features including small park blocks, enhanced pedestrian linkages, rear lanes, a village commons, narrow road allowances, a grid road pattern and a mixed use corridor. As part of the first submission, the Applicant also submitted architectural design guidelines. Architectural design guidelines are important considerations in evaluating proposals that incorporate non-traditional design elements and servicing standards.

Over time, several of the original Placemaking elements have been removed from the proposed plan; however, the Applicant has expressed an interest in implementing certain features such as reduced front yards, recessed garages, and reduced local road widths.

While the plan does not contain single loaded roads abutting the wetland or woodland, which would provide great exposure to these resources, it does provide numerous access points to these natural features and these access points are located in highly visible locations. The park, open space and SWM blocks are all sized to accommodate a trail network which will link this

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community to adjacent properties, to the key intersection of Adelaide and Sunningdale, and to the east-west pedestrian corridor to be located along the northern boundary.

The proposed subdivision achieves a grid type pattern which allows for ease of mobility and movement for pedestrians. The inclusion of a mixed use corridor and the relocation of the urban park (Block 35) to the main Street (Street A, to be reclassified as a Primary Collector) creates an excellent focal point and view corridor into the site. The relocation and placement of the urban park at that key intersection, and flanked by commercial development allows for an excellent design opportunity to ensure active frontages along the park. The plan also incorporates mixed use along a primary collector, as well as varying densities and housing types/zones such as street towns and single detached dwellings. The wetland (Block 33) and road location into the community are fixed, making it difficult to create a road pattern that will completely offer views into the feature and still maintain the grid pattern, however, a view corridor has been provided for one side of the wetland, which also serves to create a natural heritage focal point into the community from the east side.

The Urban Design Section has provided comments that the overall design of the subdivision does not satisfy some aspects of the Placemaking Guidelines, as the large block patterns reduce walkability to both commercial and transit activity, and the rear and side lotting onto parks, woodlots and stormwater management facilities does not provide an active frontage to these spaces. The ability to provide smaller blocks would necessitate a complete redesign of the subdivision, and the Applicant has indicated they do not want to redesign again given this is their 4<sup>th</sup> submission. It should be recognized that future connections and access locations can be considered within the proposed block pattern through detailed site plans that will be required prior to development. This may include joint access roads and pedestrian easements. Providing additional arterial road connections is difficult at this stage as Transportation has not had an opportunity to review this, and the City's Access Management Guidelines generally discourages additional connections to the arterials. Conditions have been added to draft plan for a tertiary plan to control the mixing of housing types, to require Urban Design Guidelines to be developed for the subdivision and used in future applications, and for the Urban Design Section to review permits as they come in to ensure compliance with the guidelines. Zoning for many of the sites will have special provisions to locate buildings close to the street, and a holding provision for the use of the developed Urban Design Guidelines will ensure that care is taken to avoid blank walls at key intersections/streetscapes, active frontages, street oriented, pedestrian friendly designs, and the mixing and blending of housing types as per the Placemaking Guidelines

**Evaluation of the proposed Draft Plan of Subdivision and Recommended Zoning**

The proposed draft plan of subdivision contains 23 low density residential blocks (approximately 290 single detached and/or street townhouse units); 4 medium density residential blocks (approximately 690 cluster singles/semi-detached/townhouse/stacked townhouse or low rise apartment units); 1 high density residential blocks (approximately 400 apartment units); 3 residential/commercial blocks (approximately 100 dwelling units, with commercial uses on the first floor); 1 commercial block, with a possible gross floor area of 6750 m<sup>2</sup>; as well as 2 park blocks, 3 open space blocks, 2 stormwater management blocks, 6 walkway blocks, 3 road reserves/road widening blocks, served by three new secondary collector roads (Street A, B and D) and 5 local streets (Street B, E, F, G, and I). Below is an evaluation of the proposed draft plan of subdivision. Figure 6 shows Staff's redlined plan with proposed zoning.

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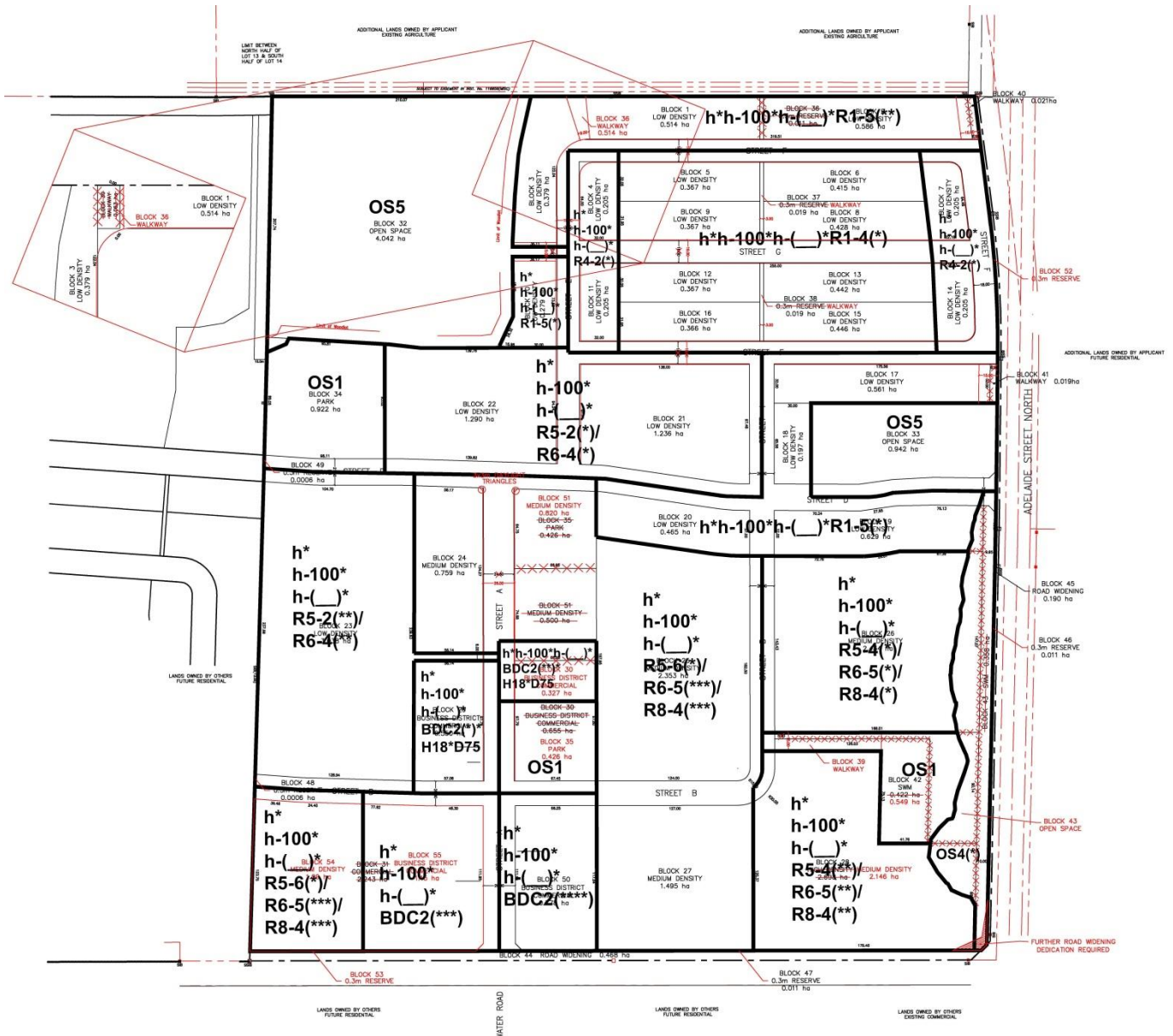


Figure 6 – Redlined Draft Plan of Subdivision and Proposed Zoning

**Small Lots – Blocks 1-20**

The Applicant has requested the Residential R1 Special Provision (R1-13(\*))/Residential R4 Special Provision (R4-2(\*)) Zone for Blocks 1-20 – the R1 Zone would permit single detached dwellings, at a maximum height of 9.0 m and a minimum lot frontage of 9.0 m, and the R4 Zone would permit street townhouse dwellings, at a maximum height of 10.5 m and a minimum lot frontage of 7.8 m.

Council has identified lots with frontages of less than 12 metres as “small” lots and adopted guidelines to manage the impacts of small lot residential subdivisions. The Small Lot Design Guidelines are to be applied to subdivisions containing in excess of 50 lots which have frontages of less than 12 metres. The Applicant has not delineated the exact number of possible lots but based on the area of the single detached dwelling blocks, it is clear the Small Lot Design Guidelines are applicable to this subdivision.

The Applicant wishes to achieve a functional and visually appealing streetscape include providing a range of housing designs on each street. As noted above, the requested zoning may result in only limited lot widths, which does not encourage a range of housing designs, and makes street parking problematic. In order to avoid the issues surrounding small lots, the Applicant has indicated they are amenable to changing the zoning for the majority of the blocks to 12 metre lot frontages. Staff is recommending the R1-4 and R1-5 Zone variation, which permits single detached dwellings with a lot area of 360 m<sup>2</sup> (R1-4) or 415 m<sup>2</sup> (R1-5) with 12 metre frontages. Special provisions are also recommended as per the original application, for a

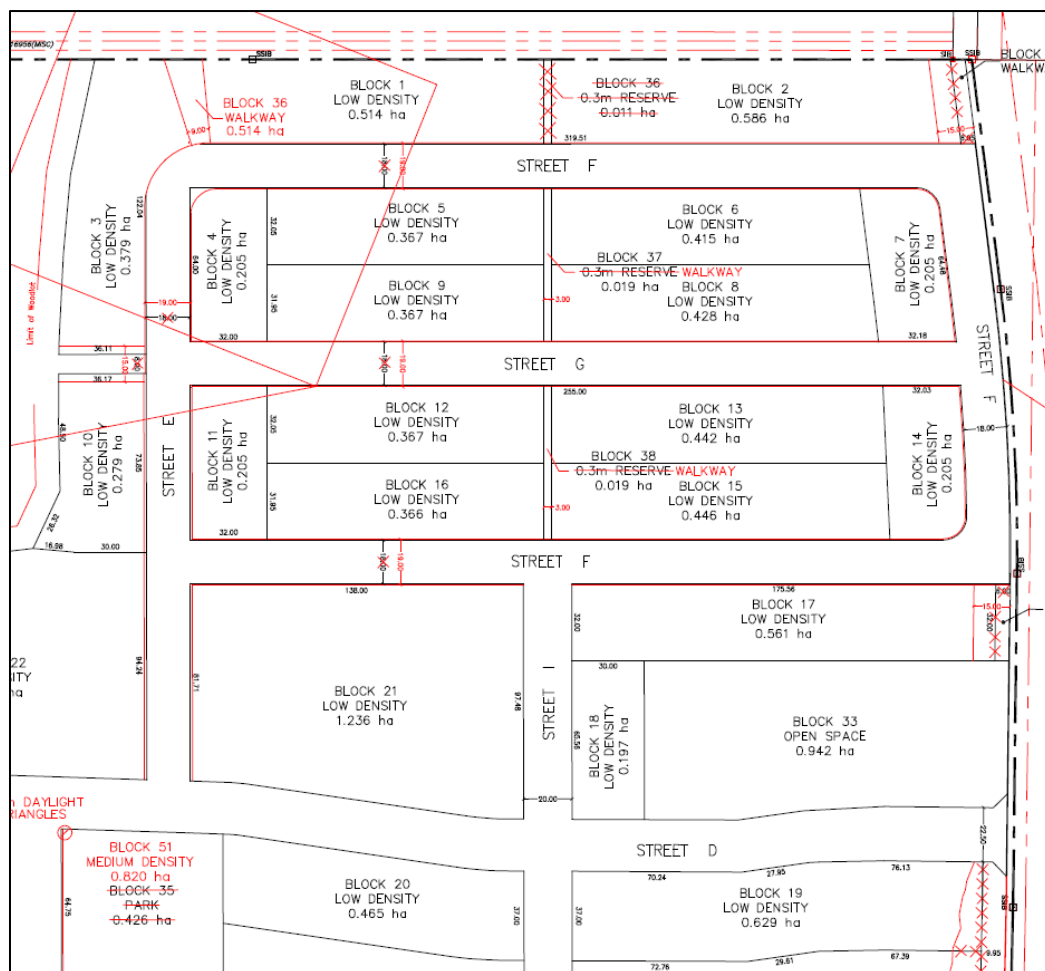
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reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres. These special provisions will help achieve a building product where the garage is not the dominant feature of the building. In order to achieve a mixing of housing types as well as design, the R4-2 Special Provision Zone is still recommended for the end blocks. This allows street townhouses units, with a minimum lot frontage of 7.8 metres, and provides the Applicant variety in housing choice. The amount of proposed street townhouses will be less than 50 units, so the Small Lot Guidelines do not apply in this instance. However, a parking plan will still be required through the conditions of draft approval to ensure on street parking can be accommodated.

The Applicant had submitted 18 metre road widths through this section of the Plan. However, the standard road width for a local street is a minimum 19 metres and 20 metres for greater than 50 lots. Previous subdivision submissions included the use of rear laneways for the Blocks, which could warrant the reduction in street width to 18 metres, however, rear lanes are no longer proposed through this Plan; therefore the Plan will be redlined to include 19 and 20 metre road allowances. The window street, however, will continue to be 18 metres, as 18 metres is the standard for window streets in the City.

**Recommendation:**

- Blocks 1-17 will be redlined slightly to account for changes in street widths.
- In order to avoid issues with small lots, zoning is recommended for Blocks 1-3, 5-6, 8-9, 12-13, 15-20 to be changed to Residential R1 (R1-4(\*)) Special Provision Zone and an Residential R1 (R1-5(\*)) Special Provision Zone to single detached dwellings with a lot area of 360 m<sup>2</sup> (R1-4) or 415 m<sup>2</sup> (R1-5) with 12 metre frontages, with special provisions for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres. An additional 20 m setback from the centerline of the high pressure oil pipeline (Sun Canadian) will be included as a special provision for Blocks 1, 2 and 3.
- In order to ensure variation in housing types, the “end” Blocks 4, 7, 11 and 14 are recommended to have the Residential R4 Special Provision (R4-2(\*)) Zone to permit street townhouse dwellings with a maximum height of 10.5 metres and a special provision for a minimum lot frontage of 7.8 metres.



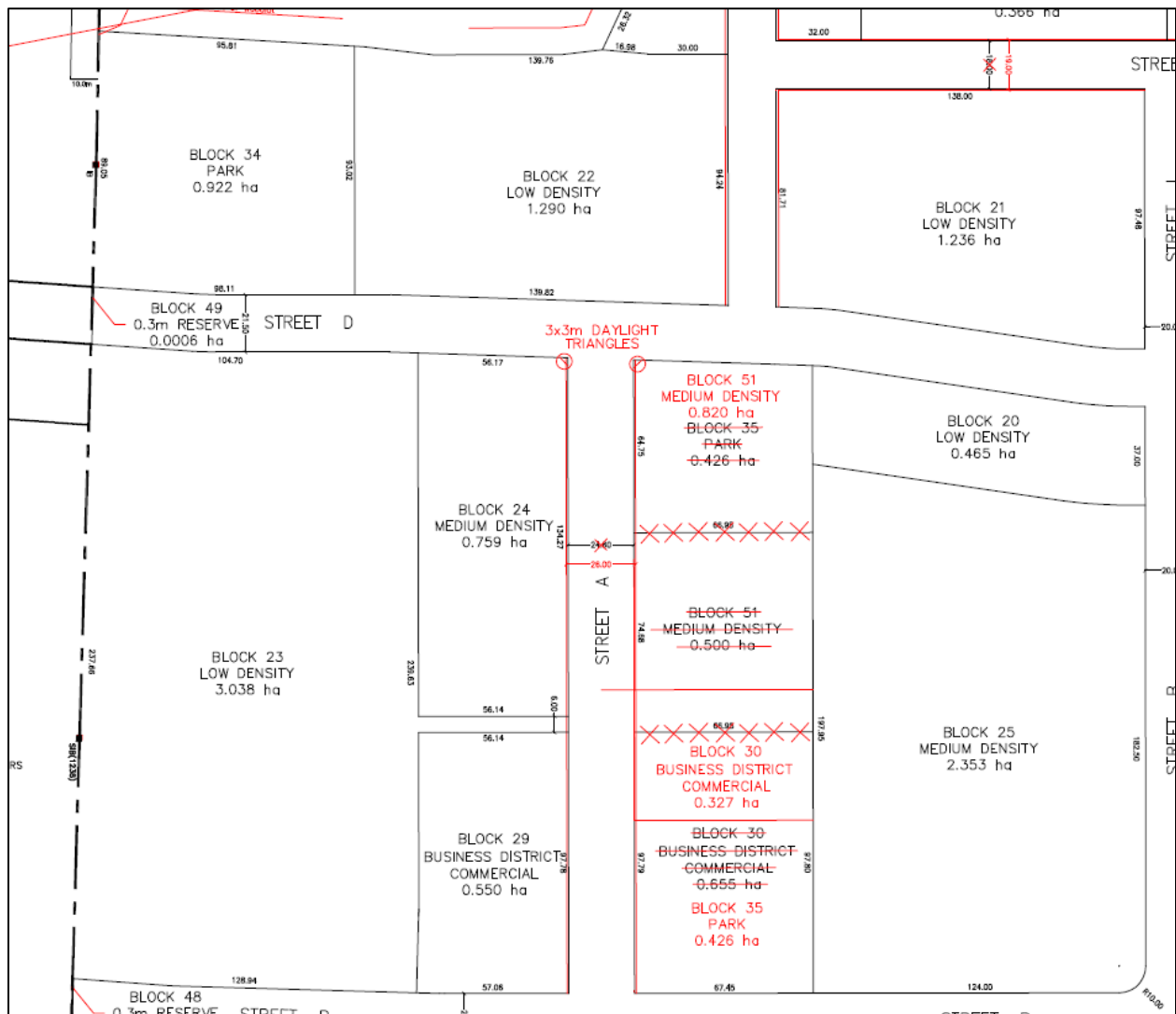
**Figure 7 – Staff redlined changes – Blocks 1-20 (single detached, street townhouses)**

Low Density Blocks 21-23

The proposed zoning for the Low Density Blocks provides for a range of cluster housing, including cluster single detached, semi-detached or duplex dwellings, and townhouse and stacked townhouse dwellings, at a maximum density of 30 units per hectare. This zone is consistent with the Low Density Residential designation. Special provisions are also recommended as per the original application, for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road. This special provision will ensure any development, even cluster development, orient towards the street and create a strong street presence. The Applicant also asked for a specific 6.0 metre lot frontage for Block 23, as a small 6.0 metre piece of the block fronts onto Street A. This is intended as a pedestrian connection for the Block to Street A. Staff are recommending a special provision that states that notwithstanding the provisions of the Zoning By-law, frontage for this block will be along the secondary collector road (Street D).

Recommendation:

- No redline changes to any of the Blocks.
- Zoning recommendation is Residential R5 Special Provision (R5-2(\*))/Residential R6 Special Provision (R6-4(\*)) Zone for Blocks 21-22 – the R5 Zone would permit cluster townhouses and stacked townhouses at a maximum height of 12 m and the R6 Zone would permit cluster single detached, semi-detached or duplex dwellings at a height of 10.5 m and a maximum density of 30 units per hectare.
- A Residential R5 Special Provision (R5-2(\*\*))/Residential R6 Special Provision (R6-4(\*\*)) Zone is recommended for Block 23, with the same special provision as the above, with an additional special provision to recognize that notwithstanding the provisions of the Zoning By-law, frontage for this block will be along the secondary collector road (Street D).



**Figure 8 – Staff redlined changes – Blocks 21-23 (cluster housing)**

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Medium Density Blocks 24-28, 51, 54

Additional Medium Density Blocks have also been recommended by Staff. Block 28, which the Applicant had requested as High Density Residential) and Block 54 (which the Applicant had requested as commercial) are also recommended by Staff for the above noted zoning. The Blocks are within the Multi-Family, Medium Density residential designation and offer an appropriate range of housing types and densities consistent with the designation.

The proposed zoning for the Medium Density Blocks provides for a range of cluster housing, including cluster single detached, semi-detached or duplex dwellings, townhouse and stacked townhouse dwellings (maximum 12 metre height), and low rise apartments, handicapped persons apartment buildings, lodging house class 2, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities, at densities ranging from 30-75 units per hectare. A special provision to permit 18.0 metre height specific to the R8-4 Zone was requested by the Applicant. Six stories (or 18.0 m) is not typical within the Medium Density designation, in fact, policy 3.3.3 of the Official Plan states “...normally height limitations will not exceed four storeys. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report as described in Section 3.7.3. to be appropriate subject to a site specific zoning by-law amendment and/or bonus zoning provisions of Section 19.4.4. of this Plan.” Since there is no specific development proposal for these lands, Staff recommend that the base R8-4 with no special provision be applied. If the Applicant in the future wishes to build at greater density or height, a site specific proposal, complete with the appropriate studies and using the bonus provisions of the Official Plan, can be utilized to ensure a proper fit with the neighbourhood.

For Block 26 and 28, the Applicant has requested a special provision to allow for the adjacent Open Space lands within the conveyance block (Block 43) to be included in the Residential Block for the purposes of calculating lot area, density, lot coverage, and landscape open space, and have also requested a reduced rear yard setback adjacent to the conveyance block. The Applicant has indicated that the 15 m setback from the centre of the stream more than protects the feature, and that an additional 8 m rear yard setback would further sterilize the reduced amount of developable land within Blocks 26 and 28. Staff agree with the Applicant and are recommending these special provisions for Blocks 26 and 28.

Recommendation:

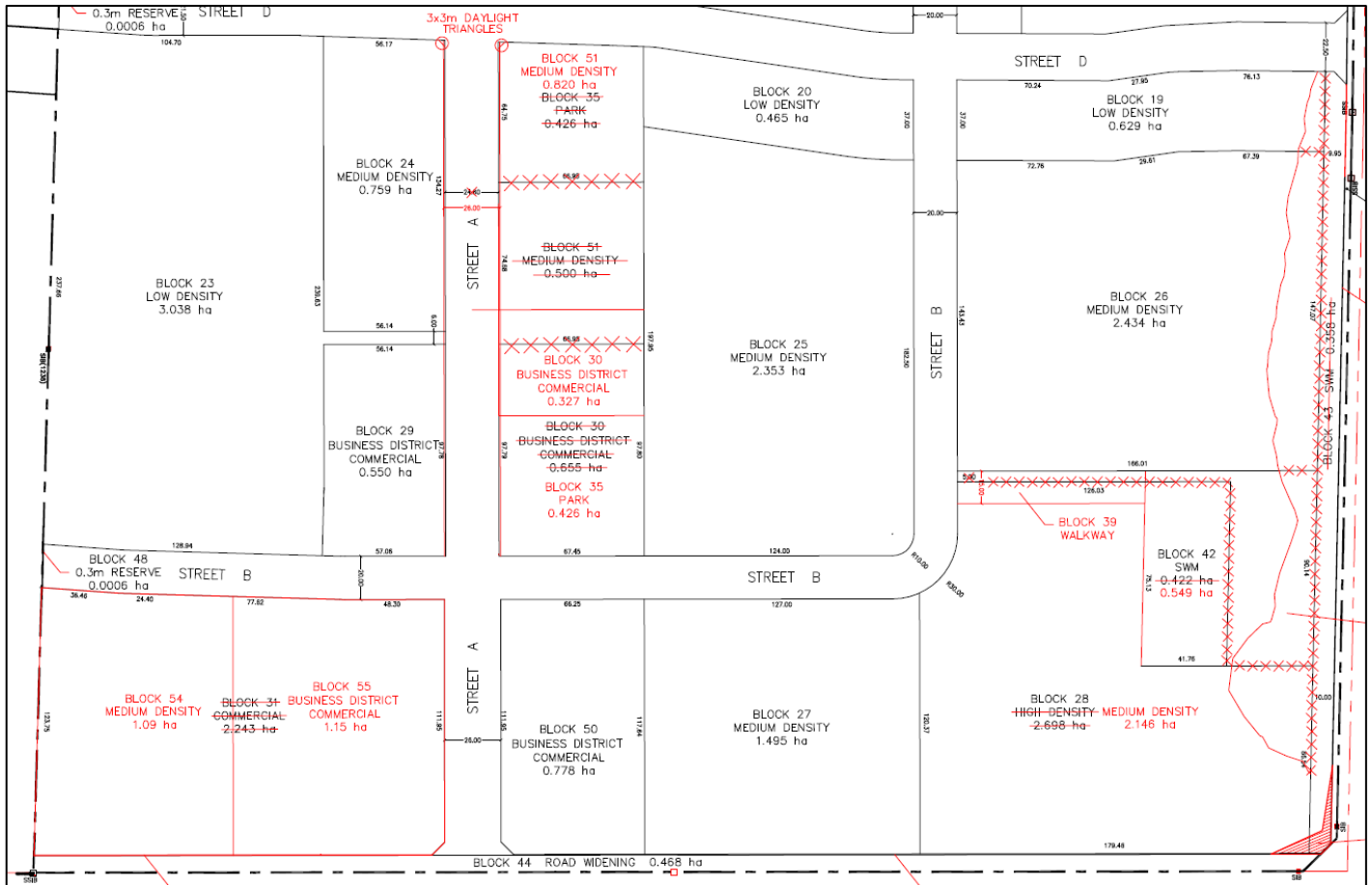
- Zoning recommendation for Blocks 24, 25, 27, 51, and 54 is Residential R5 (R5--6)/Residential R6 (R6-5)/Residential R8 (R8-4) Zone – the R5 Zone would permit cluster townhouses and stacked townhouses at a maximum height of 12 m and maximum density of 50 units per hectare, and the R6 Zone would permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 m and a maximum density of 35 units per hectare, and the R8 Zone would permit apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and at a maximum density of 75 units per hectare.
- No special provision for height of 18 metres associated with the R8-4 Zone is recommended.
- Zoning recommendation for Blocks 26 and 28 is a Residential R5 Special Provision (R5-4(\*))/Residential R6 Special Provision (R6-5(\*))/Residential R8 Special Provision (R8-4(\*)) Zone – the R5 Zone would permit cluster townhouses and stacked townhouses at a maximum height of 12 m and maximum density of 40 units per hectare, and the R6 Zone would permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 m and a maximum density of 35 units per hectare, and the R8 Zone would permit apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and a maximum density of 75 units per hectare, For Block 26 and 28, the Applicant has requested a special provision to allow for the adjacent Open Space lands within the conveyance block (Block 43) to be included in the Residential Block for the purposes of calculating lot area, density, lot coverage, and landscape open space, and have also requested a reduced rear yard setback adjacent to the conveyance block. The Applicant has indicated that the 15 m setback from the centre of the stream more than protects the feature, and that an additional 8 m rear yard



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setback would further sterilize the reduced amount of developable land within Blocks 26 and 28. Staff agree with the Applicant and are recommending these special provisions for Blocks 26 and 28.



**Figure 9 – Staff redlined changes – Blocks 24-28, 51, 54 (cluster housing)**

High Density Block 28

The Applicant had requested the Residential R9 (R9-7) Zone for Block 28 which would permit apartments at a maximum height of 42 m (approximately 14 stories). As was discussed in the “Official Plan Policies” section of this report, Staff are not recommending the Multi-Family, High Density Residential designation for these lands. Staff instead are recommending the Residential R5 (R5-4)/Residential R6 (R6-5)/Residential R8 (R8-4) Zone which allows for a wide range of housing types and densities within the medium density range. A special provision will also be added to allow for the adjacent Open Space lands within the conveyance block (Block 43) to be included in the Residential Block for the purposes of calculating lot area, density, lot coverage, and landscape open space. In the future, an increase in density can be considered through a site specific application for bonusing under Section 19.4.4. of the Official Plan.

Recommendation:

- Refusal of High Density Residential for Block 28.
- Redline Block 28 to Medium Density, with an implementing zoning of Residential R5 Special Provision (R5-4(\*))/Residential R6 Special Provision (R6-5(\*))/Residential R8 Special Provision (R8-4(\*)) Zone – see Medium Density Blocks 24-28, 51, 54 for further detail (and Figure 1 for graphic).

Commercial Blocks 29, 30, 31, 50

The Applicant has requested the following zoning for the four proposed commercial Blocks:

- Blocks 29, 30 and 50 to a site specific Business District Commercial (BDC1(\*)) Zone. The BDC1 Zone permits a range of commercial uses including retail stores, offices, restaurants, day care centres, animal hospitals and hotels and dwelling units in association with any or all the permitted uses. Other than a maximum gross floor area for certain specific uses (dry cleaning & laundry depot - 300 m<sup>2</sup> (3,229.2 ft<sup>2</sup>); offices - 2000m<sup>2</sup> (21,529 ft<sup>2</sup>); restaurants - 800 m<sup>2</sup> (8,611.4 ft<sup>2</sup>); taverns - 800 m<sup>2</sup> (8,611.4 ft<sup>2</sup>)), the

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total gross floor area for the site is determined by the size of the parcel, and a maximum coverage of 70% per Block. Special provisions for the BDC1 Zone include a height of 18 m, and dwelling units to be permitted above the first floor or the rear of another permitted use on the first floor. The Applicant also proposed a residential density of 75 units per hectare.

- Block 31 to a site specific Neighbourhood Shopping Area Special Provision (NSA5(\*\*)) Zone. The NSA5 Zone permits a range of commercial uses including bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, and brewing on premises establishment. A maximum gross floor area for certain specific uses (food stores - 3200 m<sup>2</sup> (34,444.5 ft<sup>2</sup>); restaurants - 500.0 m<sup>2</sup> (5,382.0 ft<sup>2</sup>); all other uses - 500.0 m<sup>2</sup> (5,382.0 ft<sup>2</sup>)). The NSA5 Zone has a 0 m front and exterior yard setback to help create a street edge and screen parking lots, with a 30% maximum building coverage. Special provision for a building height of 12 m in place of 8 m

As was discussed in the “Official Plan” section of this report, Staff do not recommend the amount and type of commercial as proposed by the Applicant. Staff are recommending a limited amount of commercial overall (4750 m<sup>2</sup>) across the four commercial Blocks.

Firstly, Staff are recommending the Business District Commercial (BDC2) Zone variation in place of the BDC1 Zone variation. The BDC2 permits an even greater range of uses, including assembly halls, places of worship, community centres, funeral homes, institutions, schools, and fire halls, in addition to the commercial and office uses permitted. Specifically for Block 29, Staff are recommending a Business District Commercial Special Provision (BDC2(\*)\*D75\*H18) Zone, which permits a wide range of commercial uses on the first floor, with a maximum height of 18 m and a maximum density of 75 units per hectare (to be shown as D75\*H18 on the zoning map only), with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and to require a mixed use building, with 500 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above.

For the redlined Block 30, Staff recommend a Business District Commercial Special Provision (BDC2(\*\*)) Zone, which permits a wide range of commercial uses on the first floor, with a maximum height of 18 m and a maximum density of 75 units per hectare (to be shown as D75\*H18 on the zoning map only), with special provisions to require the commercial/retail/office uses on the ground floor, to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and to require a mixed use building, with 250 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above. Staff have also recommended a reduction in Block 30 in size from 0.66 ha to 0.33 ha. Staff agree with the Applicant that a substantial amount of commercial north of the park and farther away from the intersection of Street A and B is not feasible. However, Staff do recommend permitting some commercial/office on this site, as the building has the opportunity to flank the park and create opportunities for the commercial and the park to interact (through the use of outdoor seating, pedestrian walkways, patios fronting the park, etc.). These urban design elements for the building will be encouraged through the site plan process. The zoning special provision for both of these Blocks will specify that any building on this site must be mixed use. This type of mixed use development supports placemaking and brings pedestrian oriented development along Street A. The 18 m height is also recommended, as it will help to facilitate a six story mixed use building, and frame Street A, the primary collector, accordingly.

Staff recommend a Business District Commercial Special Provision (BDC2(\*\*\*)) Zone for Block 55, which permits a wide range of commercial uses, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and a maximum 3000 m<sup>2</sup> retail/commercial/office on site. By allowing 3000 m<sup>2</sup> on this site, the Applicant has the opportunity to develop small scale market/food stores on site (anchor tenant), with the potential for additional standalone uses (such as a bank).

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An additional 1000 m<sup>2</sup> of retail/commercial is recommended for Block 50 through a Business District Commercial Special Provision (BDC2(\*\*\*\*)) Zone, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and a maximum 1000 m<sup>2</sup> retail/commercial on site. This site also has the opportunity to develop several smaller commercial buildings.

Special provisions that were added to the commercial sites, such as lot frontage along the primary collector, primary entrances for commercial/retail/office uses shall be on the primary collector, and a minimum 2 m maximum 4 m front and exterior side yard setback are all recommended to ensure the development creates a strong street wall and is pedestrian oriented. The Urban Design Guidelines to be developed for the subdivision should include the following additional considerations:

- All Blocks shall orient development to the primary collector.
- Approximately 65% of the lot frontage for each of the Blocks must be comprised of the building. This will create a strong street wall/pedestrian oriented development along the primary collector.
- Commercial uses shall have their primary entrance for individual tenants on the primary collector.
- At least 20% of the lot line abutting the park (Block 30) shall be a building, with at least one tenant entrance facing the park (to encourage interaction with the park), and parking lots shall be located a minimum 3 m from the park.

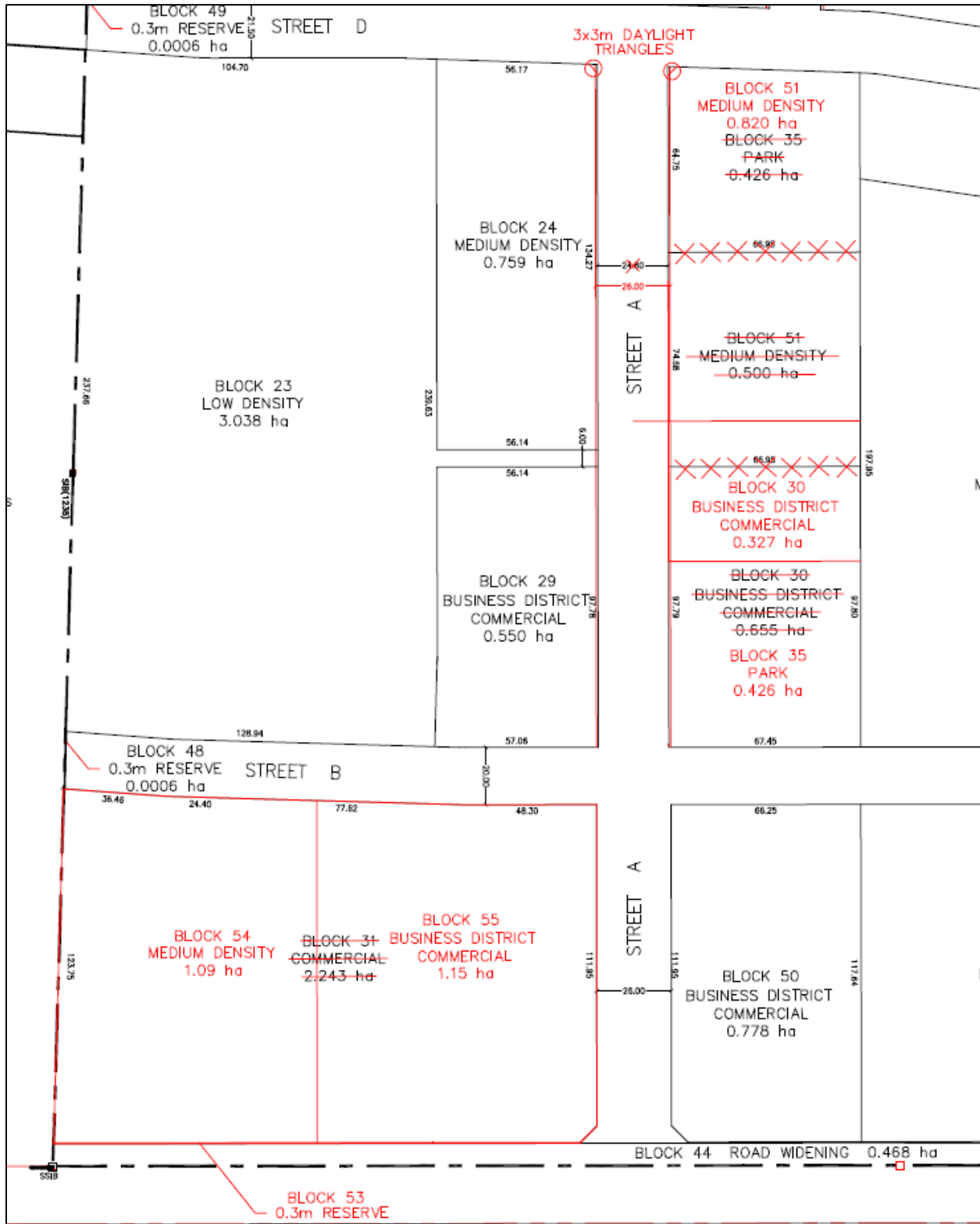
Overall, Staff's proposed zoning is an attempt to provide commercial opportunities within the subdivision, such as a small scale grocery store, while balancing the goal of a mixed use pedestrian oriented streetscape, and still maintain a smaller scale, so as not to detract from future commercial sites in the area, in keeping with the Uplands North Area Plan.

**Recommendation:**

- Implementing zoning for Block 29 is a Business District Commercial Special Provision (BDC2(\*)•D75•H18) Zone, which permits a wide range of commercial uses on the first floor, with a maximum height of 18 m and a maximum density of 75 units per hectare (to be shown as D75•H18 on the zoning map only), with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and to require a mixed use building, with 500 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above.
- Redline Block 30 by moving it to the north of the redline Park Block (Block 35) and to the south of Medium Density Block 51, and reducing the size of the Block from 0.66 ha to 0.33 ha. Implementing zoning for Block 30 is a Business District Commercial Special Provision (BDC2(\*\*)•D75•H18) Zone to permit a wide range of commercial uses on the first floor, with a maximum height of 18 m and a maximum density of 75 units per hectare, with special provisions to require the commercial/retail/office uses on the ground floor, to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and to require a mixed use building, with 250 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above.
- Refusal of Block 31 as Neighborhood Shopping Area. Reduction in size of Block 31 from 2.24 ha to 1.15 ha, and renumbering to Block 55. Implementing zoning for Block 55 is a Business District Commercial Special Provision (BDC2(\*\*)) Zone, which permits a wide range of commercial uses, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and a maximum 3000 m<sup>2</sup> retail/commercial/office on site.
- The redline to Block 31 will also create Block 54 for Medium Density Residential (1.09 ha) and staff recommend applying the Residential R5 (R5-6)/Residential R6 (R6-5)/Residential R8 Special Provision (R8-4(\*)) Zone (same zoning and special provisions as Blocks 24, 25 and 51).
- Implementing zoning for Block 50 is a Business District Commercial Special Provision (BDC2(\*\*\*\*)) Zone, which permits a wide range of commercial uses, with

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special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 m and maximum 4 m front and exterior side yard setback, and a maximum 1000 m<sup>2</sup> retail/commercial on site.



**Figure 10 – Staff redlined changes – Blocks 29, 30, 31, 50 (commercial)**

Parkland Block 34-35, Open Space Block 32-33, Walkway Block 26-38, 39, 40-41  
 Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 ha per 300 units, whichever is greater. It is the expectation that the required parkland dedication will be partly satisfied through identified park blocks, redline park blocks and cash-in-lieu of parkland (in accordance with By-Law CP-9).

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A parkland calculation table was done by Environmental and Parks Planning and is included as Figure 11 below. Based on a combination of dedication rates as detailed in the table, the Applicant is required to provide approximately 4.178 hectares of parkland for the subdivision if only land was taken. The Applicant is proposing two parks (one park is located adjacent to the Powell Subdivision park in the northwest corner of the subdivision, as per the Uplands North Area Plan (Block 34); and one is a centrally located urban park at the corner of Street A and Street B (Block 35)) and has indicated they will be dedicating the Provincially Significant Wetland (Block 33) to the City. The Applicant has also indicated they will be keeping the Environmentally Significant Area (ESA) Block 32 in private ownership and will not be dedicating it to the City, so no parkland credit will be given for this Block.

Staff are also recommending redline changes to several walkway blocks in excess of the standard 5 metres required (Block 36, 40 and 41), and the addition of walkway Block 39.

Land Use (Block)	Area (ha)	Requested Maximum Density	Dedication Rate	Expected Dedication (ha)
Low Density Residential Blocks (1 – 20)	7.628	30 units/ha	1ha / 300 units	0.763
Low Density Residential Blocks (21-23)	5.564	30 units/ha	1ha / 300 units	0.556
Medium Density Residential Blocks (24-27 and 51)	7.541	75 units/ha	1ha / 300 units	1.885
<del>High Density Residential Block (28)</del> MDR Block 28	<del>2.698</del> 2.146	<del>150 units/ha</del> 75 units/ha	1ha / 300 units	<del>1.349</del> 0.537
BDC Blocks (29, 30 and 50)	1.983		2%	0.040
Commercial Block <del>(31)-(55)</del>	<del>2.243</del> 0.67		2%	<del>0.045</del> 0.013
New MDR (54)	1.572	75 units/ha	1ha / 300 units	0.393
<b>Approximate Parkland Required</b>				<del>4.708 ha</del> <b>4.187ha</b>
<b>Parkland Provided</b>				
Land Use (Block)	Area (ha)	Ratio	Provided	Accepted
ESA–private ownership (32)	4.042	16:1	0.0	0.0
PSW (33)	0.942	27:1	0.035	0.035
<del>Walkway (39)</del>	<del>0.083</del>	<del>4:4</del>	<del>0.083</del>	<del>0.083</del>
New Walkway (39)	0.086	Less 5m = 0.043	0.086	0.043
Additional walkway lands (36, 40, 41)	0.1504	Less 5m = 0.082	0.1504	0.082
Neighbourhood Park (34)	0.922	1:1	0.922	0.922
Urban Park (35)	0.426	1:1	0.426	0.426
<b>Approximate Parkland Provided</b>				<b>1.51 ha</b>
<b>Parkland Still Owing by Applicant</b>				<b>2.67 ha</b>

**Figure 11 – Parkland calculations**

Using the above described parkland calculations, 1.51 or 36% of the parkland dedication is fulfilled through the dedication of land. The recommended conditions of draft approval require the Applicant to fulfill the outstanding parkland dedication requirements through cash-in-lieu.

Should the Applicant not wish to keep Block 32 in private ownership at the time of registration, the conditions of draft approval indicate the parkland/cash-in-lieu of parkland calculations will be re-examined.

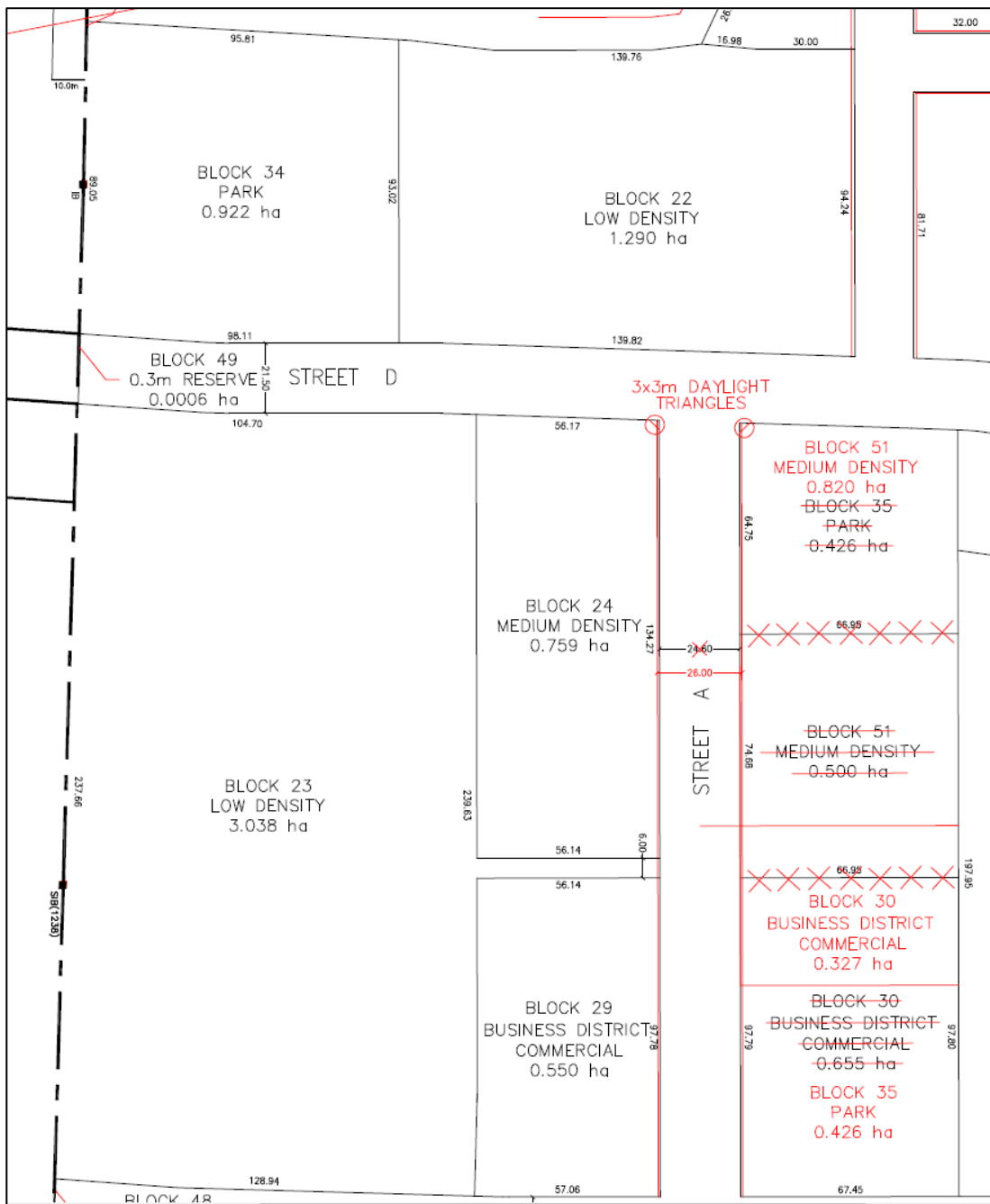
The Applicant is providing both parkland and open space lands in this draft plan which is expected to meet the active and passive recreational needs of future residents. As such there is no need for the City to acquire additional park lands.

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The Applicant has requested an Open Space Special Provision (OS5(\*)) Zone for Blocks 32-33 which permits conservation of these features, with a special provision for a 6.0 metre lot frontage, and Open Space (OS1) Zone Blocks 34-35 and 42-43 to permit parks and a stormwater management facility. Staff recommend these zones, except for the special provision for lot frontage. Keeping the lot frontage as required for the OS5 Zone will ensure adequate frontage into the natural heritage feature from the street, and allow for possible future connections or pathways into the feature, should the City ever acquire these lands.

**Recommendation:**

- Redline Block 30 by moving it to the north of the redline Park Block (Block 35) and to the south of Medium Density Block 51.
- An Open Space (OS1) Zone is recommended for the park on Block 34, and the urban park at Block 35.
- An Open Space (OS5) is recommended for the ESA on Block 32 and the PSW on Block 33.
- No special provision is recommended for the frontage of Block 32.



**Figure 12 – Staff redlined changes – Blocks 34-35 (park)**

**Stormwater and Conveyance Block 42 and 43**

Based on comments received from the UTRCA, a redlined conveyance Block 43 was requested to reflect the stream meander and includes a 15 m setback from the stream edge. The



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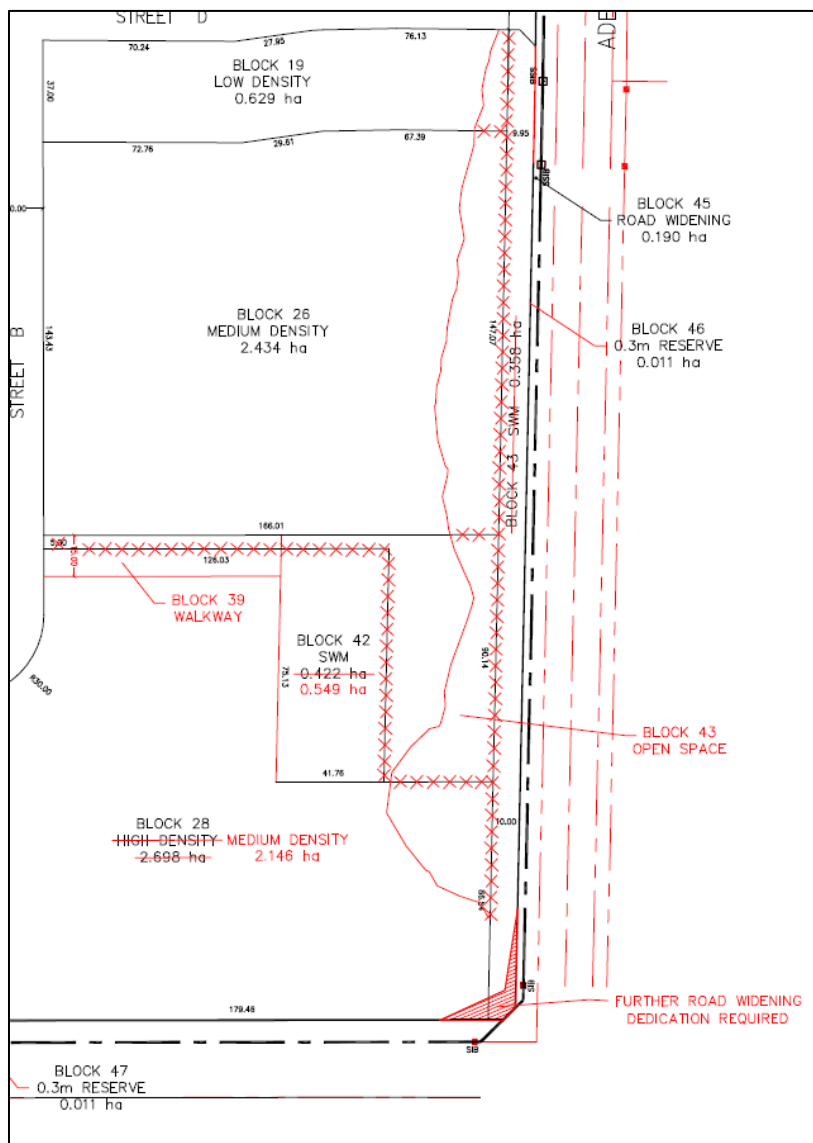
conveyance channel falls within the UTRCA Regulation Limit, and as such, a permit is required for any works within this area, including the conveyance channel. The UTRCA has indicated they require that the watercourse be maintained in its current location and configuration, and consistent with our policies that a 15 metre setback be applied from the bank of this feature. Accordingly the block will need to be revised to accommodate this regulated feature and the required buffer. The Applicant had requested an Open Space (OS1) Zone for both blocks, however due to the change in the conveyance channel; Staff is recommending an Open Space Special Provision (OS4(\*)) Zone for Block 43. A special provision will be added to the OS4 Zone to permit the lands/area within the OS4 Zone to be used in the adjacent Residential Blocks (Block 26 and 28) for the purposes of calculating lot area, density, lot coverage, and landscape open space.

As a result of these changes to Block 43, Block 42 (SWM Block) will also be redlined to ensure no portion of the watercourse is located within the SWM Block. An Open Space (OS1) Zone will be applied to the SWM Block 42, as requested by the Applicant.

Additional discussion on the changes to the conveyance channel and SWM Blocks are provided under the "Official Plan" section of the report.

**Recommendation:**

- An Open Space (OS1) Zone is recommended for the redlined stormwater management Block 42 (and municipal walkway Block 39).
- An Open Space Special Provision (OS4(\*)) Zone is recommended for Block 43, with a special provision to permit the lands/area within the OS4 Zone to be used in the adjacent Residential Blocks (Block 26 and 28) for the purposes of calculating lot area, density, lot coverage, and landscape open space.



**Figure 13 – Staff redlined changes – Blocks 42-43 (SWM and conveyance)**

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**Holding Provisions**

Staff are also recommending the following holding provisions for all development Blocks:

- 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.
- 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available, to the satisfaction of the City Engineer.
- 'h-\_\_\_' holding provision has been recommended for the subdivision, to address urban design and to ensure that urban design guidelines have been prepared and implemented through the subdivision agreement.

**Red-line changes to the plan**

In addition to several changes to Blocks that have been noted throughout the report, a number of redline changes have been made to the draft plan. The following is a list that sets out some of those changes. The more substantial changes have been explained in various sections of this report and have not been noted in the below list:

- Streets – Street A – 26 m in place of 24.5 m; Street E, F, G 19 m in place of 18 m (except along window street).
- Walkways – Block 37 and 38 – walkways, not 0.3 m reserves; Block 36 – 9 m in place of 18 m and shifted to a location to allow the rest of the lots to develop; Block 39 – 15 m in place of 5 m – parkland credit given for the extra width; Block 40 and 41 – 15 m in place of 5 m – parkland credit given for the extra width.
- Further road dedication at corner of Adelaide Street and Sunningdale Road, needed for future roundabout.
- 3m x 3m daylighting triangles added to the Street A and Street D.
- A 0.3m reserve was added along the property boundary adjacent to Adelaide Street North.

<b>CONCLUSION</b>
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The Staff recommended proposed draft plan of subdivision, Official Plan amendments and zoning by-law amendments are consistent with the PPS, The Planning Act, the City's Official Plan and the Uplands North Area Plan. The recommended redline draft plan and conditions of draft approval will create a diverse, mixed use subdivision with strong placemaking features. The proposed plan represents good land use planning and is an appropriate form of development.

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<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>NANCY PASATO, MCIP, RPP          SENIOR PLANNER, DEVELOPMENT          PLANNING          DEVELOPMENT SERVICES</b>	<b>BRUCE HENRY          MANAGER, DEVELOPMENT PLANNING          DEVELOPMENT SERVICES</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>JENNIE RAMSAY, P.ENG.          MANAGER, DEVELOPMENT SERVICES &amp;          ENGINEERING LIAISON</b>	<b>GEORGE KOTSIFAS, P.ENG.          MANAGING DIRECTOR, DEVELOPMENT          &amp; COMPLIANCE SERVICES          AND CHIEF BUILDING OFFICIAL</b>

July 24, 2014

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 SUNNINGDALE RD E (JL)\3rd Submission 2012\Report\status report Sergautis Jul13.docx

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Nancy Pasato**

**Bibliography**

Request for Approval:

Original Application - City of London Draft Plan of Subdivision Application Form, Official Plan and Zoning By-law Amendment Application Form, completed by Doug Gagel, submitted January 20, 2009.

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.  
 MHBC Planning. Uplands North Area Plan, March, 2003.  
 City of London. Placemaking Guidelines, November, 2007.  
 Ministry of Municipal Affairs and Housing. Provincial Policy Statement, 2014.  
 Province of Ontario. The Planning Act. R.S.O 1990

Correspondence:

\*all located in City of London File No. 39T-09501 unless otherwise stated.  
 Also see attached department/agency comments under Appendix "E" and public correspondence in Appendix "F".

Reports submitted with Applications:

\*all located in City of London File No. 39T-09501 unless otherwise stated.

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Nancy Pasato**

**Appendix "A"  
Official Plan Amendment**

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to 660 Sunningdale Road East.

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

1. Amendment No. (to be inserted by Clerk's Office) 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. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 29, 2014.

Joni Baechler  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 29, 2014  
Second Reading – July 29, 2014  
Third Reading – July 29, 2014

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**Nancy Pasato**

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

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Low Density Residential, Multi-Family, Medium Density Residential and Open Space to Low Density Residential, Multi-Family, Medium Density Residential, Main Street Commercial Corridor and Open Space on Schedule "A", Land Use, to the Official Plan for the City of London.
2. To delete the Unevaluated Corridors delineation and to refine the Provincially Significant Wetland delineation on Schedule "B1", Flood Plain & Environmental Features, of the Official Plan for the City of London.
3. To change the road reconfiguration of the east-west secondary collector road (Street D), to change the road reconfiguration of the north-south secondary collector road (Street A) and to redesignate Street A from Sunningdale Road East to Street D as a Primary Collector on Schedule "C", Transportation Corridors, of the Official Plan for the City of London.

**B. LOCATION OF THIS AMENDMENT**

1. This Amendment applies to lands located at 660 Sunningdale Road East in the City of London.

**C. BASIS OF THE AMENDMENT**

Schedule "A" -

The current land use designations were applied through the Uplands North Area Plan. The subject site is a 42 ha parcel of land located at the northwest corner of Adelaide Street North and Sunningdale Road East. It is located at the northerly limit of the City and borders with the Township of Middlesex Centre. The property slopes generally from north to south with a rolling terrain. The site currently contains a 4ha woodlot (designated as Environmentally Significant Area), a small Provincially Significant Wetland, and existing buildings being a residence, brick barn, and two outbuildings.

The subject site is surrounded by developed lands to the west, which consists of a future medium density block, existing single detached dwellings and future single detached dwellings. To the east of Adelaide Street is vacant land designated for future commercial (Neighbourhood Commercial Node), and residential (Low and Medium Density) development. To the north is the municipal boundary, as well as the Sun-Canadian Oil Pipeline. Lands to the north are currently farmed. Existing single detached dwellings, as well as proposed medium density development and low-rise apartment buildings are located south of the subject site. Existing commercial, comprised of a gas station, oil change facility, and Tim Horton's, is also located south of the subject site.

The proposed changes to Schedule "A" include the addition of more Multi-Family, Medium Density Residential along Street "A", which will be redesignated through this amendment as a Primary Collector. Additional higher intensity development along the primary collector will ensure more population closer to the proposed commercial uses and housing forms that will compliment and add to the aesthetics of the street. Although the full range of commercial sought by the Applicant was not recommended, the Main Street Commercial



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designation is an appropriate commercial designation for this area. It encourages smaller scale commercial uses in mixed used buildings, achieves placemaking principles of mixed use development, encourages building form and design that is pedestrian oriented, and facilitates a wide range of small scale commercial and office/personal service establishments that are meant to fulfill the local needs of residents. Such a mix is intended to provide live-work opportunities and pedestrian accessibility to consumer goods and services within the area and the surrounding residential communities. An integrated design with a clear focal point and quality pedestrian linkages is intended to support walkability and a strong sense of place. The amount of commercial is small in scale, similar in principal to convenience commercial, while still allowing the Applicant to develop a small scale “anchor” tenant on the west side of Street A, in order to draw residents into the community and towards other commercial opportunities to the north. This scale will not detract from the larger scale commercial uses already planned in the area.

Schedule “B” -

Through the submitted plan of subdivision for this site, several Environmental Impact Studies (EIS) have been completed which have further refined the features of the natural heritage system, and recommended buffers/mitigation measures/monitoring for the features. The Unevaluated Corridors delineation is therefore no longer needed for the site, as the significant features have been identified and delineated on Schedule “B1”. The MNR, as confirmed via email, in November, 2013, has signed off on a revised wetland boundary, and this revised delineation will be applied to Schedule “B1”.

Schedule “C” -

The approved east-west secondary collector road (shown as Street D within this plan of subdivision) was added to Schedule C through the Uplands North Area Plan. The location has now been refined and is in a fixed location due to the Provincially Significant Wetland. The approved north-south secondary collector road (shown as Street A within this plan of subdivision) was added to Schedule C through the Uplands North Area Plan. The location has now been refined and is in a fixed location in order to line up with Blackwater Road to the south of Sunningdale Road East. Due to the possible traffic volumes associated with higher density residential and commercial uses at the corner of Street A and Street B, it is recommended that Street A from Sunningdale Road to Street D be redesignated as a Primary Collector.

**D. THE AMENDMENT**

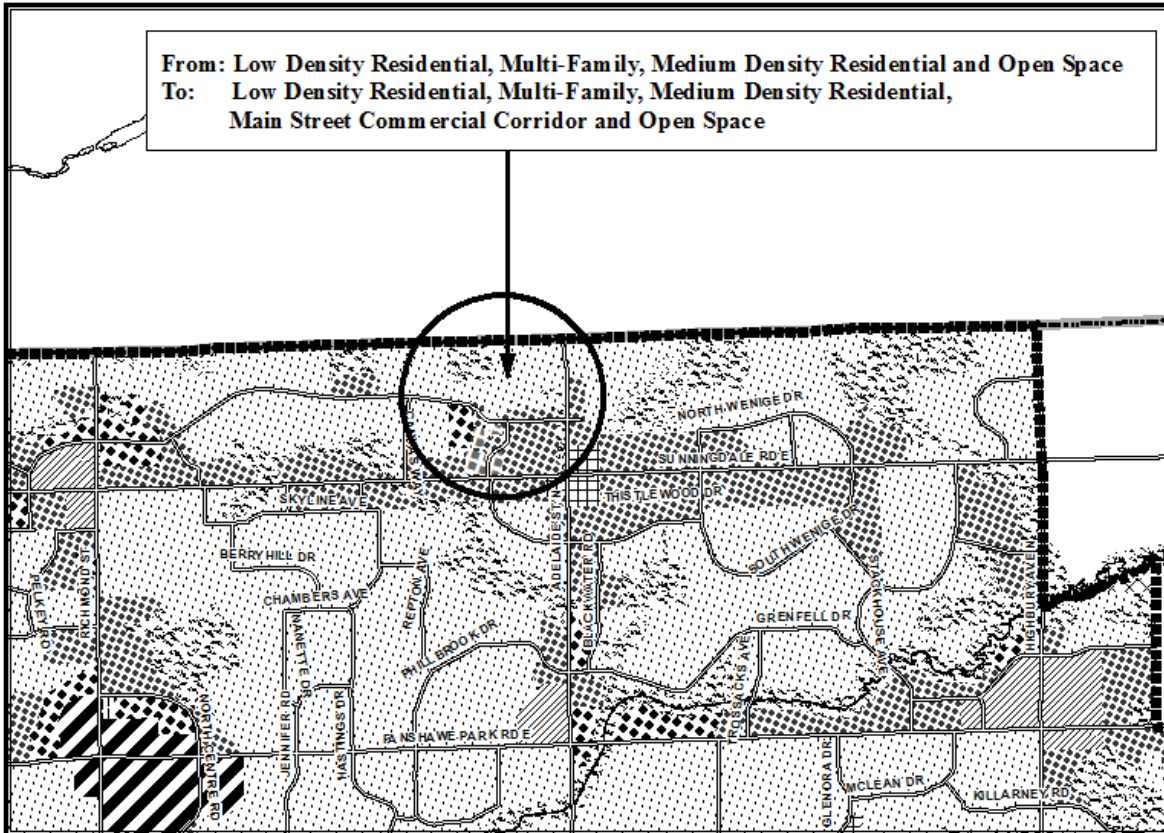
The Official Plan for the City of London is hereby amended as follows:

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located 660 Sunningdale Road East in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential, Multi-Family, Medium Density Residential and Open Space to Low Density Residential, Multi-Family, Medium Density Residential, Main Street Commercial Corridor and Open Space.
2. Schedule "B1", Flood Plain and Environmental Features, to the Official Plan for the City of London is amended by deleting the Unevaluated Corridors delineation and revising the Provincially Significant Wetland boundary.
3. Schedule “C”, Transportation Corridors to the Official Plan for the City of London Plan is amended by reconfiguring the east-west secondary collector road (Street D), reconfiguring the north-south secondary collector road (Street A), and redesignating Street A from Sunningdale Road East to Street D as a Primary Collector.

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AMENDMENT NO:



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

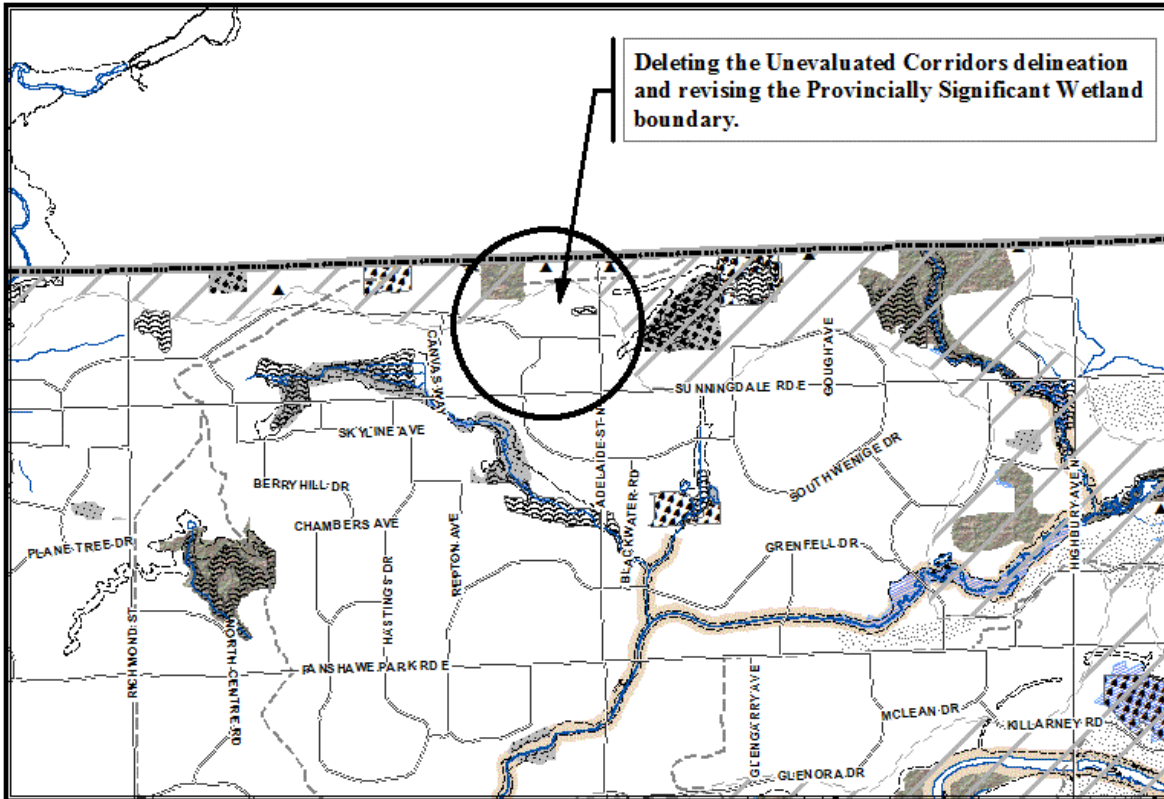
This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

<b>SCHEDULE 1                  TO                  OFFICIAL PLAN</b>  AMENDMENT NO.  PREPARED BY: Graphics and Information Services	<p>Scale 1:30,000</p> <p>Meters</p>	FILE NUMBER: 39T-09501 / OZ-7638
		PLANNER: NP
		TECHNICIAN: JTS
		DATE: July 10, 2014

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AMENDMENT NO: \_\_\_\_\_



**NATURAL HERITAGE SYSTEM**

- ESAs
- Potential ESAs
- Significant Woodlands
- Woodlands
- Unevaluated Vegetation Patches
- Significant River, Stream, and Ravine Corridors
- Unevaluated Stream and Ravine Corridors
- Provincially Significant Wetlands
- Locally Significant Wetlands
- Unevaluated Wetlands
- Potential Naturalization Areas
- Potential Upland Corridors
- Ground Water Recharge Areas

**NATURAL HAZARDS**

- Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.*
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.*

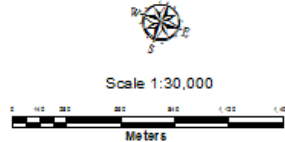
**Base Map Features**

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Big Picture Meta-Cores and Meta-Corridors

*This is an excerpt from the Planning Division's working consolidation of Schedule B1 to the City of London Official Plan, with added notations.*

**SCHEDULE 2  
TO  
OFFICIAL PLAN  
AMENDMENT NO. \_\_\_\_\_**

PREPARED BY: Graphics and Information Services



FILE NUMBER: 39T-09501 / OZ-7638

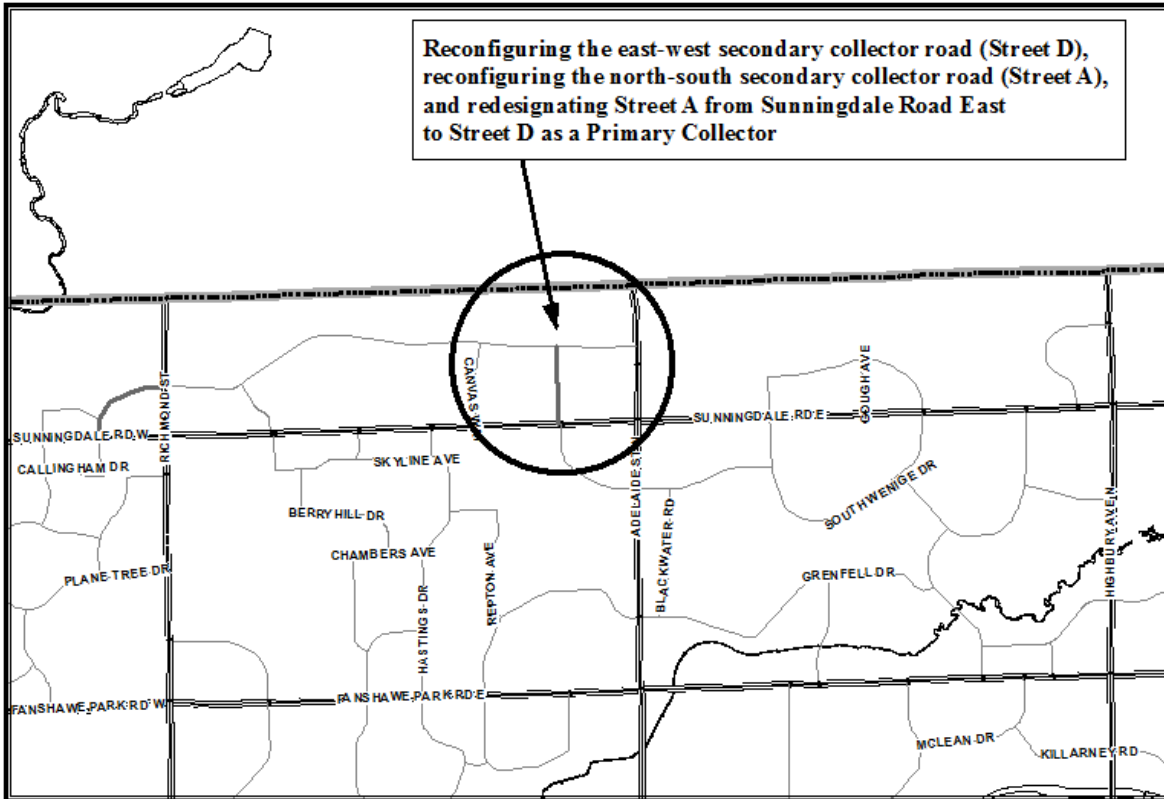
PLANNER: NP

TECHNICIAN: JTS

DATE: July 10, 2014

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AMENDMENT NO:



**Legend**

*ROAD CLASSIFICATION*

- Secondary Collector
- Primary Collector
- Arterial
- Freeway
- Expressway

*PROPOSED ROAD CORRIDOR*

- Proposed Secondary Collector
- Proposed Primary Collector
- Proposed Arterial
- Proposed Freeway
- Proposed Expressway
- Proposed Interchange

THIS IS AN EXCERPT FROM THE PLANNING DIVISION'S WORKING CONSOLIDATION OF SCHEDULE C TO THE CITY OF LONDON OFFICIAL PLAN, WITH ADDED NOTATIONS

<p><b>SCHEDULE 3 TO OFFICIAL PLAN</b></p> <p>AMENDMENT NO. _____</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: 39T-09501 / OZ-7638</p> <p>PLANNER: NP</p> <p>TECHNICIAN: JTS</p> <p>DATE: July 10, 2014</p>
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**Appendix "B"**  
**Zoning By-law Amendment**

Bill No. (number to be inserted by Clerk's Office)  
2014

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 660 Sunningdale Road East.

WHEREAS Extra Realty has applied to rezone an area of land located at 660 Sunningdale Road 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;

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 660 Sunningdale Road East, from an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone to a Holding Residential R1 Special Provision (h. h-100.h( )•R1-4(\*) Zone, a Holding Residential R1 Special Provision (h. h-100.h( )•R1-5(\*) Zone, a Holding Residential R1 Special Provision (h. h-100.h( )•R1-5(\*\*) Zone, a Holding Residential R4 Special Provision (h. h-100.h( )•R4-2(\*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h( )•R5-2(\*)/R6-4(\*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h( )•R5-2(\*\*)/R6-4(\*\*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-4(\*)/R6-5(\*)/R8-4(\*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-4(\*\*)/R6-5(\*\*)/R8-4(\*\*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-6(\*)/R6-5(\*\*\*)/R8-4(\*\*\*) Zone, a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*)•D75•H18) Zone, a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*)•D75•H18) Zone, a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*\*) Zone, a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*\*\*) Zone, an Open Space (OS1) Zone, an Open Space Special Provision (OS4(\*) Zone, and an Open Space (OS5) Zone.

- 1) Section 3,8 of the Holding (h) Zones to By-law No. Z.-1 is amended by adding the following Holding Provision:  
2)\_\_\_\_\_ h-( )

*Purpose:* To ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-\_\_\_\_\_ shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

*Permitted Interim Uses:* Existing Uses

- 2) Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

5.4 d) \_\_\_ R1-4(\*)

(a) Regulations

- |      |   |                               |
|------|---|-------------------------------|
| i)   | Front Yard Setback,<br>Main Dwelling (Minimum): | 3 metres (9.8 feet)           |
| ii)  | Front Yard Depth<br>for Garages<br>(Minimum.):  | 5.5 metres (18.0 feet)        |
| iii) | Interior Side Yard                              | 1.2 metres (3.9 feet), except |

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Depth (Minimum):

where there is no attached

garage, then 3.0 metres (9.8 feet) is required on one side.

- 3) Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

5.4 e) \_\_\_ R1-5(\*)

(a) Regulations

- |      |  |  |
|------|--|--|
| i)   | Front Yard Setback, Main Dwelling (Minimum): | 3 metres (9.8 feet)  |
| ii)  | Front Yard Depth for Garages (Minimum.):     | 5.5 metres (18.0 feet)   |
| iii) | Interior Side Yard Depth (Minimum):          | 1.2 metres (3.9 feet), except where there is no attached garage, then 3.0 metres (9.8 feet) is required on one side. |

- 4) Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

5.4 e) \_\_\_ R1-5(\*\*)

(a) Regulations

- |      |   |  |
|------|---|--|
| i)   | Front Yard Setback, Main Dwelling (Minimum):            | 3 metres (9.8 feet)  |
| ii)  | Front Yard Depth for Garages (Minimum.):                | 5.5 metres (18.0 feet)   |
| iii) | Interior Side Yard Depth (Minimum):                     | 1.2 metres (3.9 feet), except where there is no attached garage, then 3.0 metres (9.8 feet) is required on one side. |
| iv)  | Dwelling Setback From High Pressure Pipeline (Minimum): | 20 metres (66 feet)  |

- 5) Section 8.4 of the Residential R4 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

8.4 b) \_\_\_ R4-2(\*)

(a) Regulations

- |    |                         |                        |
|----|-------------------------|------------------------|
| i) | Lot Frontage (Minimum): | 7.8 metres (25.6 feet) |
|----|-------------------------|------------------------|

- 6) Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

9.4 b) \_\_\_ R5-2(\*)

(a) Regulations



- i) Front Yard Setback,  
Main Dwellings (Minimum): 3 metres (9.8 feet)
  - ii) Front Yard Depth  
for Garages  
(Minimum.): 5.5 metres (18.0 feet)
- 7) Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 9.4 b) \_\_\_ R5-2(\*\*)
- (a) Regulations
- i) Front Yard Setback,  
Main Dwellings (Minimum): 3 metres (9.8 feet)
  - ii) Front Yard Depth  
for Garages  
(Minimum.): 5.5 metres (18.0 feet)
  - iii) Notwithstanding the provisions of Section 2 “LOT LINE, FRONT”, the frontage for this lot will be deemed to be along the secondary collector.
- 8) Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 9.4 d) \_\_\_ R5-4(\*)
- (a) Regulations
- i) Front Yard Setback,  
Main Dwellings (Minimum): 3 metres (9.8 feet)
  - ii) Front Yard Depth  
for Garages  
(Minimum.): 5.5 metres (18.0 feet)
  - iii) Rear Yard Setback  
(Minimum): 3 metres (9.8 feet)
  - i) Notwithstanding Section 3.9(2), the maximum density calculation shall be based on a lot area of 2.43 hectares, which includes the lands in the abutting Open Space Special Provision (OS4(\*)) Zone.
- 9) Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 9.4 d) \_\_\_ R5-4(\*\*)
- (a) Regulations
- ii) Front Yard Setback,  
Main Dwellings (Minimum): 3 metres (9.8 feet)
  - iii) Front Yard Depth  
for Garages  
(Minimum.): 5.5 metres (18.0 feet)
  - iv) Rear Yard Setback 3 metres (9.8 feet)

(Minimum):

- v) Notwithstanding Section 3.9(2), the maximum density calculation shall be based on a lot area of 2.46 hectares, which includes the lands in the abutting Open Space Special Provision (OS4(\*)) Zone.
- 10) Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 9.4 f) \_\_\_ R5-6(\*)
- (a) Regulations
    - i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
    - ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)
- 11) Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 10.4 d) \_\_\_ R6-4(\*)
- (a) Regulations
    - i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
    - ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)
- 12) Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 10.4 d) \_\_\_ R6-4(\*\*)
- (a) Regulations
    - i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
    - ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)
    - iii) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the secondary collector.
- 13) Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
- 10.4 e) \_\_\_ R6-5(\*)
- (a) Regulations
    - i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
    - ii) Front Yard Depth 5.5 metres (18.0 feet)

for Garages (Minimum.):

- iii) Rear Yard Setback (Minimum): 3 metres (9.8 feet)
- vi) Notwithstanding Section 3.9(2), the maximum density calculation shall be based on a lot area of 2.43 hectares, which includes the lands in the abutting Open Space Special Provision (OS4(\*)) Zone.

14) Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

10.4 e) \_\_\_ R6-5(\*\*)

(a) Regulations

- i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)
- iii) Rear Yard Setback (Minimum): 3 metres (9.8 feet)
- iv) Notwithstanding Section 3.9(2), the maximum density calculation shall be based on a lot area of 2.46 hectares, which includes the lands in the abutting Open Space Special Provision (OS4(\*)) Zone.

15) Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

10.4 e) \_\_\_ R6-5(\*\*\*)

(a) Regulations

- i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)

16) Section 12.4 of the Residential R8 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

12.4 d) \_\_\_ R8-4(\*)

(a) Regulations

- i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)
- iii) Rear Yard Setback (Minimum): 3 metres (9.8 feet)
- iv) Notwithstanding Section 3.9(2), the maximum density calculation shall be based on a lot area of 2.43 hectares, which includes the lands in the abutting Open Space Special Provision (OS4(\*)) Zone.

17) Section 12.4 of the Residential R8 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

12.4 d) \_\_\_ R8-4(\*\*)

(a) Regulations

- i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)
- iii) Rear Yard Setback (Minimum): 3 metres (9.8 feet)
- iv) Notwithstanding Section 3.9(2), the maximum density calculation shall be based on a lot area of 2.46 hectares, which includes the lands in the abutting Open Space Special Provision (OS4(\*)) Zone.

18) Section 12.4 of the Residential R8 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

12.4 d) \_\_\_ R8-4(\*\*\*)

(a) Regulations

- i) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum.): 5.5 metres (18.0 feet)

19) Section 25.4 of the Business District Commercial (BDC) Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

25.4 c) \_\_\_ BDC2(\*)

- i) Front & Exterior Side Yard Setback (Minimum): 2 metres (6.6 feet)  
(Maximum): 4 metres (13.1 feet)
- ii) All commercial and office uses are required to be in conjunction with dwelling units on the second floor or above.
- iii) All uses permitted in the BDC2 Zone, except for Dwelling Units, shall be restricted to the ground floor, at a maximum gross leasable floor area of 500 m<sup>2</sup> (5,382 ft<sup>2</sup>).
- iv) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.
- v) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the primary collector.

20) Section 25.4 of the Business District Commercial (BDC) Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

25.4 c) \_\_\_ BDC2(\*\*)

- i) Front & Exterior Side Yard Setback (Minimum): 2 metres (6.6 feet)

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**Nancy Pasato**

(Maximum): 4 metres (13.1 feet)

- ii) All commercial and office uses are required to be in conjunction with dwelling units on the second floor or above.
- iii) All uses permitted in the BDC2 Zone, except for Dwelling Units, shall be restricted to the ground floor, at a maximum gross leasable floor area of 250 m<sup>2</sup> (2,691 ft<sup>2</sup>).
- iv) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.

21) Section 25.4 of the Business District Commercial (BDC) Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

25.4 c) \_\_\_ BDC2(\*\*\*)

- i) Front & Exterior Side Yard Setback  
(Minimum): 2 metres (6.6 feet)  
(Maximum): 4 metres (13.1 feet)
- ii) Gross Leasable Floor Area  
(Maximum): 3000 m<sup>2</sup> (32,292 ft<sup>2</sup>)
- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.
- iv) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the primary collector.

22) Section 25.4 of the Business District Commercial (BDC) Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

25.4 c) \_\_\_ BDC2(\*\*\*\*)

- i) Front & Exterior Side Yard Setback  
(Minimum): 2 metres (6.6 feet)  
(Maximum): 4 metres (13.1 feet)
- ii) Gross Leasable Floor Area  
(Maximum): 1000 m<sup>2</sup> (10,764 ft<sup>2</sup>)
- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.
- iv) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the primary collector.

23) Section 36.4 of the Open Space (OS) Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

36.4 d) \_\_\_OS4(\*)

- i) Notwithstanding Section 3.9(2), the area of the lands so zoned may be included with the abutting Residential-zoned lands in the block for the purpose of calculating density

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

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measures.

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 July 29, 2014.

Joni Baechler  
Mayor

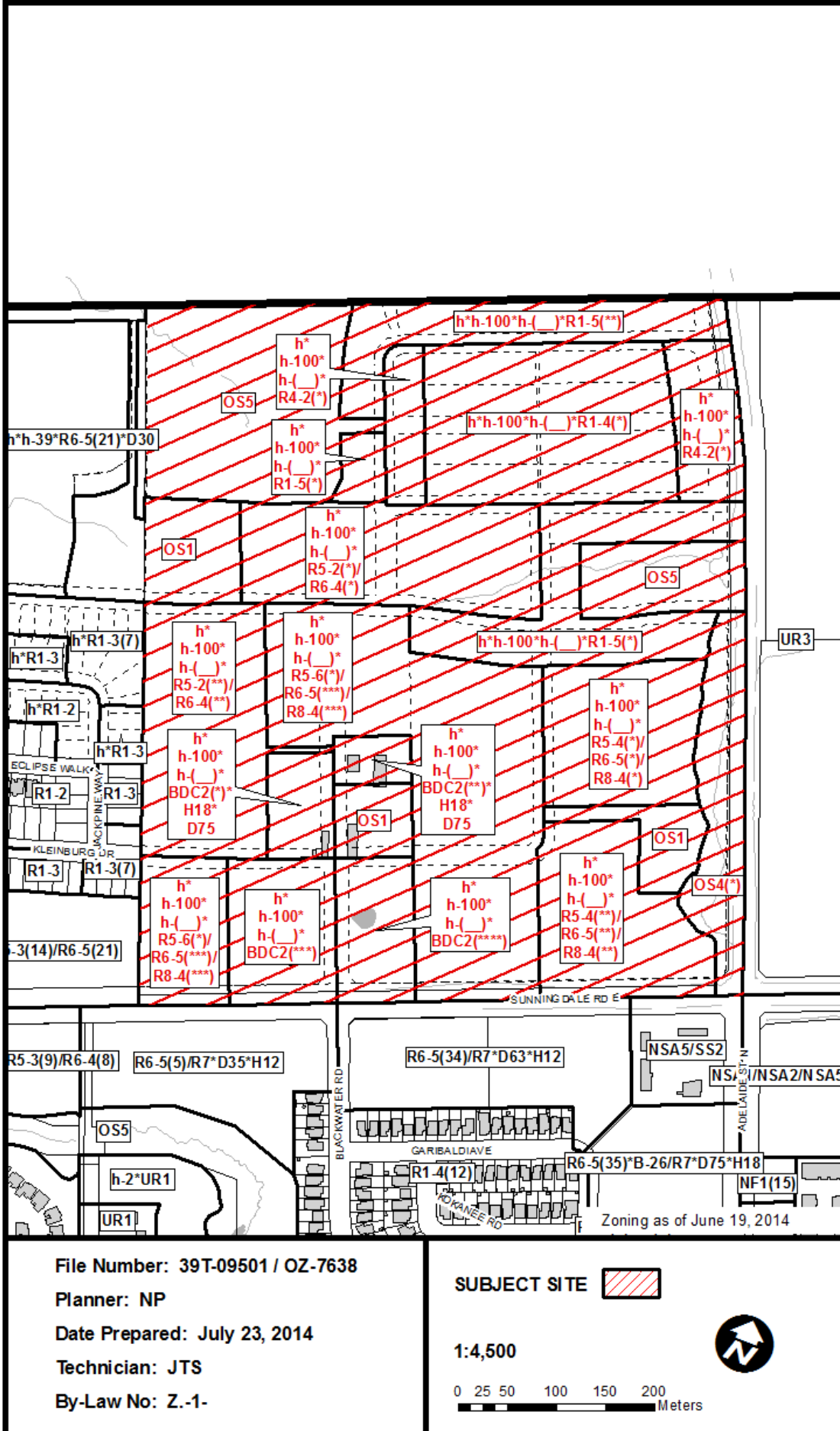
Catharine Saunders  
City Clerk

First Reading - July 29, 2014.  
Second Reading - July 29, 2014  
Third Reading - July 29, 2014

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







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11. 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 by the City, such submission will be returned to the Owner without detailed review by the City.

**Planning**

12. In conjunction with the Design Studies submission, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
13. In conjunction with the Design Studies submission, the Owner shall prepare updated detailed urban design guidelines for this subdivision and implementation processes, to be appended to the subdivision agreement to the satisfaction of the City.
14. All building permit applications for a single detached dwelling unit must include clearance from an urban designer or architect pre-approved by the City that the building plans are designed in accordance with the approved urban design guidelines
15. In conjunction with the Design Studies submission, the Owner shall prepare a tertiary plan showing how the residential blocks shall be further subdivided into lots and to ensure that a mix of housing types is achieved, and which details road cross sections, utility locations and tree placements, to the satisfaction of the City. A tertiary plan is required for each phase of development.
16. The Subdivision Agreement shall contain warning clauses advising future residents of nearby agricultural operations and its potential impact on residential uses by owners.
17. The Owner shall include the following clause to be registered on title within the Subdivision Agreement:  
  
 "Purchasers are advised that Lots (to be determined) are adjacent to the registered Easement Lands of Sun Canadian which contains within a high-pressure petroleum products transmission pipeline. Unauthorized use of the easement by others will not be permitted".
18. The Owner shall submit confirmation that they have complied with any requirements of Sun Canadian Oil Pipeline with regards to any buffers/setbacks at the northern limit of this plan of subdivision. Any proposed additions or renovations to dwelling units or structures that may effectively reduce the set-back distance to the pipeline easement as stipulated in the City of London's zoning by-laws will not be permitted. No further excavations, alterations to surface or subsurface drainage, including swimming pools, decks, patios etc. shall be constructed on the subject lot without first obtaining prior written approval from Imperial Oil Limited.
19. The Owner shall not construct any structures or any type of fencing within the Imperial Oil Pipeline easement.

**UTRCA**

18. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent obtains the necessary permit/approvals from the UTRCA.

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19. In conjunction with the Design Studies submission, a Final Environmental Impact Study be prepared that compiles all of the addendums and also addresses the UTRCA's outstanding concerns.
20. In conjunction with the Design Studies submission, a Water Balance Study be prepared to the satisfaction of the UTRCA to address the concerns identified through the review of the EIS and the SWM report.
21. In conjunction with the Design Studies submission, a detailed Stormwater Management Report be prepared to the satisfaction of the City of London and which also addresses the Upper Thames River Conservation Authority's interests.

**Parks Planning**

22. In conjunction with the Design Studies submission, the Owner shall detail how the recommendations of the EIS (prepared by BioLogic, dated January, 2009), the EIS update report (dated April, 2010) and the EIS addendum letter (dated May, 2012) will be incorporated into the plan, and implemented, all to the satisfaction of the City.
23. Parkland dedication has been calculated at a rate of 2% of the commercial land area and 1 hectare per 300 residential units. The Owner shall dedicate Blocks 33, 34, 35, 39 and the redlined walkway blocks 40 and 41 to cover a portion of the required parkland dedication. The remaining parkland dedication for Blocks 1-24, Block 28 and Block 54 will be taken as cash-in-lieu as per By-law CP-9. The Owner shall provide 2% of the value of the commercial blocks the day before the issuance of the first building permit in accordance with By-law CP-9 all to the satisfaction of the City.
24. In conjunction with the Design Studies submission, the Owner is to provide park concept plans for Blocks 34 and 35, to the satisfaction of the City.
25. In conjunction with the Design Studies submission, the Owner shall provide initial pathway concepts for Blocks 39, 40, 41, 42, and 43, including the incorporated pathway into the window street design for Street F, to the satisfaction of the City.
26. Within one year of registration of this plan, the Owner shall grade, service and seed all areas dedicated for parkland within the phase being registered, in accordance with the approved plan, to the satisfaction of the City.
27. The Owner shall construct all works within all park blocks within one year of plan registration for the parks in that phase to the satisfaction of the City.
28. The Owner shall not grade into any open space areas (Blocks 32 and 33). 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 City.
29. 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 Environmental and Parks Planning Division monthly during development activity along the edge of the Block 32 and Block 33.
30. In conjunction with the Design Studies submission, 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 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.
31. Within one year of registration of this plan, 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 private lots and blocks

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adjacent to existing and/or future Park and Open Space Blocks, to the satisfaction of the City.

32. Blocks 42 and 43 shall incorporate the extension of the internal pathway linkage from Street B to the intersection of Adelaide and Sunningdale Roads. Parkland dedication may be applicable to this corridor for expanded access width.
33. Restoration and planting shall occur around the wetland feature in accordance with the EIS. Conceptual planting shall be reviewed at the Design Studies stage. Planting plans shall be submitted at the Engineering Drawing stage.
34. SWM ponds and channels shall be landscaped as per the SMW Design Manual. Conceptual planting shall be reviewed at the Design Studies stage. Planting plans shall be submitted at the Engineering Drawing stage.
35. In conjunction with the Design Studies submission, the Owner shall have a qualified arborist prepare 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 quality specimen 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 Manager of Environmental and Parks Planning as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation. The report will also identify the locations for tree preservation fencing to protect existing trees, including those in Block 32 and the PSW in Block 33.
36. In conjunction with the Design Studies submission, the owner shall, in lieu of the standard park grade, service and seed requirements, undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for the portion of Block 32 that abuts park and open space. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of the park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is the sooner.

**Engineering - Sanitary**

37. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
  - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
  - ii) Provide a hydrogeological report which includes 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 to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407; and
  - iii) Demonstrate that the servicing to any proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
38. 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, 300 mm (12") sewer on Sunningdale Road East approximately 145 metres east of Adelaide Street North, at no cost to the City;

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- 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.
39. 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 of subdivision, 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 allow any weeping tile connections into the sanitary sewers within this Plan;
  - ii) Permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
  - iii) Have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - iv) Any additional measures recommended through the Design Studies stage.
40. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide Wastewater 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.

**Engineering - Storm and Stormwater Management (SWM)**

41. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identify 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) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
  - iii) Any geotechnical recommendations in the geotechnical report with respect to construction, grading and drainage of this subdivision in relation to steep slopes and setbacks;
  - iv) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility on Block 42;
  - v) Develop an erosion/sediment control plan (ESCP) that will identify all erosion and sediment control measures for the subject lands, the required protection of the Provincially Significant Wetland (PSW), the Northdale Tributary and the DFO's Northdale channel and this ESCP will be developed 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

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phases on construction. Prior to any work on the site, the Owner's professional engineer shall submit these measures as a component of the SWM Servicing Letter/Report of Confirmation and is to have these measures established and approved all to the satisfaction of the City. Further, the Owner's professional engineer shall confirm that the required erosion and sediment control measures were maintained and operating as intended during all phases of construction;

- vi) Implement 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
  - vii) Confirm Northdale Tributary and associated culverts have sufficient capacity for this plan. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall provide recommendations for any works required to be implemented by the Owner, to the satisfaction of the City, at no cost to the City.
42. 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 of the subject plan, to protect the existing PSW located on Block 33, the Northdale Tributary and the DFO's Northdale channel and any fill required in the plan and identify all required mitigation measures, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts on any existing watercourse or body of water on the site 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 accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

43. In conjunction with Design Studies submission, the Owner shall have it's professional consulting engineer undertake a water balance evaluation report for the pre and post-development conditions for the subject lands that include, but not limited to, the following assessment/evaluations of the following:
- i) Water quality and quantity impacts on PSW's, the reconstructed Northdale tributary and the existing DFO's Northdale channel under the exiting and post-development conditions in order to minimize any adverse impacts from the proposed land development;
  - ii) Potentially directing the post-development stormwater discharges from residential backyards to the PSW by a third pipe system and the overland flows directed to the PSW may only be routed through backyards and open space;
  - iii) The required buffers to the PSW that is subject to the City's Official Plan The required buffers to the PSW that is subject to the City's Official Plan and consistent with an approved EIS; and
  - iv) The pre-development discharges from the PSW must be maintained under the post-development conditions and these discharges shall be accommodated in the proposed storm/drainage and SWM servicing works for the subject lands in accordance with the existing drainage pattern.
44. In conjunction with the Design Studies submission, the Owner's professional geotechnical engineer shall provide a geotechnical report to address all geotechnical issues including but not limited to, the required setbacks related to provincially significant wetland (PSW) are adequately addressed for the subject lands, erosion, maintenance and structural setbacks related to slope stability, addressing the requirements of the MNR and the Upper Thames River Conservation Authority (UTRCA) to the satisfaction of the City. The Owner shall implement all geotechnical recommendations with respect



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to setbacks, slope stability, etc. to the satisfaction of the City and obtain all applicable permits and approvals from the MNR and the UTRCA.

45. 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, all to the satisfaction of the City Engineer:
- i) Construct storm sewers, located within the Stoney Creek Subwatershed, and outlet the majority of this plan's minor storm flows (approx. 27 ha) to the Regional Stoney Creek SWM Facility 1N via the proposed external sewers which may be located on Adelaide Street North and Sunningdale Road. The remaining portions (drainage areas) of this plan's minor storm flows are designed to outlet to the Regional Uplands North (Powell) Storm Water Management (SWM) Facility B2 located within the Uplands North Community Area Plan via the internal proposed storm sewer system;
  - ii) Should the Owner consider outletting the remaining proposed minor storm flows to the Stoney Creek SWM Facility 1N instead of as described above, then the Owner shall have a consulting professional engineer undertake a review of the available remaining capacity within the Stoney Creek SWM Facility 1N and in the minor conveyance system discharging to this SWM Facility. In conjunction with Design Studies submission, the Owner shall submit a Storm/Drainage and SWM Servicing Functional Design Report which shall incorporate the above-noted engineering assessment in accordance with the City's file manager process and all to the specifications and satisfaction of the City Engineer.
  - iii) Direct major storm flows for this plan to the proposed flood control facility (Stoney Creek SWM Facility 2) located on Block 42 within this plan of subdivision. The Owner shall direct the post development storm flows discharge from Block 42 to the realigned west branch of the Northdale Tributary east of Adelaide Street North, south of Sunningdale Road and the Department Fishery Ocean (DFO's) approved Northdale Tributary channel to meet the Ministry of the Environment's (MOE's) requirements for maintaining the estimated base flow conditions for this reconstructed Northdale system. Portions of the westerly lands major storm flows contained within this plan must be confirmed how they are to be directed to the Regional SWM Facility B2 located in the Uplands North Subdivision, via the proposed internal road system;
  - iv) Grade and drain the boundaries of Blocks abutting the SWM Facility on Block 42 to blend in with the abutting SWM Facility on Block 42, at no cost to the City;
  - v) 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;
  - vi) 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, including the correction of any deficiencies of the erosion and sediment control measures forthwith; and
  - vii) Construct any measures as recommended in the proposed water balance mitigation report.
  - viii) Provide SWM on-site controls for lands (Blocks) located within this plan of subdivision that are zoned for Commercial, Institutional and Multi-Family. The on-site controls shall comply with the accepted Design Requirements for Permanent Private Stormwater Systems.
46. 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 Stoney Creek Subwatershed Study and any addendums/amendments;
  - ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands, in accordance with the file manager process;
  - iii) The accepted Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (2008) and the Minor revisions/amendments to the Municipal Class EA for Storm

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Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (May 2011) and any amendments and/or addendums;

- iv) The approved Functional Stormwater Management Plan for the Stoney Creek Regional SWM Facility 1N (September 2008);
  - v) The approved Functional SWM Servicing Report and the detailed design of the Uplands North (Powell) SWMF 2B by AECOM – May 2011;
  - vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - viii) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
47. Prior to Design Studies submission, the Owner shall make all necessary arrangements to secure the required municipal storm sewer servicing easement(s) from the downstream landowner(s) for the storm sewer outlet system to service this plan of subdivision, or a suitable alternative will need to be arranged, all to the satisfaction of the City Engineer and at no cost to the City.
48. The Owner shall ensure that upon the development or sale of Block 28, that the lot grading design of this block shall convey the major overland flow route from Street 'B' up to and including the 250 year storm event through Block 28 to the proposed SWM Facility Block 42.
49. The Owner shall ensure the storm drainage/SWM servicing system is consistent with the recommended preferred servicing option of the Stoney Creek Undeveloped Lands Municipal Class Environmental Assessment (EA) Study and that major and minor flows need to be controlled to predevelopment flows.
50. The Owner shall maintain and allocate adequate setbacks in accordance with City requirements (eg. City Council approved Official Plan Policies relating to PSW and open watercourse setbacks).
51. Prior to the issuance of any Certificates of Conditional Approval, 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) For lots and blocks in this plan that are contributory to the proposed erosion control/flood storage dry Stoney Creek SWM Facility 2, located on Block 42, the erosion/sediment control works to protect the existing PSW located on Block 33 and all related storm/drainage servicing must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City.
  - iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
  - iv) Implement all geotechnical/slope stability/setback recommendations made by the geotechnical report accepted by the City;
52. The Owner shall have a sediment/erosion control monitoring program in place to ensure the development of the subject site will not cause any adverse impact on the receiving storm/drainage servicing system and SWM facility.
53. 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 for the Regional Stoney Creek SWM Facility 1N, Regional Uplands North SWM Facility B2, the proposed erosion/flood storage dry SWM Facility

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located on Block 42 in this plan, the existing PSW located on Block 33, the Northdale Tributary and the DFO's Northdale channel, all to the satisfaction of the City.

54. 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.
55. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Storm Water Management Facilities policies and processes.
56. Once the functional stormwater management report has been finalized and the pond size and configuration confirmed and accepted by the City Engineer, any lands not required for the stormwater management pond will revert back to the Owner and be added to the surrounding residential lands. Likewise, should added or shifted lands be required to accommodate the SWM facility's finalized size and configuration the necessary adjustments will be made to this plan. A redline amendment and zoning by-law amendment may also be required, to the satisfaction of the City.

**Engineering – Water**

57. In conjunction with the Design Studies submission, the Owner shall have his consulting 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
    - j. Identify location of valves and hydrants.
  - 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.
58. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.
59. 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 300 mm (12") diameter Uplands high pressure watermain stub at Sunningdale Road;

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- 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; and
- iii) Provide for future “looping” of the watermain system constructed for this subdivision to the east and west of this site, all to the specifications of the City Engineer.

**Engineering – Transportation**

*Roadworks*

- 60. The Owner shall construct Street ‘D’ at the western boundary of the plan of subdivision in alignment with the proposed Superior Drive to the west as shown in draft plan of subdivision, 39T-05510, to the satisfaction of the City.
- 61. The Owner shall construct Street ‘B’ at the western boundary of the plan of subdivision in alignment with Kleinburg Drive to the west as shown in draft plan of subdivision, 39T-05510, to the satisfaction of the City.
- 62. The Owner shall construct Street ‘A’ at Sunningdale Road at the southern boundary of the plan of subdivision in alignment with Blackwater Road to the south.
- 63. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a plan showing the cross-section of Street ‘A’ and the alignment with Blackwater Road to the south.
- 64. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a plan showing the cross-section of Street ‘F’ as a non-standard window street. This cross-section is to include the pathway.
- 65. The Owner shall construct Street ‘A’ between Street ‘D’ and Sunningdale Road to primary collector road standards.
- 66. The Owner shall designate Street ‘A’ between Street ‘D’ and Sunningdale Road as a primary collector road with a 26 metre right-of-way.
- 67. The Owner shall construct Street ‘D’ to secondary collector road standards.
- 68. 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.
- 69. In conjunction with the Design Studies 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:”
- 70. In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
- 71. The Owner shall design and construct the roadworks, as designed by it’s professional engineer, in accordance with the following road widths and in compliance with City standards :
  - i) Street ‘A’ (between Street ‘D’ and Sunningdale Road) has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1’) with a minimum road allowance of 26.0 metres (85’);
  - ii) Street ‘D’ has a minimum road pavement width (excluding gutters) of 9.5 metres (31.2’) with a minimum road allowance of 21.5 metres (70’).

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- iii) Street 'B', Street 'E' and Street 'I' 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 'F' (north and south legs) and Street 'G' have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').
  - v) Street 'F' (window street portion) have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 18 metres (60').
  - vi) Street 'D' from Adelaide Street North to 45 metres (150') west has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 22.5 metres (75'). The widened road on Street 'D' shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines.
  - vii) Street 'A' at the intersection of Sunningdale Road with a minimum pavement width of 11.0 metres on a right-of-way width of 26.0 metres for a minimum storage length of 70.0 metres tapered back over 30.0 metres to the standard road width.
72. 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 streets in this plan. If not possible, the Owner shall limit any required bulge in the curb line to only a maximum offset from the standard radius required to achieve the minimum curb distance for driveways, as approved by the City Engineer. Further, any required bulge in the street line is only to be to the extent required to achieve the minimum frontage for the abutting lots.

*Sidewalks/Bikeways*

73. The Owner shall construct sidewalks within this plan, as the minimum City standards, as follows:
- i) Street 'A' – both sides
  - ii) Street 'B' – between Street 'D' and Street 'A' – both sides
  - iii) Street 'D' – both sides
  - iv) Street 'B' – one side - north boulevard, west of Street 'A'
  - v) Street 'E' – one side - west boulevard
  - vi) Street 'F' (north leg) – one side – north boulevard
  - vii) Street 'F' (south leg) – one side – south boulevard
  - viii) Street 'I' – one side – east boulevard.
74. The Owner shall provide sidewalk links from Street 'F' to the proposed sidewalk on Adelaide Street North 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. Three metre (3.0 m) breaks in the 0.3 metre reserve are to be identified on the survey plan as 3.0 metre walkway blocks when submitted to the City.
75. In conjunction with the Design Studies submission, the Owner shall provide a plan and appropriate sections showing details of the proposed parks pathway on Block 40, Block 41 and the window street portion of Street 'F' to the satisfaction of the City. The plan is to also incorporate how the proposed sidewalk linkages from Street 'F' to Adelaide Street North will be accommodated to City standards. The pathway is to be located within the right of way on Street 'F' between the standard window street berm and the easterly edge of curb for Street 'F'.
76. Should the Owner direct any servicing within a walkway or a walkway is to be used as a maintenance access, the Owner shall design the walkway to the maintenance access standard, to the specifications of the City.

*Street/Walkway Lights*

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

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78. The Owner shall install pedestrian lighting in pedestrian walkways in this plan, to the satisfaction of the City, at no cost to the City.
79. Within one year of registration of the plan, 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*

80. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a left turn lane on Adelaide Street North at Street 'D' to the satisfaction of the City.
81. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a right turn taper on Adelaide Street North at Street 'D', to the satisfaction of the City.
82. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a left turn lane on Sunningdale Road East at Street 'A', to the satisfaction of the City.
83. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a right turn lane on Sunningdale Road East at Street 'A', to the satisfaction of the City.
84. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lights on Adelaide Street at the intersection of Street 'D' to the satisfaction of the City Engineer, at no cost to the City.
85. In conjunction with the Design Studies submission, the Owner shall determine the ultimate centre line profile of Adelaide Street North for the purpose of site grading, to the satisfaction of the City Engineer, at no cost to the City.
86. The Owner shall be required to make minor boulevard improvements on Adelaide Street North and Sunningdale Road East 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.
87. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for the left turn and right turn lanes on Adelaide Street North at Street 'D' and on Sunningdale Road East at Street 'A', for review and acceptance by the City.

*Road Widening*

88. The Owner shall be required to dedicate sufficient land to widen Adelaide Street North and Sunningdale Road East to 18.0 metres (59.06') from the centreline of the original road allowance.
89. The Owner shall provide a road widening dedication at the intersection of Sunningdale Road North and Adelaide Street East as indicated in the Sunningdale Road Environmental Assessment to accommodate a future roundabout.

*Vehicular Access*

90. The Owner shall restrict access to Sunningdale Road East by establishing a block for a 0.3 metre reserve along the entire Sunningdale Road frontage, to the satisfaction of the City.



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91. The Owner shall restrict access to Adelaide Street North by establishing a block for a 0.3 metre reserve along the entire Adelaide Street frontage, to the satisfaction of the City.

*Traffic Calming*

92. The Owner shall construct curb extensions on both sides of Street 'A' to provide on-street parking for the commercial and business district commercial blocks. The parking bay should be removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission, to the satisfaction of the City Engineer.
93. The Owner shall construct raised intersections along Street 'A', at the intersections with Street 'B' and with Street 'D' in accordance with the Design Specifications and Requirements Manual and to the satisfaction of the City Engineer.
94. The Owner shall construct a raised intersection at the intersection of Street 'D' and Street 'B' in accordance with the Design Specifications and Requirements Manual and to the satisfaction of the City Engineer.
95. The Owner shall construct curb extensions along the south side of Street 'D' with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission, to the satisfaction of the City Engineer.
96. The Owner shall construct two speed cushions on Street 'B' in locations satisfactory to the City Engineer and in accordance with the Design Specifications and Requirements Manual.
97. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures along the primary and secondary collector roads, including parking bays, curb extensions, speed cushions and other measures, to the satisfaction of the City, to discourage through traffic and excessive vehicle speeds.
98. The Owner shall utilize construction access routes designated by the City.
99. 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.
100. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
- i) Street 'D' – west 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.
101. Should any temporary turning circle exist on the abutting street at the time this plan is registered, the Owner shall remove any existing temporary turning circles at the west limit of this plan and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.

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

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102. 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.
103. 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.
104. 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.
105. 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, including, but not limited to, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, any necessary setbacks related to slope stability for lands within this plan and any other requirements as needed by the City.
106. 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.
107. 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.) and any required on-street parking shall be provided to condominiums/townhouses indicated on Blocks 1 to 20, inclusive on Streets D, E, F, G & I. 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.
108. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on Blocks 1 to 20, inclusive on Streets D, E, F, G & I, to the satisfaction of the City Engineer.
109. The Owner shall have the common property line of Adelaide Street North and Sunningdale Road East graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.  
  
Further, the grades to be taken as the centreline line grades on Adelaide Street North and Sunningdale Road East 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.
110. 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;

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Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

111. 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.
  
112. 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.
  
113. 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.
 

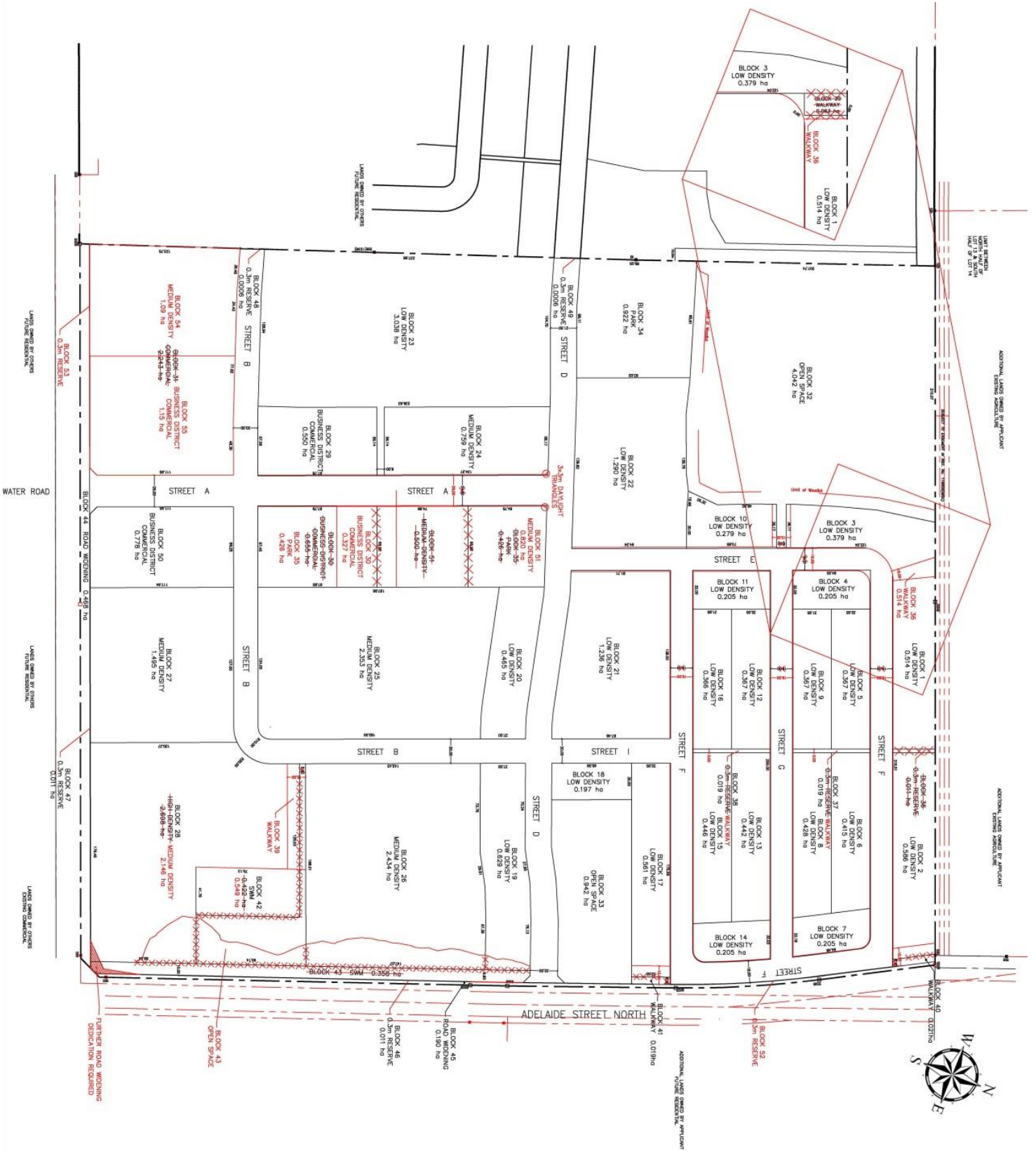
If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications 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.
  
114. The Owner hereby agrees that, 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.
  
115. 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.
  
116. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

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117. The Owner shall have its 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".
118. 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.).
119. 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.
120. 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.
121. 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.
122. 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.
123. 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.
124. 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.
125. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
126. 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.

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Nancy Pasato



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**Appendix "D"**  
**Related Estimated Costs and Revenues**

**Related Estimated Costs and Revenues**

<b>Estimated Costs – This Draft Plan</b>	
Claims from Urban Works Reserve Fund – General	
- Storm sewer oversizing	\$70,700
- Roadworks – turn lanes & internal widening	\$520,000
Claims from Urban Works Reserve Fund - Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
<b>Total</b>	<b>\$590,700</b>
<b>Estimated Revenues - This Draft Plan (Jan 2014 rates)</b>	
CSRF	\$12,478,245
UWRF	\$2,226,783
<b>Total</b>	<b>\$14,705,028</b>

1. Estimated Costs are based on approximations provided by the applicant. Final claims will be determined based on actual costs in conjunction with the terms of the subdivision agreement and the applicable By-law.
2. Estimated Revenues are calculated using January 2014 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
3. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues – This Draft Plan" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
4. New requirements of developer constructed works will be incorporated into the new DC By-law. The new requirements generally involve greater application of City procurement practices to work completed under agreements under the Planning Act and greater documentation prior to initiation of work.

Reviewed By:



Peter Christiaans  
Director, Development Finance



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**Appendix “E”**  
**Department and Agency Comments**

**Development Services**

*Wastewater*

- The Applicant is required to construct and connect sanitary sewers to the existing municipal sewer located approx. 145 m east of Adelaide Street.
- The current sewer is located on private lands and therefore any portion of the sewer extension not in a municipal roadway will require the provision of a municipal easement.

*Stormwater*

- The majority of this plan’s storm drainage flows (approx. 27 ha) shall be directed to the Regional Stoney Creek SWM Facility 1N (located by the Stoney Creek YMCA) via external sewers to be located on Sunningdale Road and Adelaide Street.
- The remaining portion of this plan’s flows (minor flows) are designed to outlet to Powell Regional Facility B2 (located off of Canvas Way to the west of this subdivision) via the proposed internal storm sewers.
- Major storm flows for this plan shall be directed to the proposed flood control facility, shown as Block 42 on this plan. The post development storm flow discharge from Block 42 will be directed to the realigned west branch of the Northdale Tributary east of Adelaide Street and south of Sunningdale Road.

*Water*

- The Applicant is required to construct and connect watermains to the existing watermain stub located on Sunningdale Road.
- Water looping is required for 80 units and above.

*Transportation*

- Street A is to be redesignated to a primary collector on Schedule “C” and will be redlined to 26 m from Sunningdale to Street D.
- Street D is currently designated as a secondary collector and will be constructed to secondary collector road standards with a minimum road allowance of 21.5 m, except for the portion of Street D between Adelaide Street and 45 m west, which will have a minimum road allowance of 22.5 m.
- Street B and Street I will have with a minimum road allowance of 20.0 m.
- Street E, a local street, will be redlined to a minimum road allowance of 20.0 m.
- Street F and G, local roads, will be redlined to a minimum road allowance of 19.0 m.
- The window street portion of Street F will have a minimum road allowance of 18.0 m.
- Additional lands will be dedicated to the City and redlined on the plan at the corner of Adelaide Street and Sunningdale Road to accommodate the future roundabout.

Development Services and the engineering divisions have concerns with the proposed residential zoning that permits narrow frontages that impact on the placement of driveways, municipal services, and utilities, particularly in areas of road curvature and cul-de-sacs. The narrow lots have less space available to accommodate driveways, street trees, utility structures (eg. transformers), street light poles, limiting the areas needed for snow storage and waste and recycling bins.

Development Services recommends the following holding provisions and special provisions be added to the subdivision:

- ‘h’ holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.
- ‘h-100’ holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available, to the satisfaction of the City Engineer.
- A holding provision is implemented on R4-2 zone (street townhouse) until the City Engineer is satisfied with the servicing arrangements to provide adequate separation between services and void conflicts with City services.
- a special provision is implemented with respect to minimum 7.8 metre lot frontages in R4-2 zones (street townhouse).

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It should be noted that an Official Plan Amendment will be required to designate Street 'A' as a primary collector.

The following additional redlines are required for the plan:

- Add 0.3 metre reserves along the frontage of Sunningdale Road East and along the frontage of Adelaide Street North
- Provide all lot/block dimensions
- Redline Blocks 36, 37 and 38 as these should not be 0.3 metre reserve blocks but rather walkways.
- Revise Street 'A' to be a primary collector road with a 26.0 metre right-of-way
- Identify centreline radii on all streets and ensure these radii are to City standards
- Revise the plan, if necessary, to be consistent with the geotechnical report to address all geotechnical issues and the required setbacks related to provincially significant wetland (PSW) for the subject lands and erosion, maintenance and structural setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority, City and Ministry of Natural Resources for the final setback.
- The following intersections are to be aligned in accordance with the requirements specified below:
  - Street 'D' to align with Superior Drive in approved draft plan to the west of this plan (39T-05510) and the future road on the east side of Adelaide Street North
  - Street 'B' to align with Kleinburg Drive in the approved draft plan to the west of this plan (33M-643)
  - Street 'A' to align with Blackwater Road south of this plan
- Revise the north of south legs of Street 'F' to be 19.0 metres in width.
- Revise Street 'G' to be 19.0 metres in width.
- Revise Street 'E' to be 20.0 metres in width.
- Remove Block 39 as Development Services is not supportive of this block as a future road and/or walkway. Combine Blocks 1 and 3 to be one block.
- Revise the plan to provide a road widening dedication at the intersection of Sunningdale Road North and Adelaide Street East as indicated in the Sunningdale Road Environmental Assessment to accommodate a future roundabouts
- The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius to coincide with the appropriate road allowance.
- Revise Street 'B' and Street 'D', east and west of Street 'A', to City standards (eg. tapers at intersection).

Note - there will be increased operating and maintenance costs for works being assumed by the City.

The comments contained in this section are based on the revised draft plan for this application that was received on March 6, 2014. Should any further changes be made to this draft plan, an updated revised Plan must be provided for our review and comments prior to any approvals.

**Urban Design – Planning**

*“Urban design staff have reviewed the proposed subdivision layout plan for the above noted property and provide the following comments:*

3. *In an effort to support future rapid transit and the associated corridors, a high-rise (or high density) built form at this location is not supported. That type of built form should be directed to higher order transit corridors. However, a mid-rise form is more appropriate given the road classification, while providing support for the surrounding commercial.*
4. *The overall design of the subdivision does not satisfy some aspects of the Placemaking Guidelines. These include:*
  - a. *The large block pattern reduces walkability to both commercial and transit activity.*
  - b. *Rear and side lotting onto parks, woodlots and stormwater management facilities does not provide an active frontage to these spaces.*

*The Applicant is encouraged to discuss the design opportunities for the site with urban design staff. There is a good foundation to work from and a lot of opportunities to create a unique neighbourhood.”*

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**Ministry of Natural Resources – November 21, 2013**

*“Based on MNR’s review of the information provided, the proposed revision is accepted by MNR. This will result in the MNR undertaking an update to the Arva Moraine Provincially Significant Wetland evaluation file (including species list and mapping revisions).”*

**Upper Thames River Conservation Authority**

**“COMMENTS ON THE SUBMITTED SUPPORTING DOCUMENTATION**

**EIS - RESPONSE FROM BIOLOGIC (February 20, 2014) WETLAND:**

1. *The concerns raised in the UTRCA’s July 15, 2010 letter have not been addressed and therefore we cannot confirm that the third pipe system has been designed to maintain the existing water balance to the wetland feature.*
2. *We acknowledge the change in wetland boundary supported by the MNR on November 21, 2013. Our concerns have been addressed.*
3. *We accept the rationale provided for the removal of the small wetland patch near the existing house. However, site investigations conducted in September and October are not appropriate for inventorying wetland communities and therefore we cannot confirm that there is no wetland feature in vegetation community 12. Mitigation for the removal of this wetland feature will need to be provided.*

**WATERCOURSES:**

- *Channel located west of the PSW - It is indicated that the function of water movement will be maintained and is to be accomplished through appropriate best management practices to ensure that that water balance for the wetland is maintained. In addition to a water balance study, the UTRCA will also require that the proponent address the following issues with respect to the proposed channel alterations:*
  - *Downstream and upstream flooding*
  - *Loss of floodplain*
  - *Sediment*
  - *Flow and velocity*
  - *Overland erosion*
  - *Not enough capacity*
  - *System failures*
  - *Adjacent land use*
  - *Loss of wetland functions*
  - *Loss of stream functions*
- *The UTRCA requires that the watercourse (Worall Drain) which flows along Adelaide Street be maintained in its current location and configuration, and consistent with our policies that a 15 metre setback be applied from the bank of this feature. Accordingly the block (43) will need to be revised to accommodate this regulated feature and the required buffer.*
- *Thank you for the clarification.*

**BUFFERS:**

- *We cannot determine if a 10 metre buffer is adequate to protect the features and functions of the woodland and wetland that are located on the site. The original EIS and Addendum letter do not provide ecological rationale for buffer widths. As stated in response to comment #2, “the buffers should be related to the features and functions of the patch, not its title” (Biologic Feb 20, 2014). This type of rationale has not been provided. Please state explicitly the functions of the PSW (according to the evaluation by MNR and others) and of the woodland to support the proposed 10 metre buffer widths. In addition, consider the fish habitat features and functions provided by the watercourse when proposing appropriate buffer widths.*
- *We are pleased that the development limits will remain outside of the final buffer width.*
- *Thank you for the clarification.*

**UPLAND VEGETATION COMMUNITIES**

1. *Please describe community 10. It was not described to the same level of detail as communities 11 – 18 in the original EIS (Biologic 2010) nor in the follow-up 2012 Addendum letter.*
2. *Thank you for the clarification.*
3. *We encourage the protection of County features determined to be significant, but agree that the responsibility for determining significant woodland lies with the City of*

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*London for this development.*

*Fauna*

1. Thank you.
2. Please ensure that construction does not occur during nesting periods when vegetation communities 12 – 14, 16 – 18 and “p” are being removed.

*Buffers - Woodland*

1. See “buffers” above
2. See “buffers” above
3. Thank you for the clarification.
4. We agree that a silt fence will be able to mitigate siltation from some stockpiles less than 3 m in height, but we do not wish to see several small stockpiles concentrated within an area that is closer than 30m away from the open space block.
5. Thank you for the clarification.

*Additional Comments*

1. Thank you for the clarification.
2. Thank you for the clarification.

*As a condition of draft plan approval, the Authority will be requesting a Final EIS which addresses our outstanding concerns. A Water Balance Analysis will also be required. This information is also needed in order to secure the necessary approvals pursuant to Section 28 of the Conservation Authorities Act for the proposed development.*

**STORMWATER MANAGEMENT (SWM) - RESPONSE FROM ENG PLUS (February 5, 2014)**

*This correspondence only addresses the City of London’s concerns. The UTRCA’s comments (most recent being October 26, 2012) are still outstanding as follows:*

*The UTRCA has reviewed the two memos that have been prepared by Eng Plus:*

1. Peter Sergautis – Applewood Subdivision File No. 39T-09501 Brief Servicing Report (July 12, 2012) and
2. Peter Sergautis – Applewood Subdivision File No. 39T-09501 Clarification for the SWM Flows and land Requirements

*These submissions have not addressed the UTRCA’s SWM comments that were provided in our July 19, 2010 comments as follows:*

*The issues of the Provincially Significant Wetland (PSW) and channel realignment must be resolved before detailed SWM criteria are determined for the proposed development. Suitable setbacks must be provided for the PSW and it must be demonstrated that the base flow and the local hydrology of the feature are being maintained. The UTRCA does not support the proposed realignment of the channel along Adelaide Street and advises that the existing configuration be shown on the plan.*

1. *The hydrologic changes proposed upstream of the wetland may impact the PSW. Hydrologic changes can have significant and immediate impacts on a wetland’s physical condition including the depth, duration, and frequency of inundation of the wetland. Urbanization adjacent to the wetland may increase or decrease runoff volumes to the feature. Surface runoff may also increase velocities of inflow to the wetland, which can affect wetland biota and scour wetland substrates. Increased amounts of stormwater run-off may also change water level response times, depths, and duration of water detention in a wetland.*

*Flow characteristics within wetlands may also influence the rate and degree of sedimentation. Excessive sedimentation may change the wetland topography and soils, and ultimately will result in the filling of wetland features.*

- a) *Please undertake a comparison of the runoff from the site to the wetland under the pre-development and post-development conditions to ensure continued base flow to the feature.*
- b) *Please submit a drawing showing the drainage areas that flow to the PSW under the pre-development and post-development conditions.*
- c) *The PSW should be modelled in the hydrologic model for the proposed subdivision, after calculating the base flows, to ascertain the impact of the development on the PSW.*
- d) *Suitable setbacks shall be determined based on true judgment and calculation to*

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**Nancy Pasato**

*avoid any impact on the PSW.*

- e) *The quality of the runoff being proposed to be discharged to the PSW shall be maintained.*
  - f) *Under the existing conditions, the PSW receives sheet flow from drainage areas located upstream.*
  - g) *Conveyance of runoff into the PSW from the proposed development through a piped system should be discouraged as it may cause sediment and erosion problems as result of increased velocities due to point discharge as compared to sheet flows.*
  - h) *The infiltration capacity used in the water balance calculations should be based on the actual infiltration capacity of the soil on the site and not on the MOE SWM guideline.*
2. *The water balance calculations show a significant reduction in the infiltration under the post-development conditions.*

*The UTRCA does not support a reduction in infiltration under the post-development conditions as it will impact the natural hydrologic process on the site. The loss of infiltration shall be compensated under the post-development conditions and supported by analyses and calculations. Please address.*

3. *There is a natural channel on the site which feeds runoff into the PSW. The report mentions the realignment of this natural feature. It is recommended that the development limit be revised rather than realigning the channel as follows:*
- a) *The time to peak, under the post-development conditions, may increase potentially resulting in increased velocities for a short period of time for various storm events. This may cause sediment and erosion as well as flooding problems and may change the geomorphology of the channel. Please address.*
  - b) *The channelization may effects both geomorphologic and ecological conditions in the channel and is therefore not supported by the Authority.*
  - c) *The hydraulic capacity and conveyance of the channel may change under post-development conditions. Please address.*
4. *Please provide a full size drawing showing the drainage areas under the existing and post-development conditions supported by contour information and signed, sealed and dated by a professional engineer. The drawing should be supported with a proper legend to understand the features on the site under existing and post-development conditions.*
5. *The submitted report refers to Conceptual SWM report by Delcan dated 2008. The UTRCA did not receive/review the aforementioned SWM report. Please provide a copy of said report.*

*The revised Stormwater Management Criteria for Stoney Creek Watershed dated October 1999 prepared by McCormick Rankin Corporation set SWM criteria for the Stoney Creek subwatershed. The proposed site is in Zone 2 subwatershed. This report indicates that no peak flow control will be required within Zone 2 and that the land will drain directly to an online facility and 75 m<sup>3</sup>/ha of attenuation storage will be required in addition to the 40 m<sup>3</sup>/ha of extended detention and 100 m<sup>3</sup>/ha of erosion control.*

*Similarly, the stormwater management basins in Zone 2, Zone 3 and Zone 4 should be designed such that the 5- year peak outflow is set to 20 to 25 % of the 100-year peak outflow. Please justify the proposed dry pond and the SWM criteria.*

6. *The proposed dry pond shall be designed for the 250-year storm event, having 0.3 m free board above the 250- year water surface elevation.*
7. *Exhibit 6 shows the overland flow for block 54 which is 1.67 hectares (now block 24, 2.767 ha) in size and is not contributing runoff to the proposed dry pond. Please justify how runoff from the block 54 will be conveyed under the post-development*

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conditions.

8. *The exhibits in the submitted report are not clear and the scale shown on those exhibits are not accurate. Please submit full size exhibits with clear legends supported by topographic information to assist the Authority with its understanding and review of the existing and proposed SWM features on the site.*
9. *Table 1 shows storage volume, depth of water and water elevation under the pre- and post-development conditions. The table shows increases in storage volumes under the post-development conditions while the depth of water and the water surface elevation almost remain unchanged. Please explain.*

We require a response to our July 19, 2010 comments. The August 22, 2012 memo only address the City of London's concerns.

Furthermore, Block 37 on the revised plan shows a proposed SWM block. The proposed SWM pond is within a regulated area and may impact the natural heritage and hazard features including a wetland and watercourse. Furthermore, the proposed SWM pond may increase the base flow into the wetland as demonstrated by the water balance analyses for the site in Functional SWM report by EngPlus dated January 26, 2010. Please address.

#### RECOMMENDATION

As indicated, the Authority has a number of outstanding concerns regarding this proposed development, however we are of the opinion that they can be resolved and offer the following conditions of draft plan approval:

1. That in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent obtains the necessary permit/approvals from the UTRCA.
2. That Block 43 (as shown on Draft Plan of Subdivision dated November 2011, revised March 1, 2013 signed by owner February 7, 2014) be redlined to incorporate the required 15 metre setback for the watercourse. The UTRCA will not issue any approvals to alter this watercourse or to allow development to encroach into the setback/buffer.
3. That a Final Environmental Impact Study be prepared that compiles all of the addendums and also addresses the UTRCA's outstanding concerns.
4. That a Water Balance Study be prepared to the satisfaction of the UTRCA to address the concerns we identified through our review of the EIS and the SWM report.
5. That a detailed Stormwater Management Report be prepared to the satisfaction of the City of London and which also addresses the Upper Thames River Conservation Authority's interests.

We recommend that the proponent pre-consult with the Authority regarding our requirements for the technical studies such that we will be in a position to clear the conditions of draft plan approval, issue the necessary Section 28 approvals and revise our regulation mapping for the proposed development.

#### **Sun Canadian Oil Pipeline (comments provided October 7, 2013)**

Further to your notification of September 24, 2013, regarding the Notice of Public Meeting for the subject property in the City of London. We have no objection to the proposed residential development in the vicinity of Sun-Canadian's two high pressure liquid petroleum pipelines. Sun-Canadian owns and operates a 200 mm and a 300 mm diameter pipelines transporting refined products including gasoline, diesel, furnace oil, and jet fuel at operating pressures reaching 9900 kPa (1440 psi) adjacent to the north property line.

Our prime concern is for the safety of the public and the environment. The setback requirements must be respected regardless of the property lines and considered a necessary safety precaution for the nearby occupants. Therefore the following conditions apply:

1. All residential dwellings shall be located in accordance with the attached Guidelines for Development in the Vicinity of Pipeline Facilities as issued by the Technical Standards & Safety Authority (TSSA) Fuel Safety Division (August 1998). A minimum setback of 20 metres must be maintained between buildings intended for human occupancy and the nearest pipeline. Sun-Canadian's pipelines operate at stress levels up to 70% SMYS (Specified Minimum Yield

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*Strength). Since this stress is greater than 40% SMYS – all TSSA setback guidelines are applicable.*

*2. Sun-Canadian requires that the limits of the easement adjacent to multiple dwellings must easily be identified with 1.8 m ( 6 ft) high fencing to prevent unauthorized activities by adjacent landowners.*

*3. All parties responsible for construction activity, installation of facilities around the pipeline or the right-of-way must have the written consent of Sun-Canadian and adhere to the conditions set out in the consent.*

*The pipeline easement is located in the north half of lot 13, concession 6, on lands that adjoin the subject property. Our 200 mm diameter pipeline is positioned as the most southerly, of the two pipelines, and is located at varying distances from the north limits of the subject property. The enclosed Sun-Canadian as-built pipeline plan Sheet 41 notes dimensions locating the pipeline. An accurate set-back dimension will require a field locate, but these dimensions may be useful for planning purposes.”*

**Thames Valley District School Board (comments provided October 7, 2013)**

*The above Application for Draft Plan of Subdivision and Official Plan Amendment/ Zoning By Law amendment has been reviewed by this office.*

*The proposed subdivision is presently within the boundaries of Centennial Central PS for Grades JK to 8 and Medway HS for Grades 9-12. Students in grades 9-12 will be accommodated at Medway HS. Due to increased enrolment at Lambeth PS. The TVDSB is requesting that the following clause be included as a condition of Draft Plan Approval for the subject plan :*

*"The Owner shall inform all Purchasers of residential lots by including a condition in all Purchase and Sale and/or Lease Agreements stating that the construction of additional public school accommodation is dependant upon funding approval from the Ontario Ministry of Education , therefore the subject community may be designated as a "Holding Zone" by the Thames Valley District School Board and pupils may be assigned to existing schools as deemed necessary by the Board ."*



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**Appendix "F"**  
**Responses to Public Liaison Letter and Publication in "Living in the City"**

1<sup>st</sup> submission and circulation – February 2009

(telephone)

Bob Hanson, 8-620 Thistlewood Drive  
Requested general information about application.  
Advised trees are being cut on the site.

No name provided

Inquired about rents in the proposed high density residential lands.

Jeff Gribble, 666 Garibaldi Avenue

Concerned about proposed high density residential; and inquired about the rents. Not supportive of pilot project in this area and it may decrease his property values. Based on his property taxes, he is not supportive of development which may reduce property values, Also concerned about crime rates from low rent housing units.

(written)

Joshua Hurwitz, 356 Sackville Street, Toronto, ON M4X 1S4

I would like to express my support for the application at 660 Sunningdale Rd E, conditional upon the comments I make below. I sincerely respect Mr. Sergautis' attempt to build a non-standard, smart growth-type subdivision. There are several problems with the subdivision as currently laid out, but it is nonetheless a good effort to incorporate placemaking principles. The most serious impediment facing creative, sustainable building practices is not developer initiative or market unwillingness, but the persistence of zoning, transportation and engineering policy that discourages sustainable growth while giving carte blanche to standard subdivisions. In order for plans similar to or better than Mr. Sergautis' to become the norm, these policies must be changed.

My comments about the current version of the subdivision:

Rear Lanes: The use of rear lanes in this plan is exceptional and should be supported, no matter what objections may be raised by the Engineering department and various utilities. Rear lanes could provide genuine benefit to the general public and have been successful in many other locations. They deserve a fair experiment, provided that the developer is willing to institute them.

The Village Green: The village green is likewise an excellent design and should be preserved.

Medium Density Housing: The amount of medium density housing in the plan is excellent. However, we submit that medium density housing should be built as row-housing on public roads. One of the prime motivations behind the New Urbanism movement has been the reintegration of demographic groups that have become largely segregated in the suburbs. The current design of "townhouse complexes" on private roads serves to reinforce the isolation of those living in this form of housing from their adjacent neighbours. Extending the street grid into medium density areas would reverse this segregation.

Furthermore, we submit that, in accordance with placemaking principles, the rowhouses or low-rise apartment buildings in this plan should be built with little setback, directly facing onto arterial roads and collector streets.

High Density Housing: To avoid issues with shadowing, privacy issues and loss of views, the high density housing on the site should be designed as mid-rise housing (4-8 floors) instead of high rises. These buildings should be extended along the entire frontage of the site, with the rear parts of blocks 42 and 43 changed to medium density.

Street Network: Walkways are not public streets. They are inherently unsafe because they tend to be narrow and bounded by tall fences. We respectfully request that the walkways connecting street L to streets A and B be replaced with an extension of the Western leg of street L, and an extension of street K.

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Furthermore, unnecessary bends and jogs in streets on the plan should be straightened. In particular, were street B straightened, it could function as a beautiful entryway street to the area and also as a view corridor towards a landmark structure (such as the neighbourhood facility of block 52) just north of the village green area.

Finally, at least two more street connections to Adelaide Street and Sunningdale Road should be made to provide connectivity. These streets need not be major traffic corridors; in fact they could be either traffic-calmed or bollards or a “green link” could be placed at their end to prevent cut-through traffic. Extensions of streets D, G and H would accomplish this increased connectivity.

Public Spaces and Parks: It would be best if the park spaces were reorganized to provide fewer but larger better-shaped and better-designed spaces surrounded by single-loaded roads, so as to provide both monitoring and increased access. In addition, integrating woodlot park areas with more “active” park areas would provide the benefit of increased monitoring and use of the woodlots. The best way to do this would be to move the SWM to the south side of Street A while moving the park space of block 56 northward. In the west side of the area, the park block 54 should be replaced with medium density housing, while blocks 1 and 52 should be replaced with park space.

In conclusion, the proposed changes would make the Sergautis application a marvel of subdivision design in London, serving as an excellent standard for urban design for home buyers, developers and city staff.

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Nancy Pasato

Petition signed by 140 people

March 05, 2009

Attn: Jeff Leunissen, City of London Planning Division,  
Floor 6,  
300 Dufferin Ave.,  
London, Ontario  
N6B 1Z2

53  
57  
34  
26  

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140

Re: Draft Plan of Subdivision & Zoning By-Law Amendments

We, the undersigned home owners on Garabaldi Ave., Kokanee Rd., Blackwater Drive, and Thistlewood Drive, are completely opposed to the Zoning By/Law amending the parcel of land on the North/West corner of Adelaide and Sunningdale roads, Municipal address 660 Sunningdale Road E., legally described as Part Lot 13, Concession #6 (geographic Township of London) now in the City of London.

This area was originally designated by the City of London as "Medium & Low Density Residential area with Open Space".

To change this area to "High Density" would create great congestion of traffic at this corner (one block away from a High School), as well as reducing the value of our homes. This would also change our Natural Heritage feature from an "Environmentally Significant" area to a "Vegetation Patch". This is totally unacceptable. We are also disappointed and outraged to find that the Developer has already taken the liberty to begin removing and destroying a significant number of trees, prior to receiving London City Planning Division approval for this site.

Many of the home owners purchased homes and condos in this area because of the original "Low & Medium Density" residential zoning. The new YMCA and Library are a welcome part of our community, as they add value for our children, "High Density" residential/commercial will detract from every aspect of our quality of life.

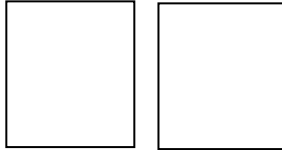
We are requesting that this application be denied. Please forward any and all replies to:

Robert C. Hanson - Unit #8  
620 Thistlewood Drive,  
London, Ontario.  
N5X 0A9

Thank You.

c.c.: Joni Baechler, City Counselor,  
Room 314,  
300 Dufferin Ave.,  
London, Ontario.  
N6B 1Z2

CITY OF LONDON  
PLANNING DIVISION  
RECEIVED  
MAR 12 2009  
REFERRED TO  
SUBSEQUENT PERIODS  
FOR ACTION  
39T-09501  
JL



39T-09501/OZ-7638  
Nancy Pasato

Petition

Concerned Residents

Please sign this Petition to stop the "High Density Planned Subdivision" on the North/West corner of Adelaide & Sunningdale. We need your help!

33

Sione Machie	1		
Maghan	2	Dora Papp	12
J Card	3	Bizimis Eari	19
Doreen J. Reput	4	Ann Oake	20
Elisabeth Requier	5	Jane White	21
Altkamuff	6	Clive Votter	22
Norona Kennedy	7	W.D.	23
W. St. Paul	8	Helenagh	24
M. White	9	R. C.	25
Joseph Bass	10	Kathleen Wilson	26
John Dall	11	Norus Done	27
M. Haldenby	12	Ken Doble	28
B. Han	13	Bernadette McElain	29
J. Han	14	Liam McElain	30
A. L. Han	15	Cassia Lelard	31
Cliff Coff	16	B. Lelard	32
Lee Cochran	17	A. Houlton	33

Petition

Concerned Residents

Please sign this Petition to stop the "High Density Planned Subdivision" on the North/West corner of Adelaide & Sunningdale. We need your help!

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Ann & Paula Titman	1	Joyce May	21
Louise Hanson	2	Jodie Stephenson	21
Bob Benson	3	John Johnson	22
Cindy Hunt	4	Robert Johnson	23
A. van den Horn	5	Christy Jackson	24
Bob Firth	6	Phil Jackson	25
Helen C. Firth	7	Teresa Cook	26
GORD Fraser	8	Paul Cook	27
Al Beaudoin	9	Paul Cook	28
W. Beaudoin	10	Dennis Keming	29
Burde Jarozowski	11	Paul Keming	30
J. Jarozowski	12	Neil Campbell	31
M. Jarozowski	13	Donald Campbell	32
M. Jarozowski	14	W. Woodruff	33
Mary Green	15	John Edward	34
William J. Christie	16	Alma Gates	35
Shirley L. Christie	17	Robert Gates	36
W. Christie	18	W. Killoran	37
B. Christie	19		

Petition

Concerned Residents

Please sign this Petition to stop the "High Density Planned Subdivision" on the North/West corner of Adelaide & Sunningdale. We need your help!

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John Hallert	1		12
Shirley Hallert	2		19
J. Hallert	3		20
Wendy C.	4	Helenahadajon Karabem	21
J. Hallert	5	W. Karabem	22
FILED W. Karabem	6	Mishellina Fickman	23
EUREMIA OLEGGARD	7	Richard Fickman	24
Don Clarke	8	W. Fickman	25
W. Clarke	9	Machery Stogford	26
W. Clarke	10	W. Stogford	27
Nancy Pasato	11	J. Stogford	28
N. Pasato	12	John Clemente	29
Melissa Pasato	13	John Clemente	30
Samuel Pasato	14	Angela Brandi	31
Brandon Pasato	15	Don Brandi	32
Don Brandi	16	DRAGAN AREZIKSA	33
Don Brandi	17	W. Areziksa	34

Petition

Concerned Residents

Please sign this Petition to stop the "High Density Planned Subdivision" on the North/West corner of Adelaide & Sunningdale. We need your help!

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B. Taylor	1	Bob Paton	17
Mary Taylor	2	Carolyn Woodford	18
W. Taylor	3	Katherine Poon #11	19
Christlewood Drive 572	4	Stephen Poon #11	20
L. Anderson 584 Hillwood	5	Shirley Poon #632	21
Kathleen Madson 580 Hillwood	6	W. Poon	22
Eric Madson 580 Hillwood	7	Lynn Hill (#15)	23
Robert Wilson 576 Hillwood	8	L. Hill	24
Jayne G. Elder	9	W. Hill #22	25
B. Elder #552	10	W. Hill #58	26
W. Elder #55	11		
A. Moore #55	12		
W. Moore #61	13		
W. Moore #59	14		
W. Moore	15		
W. Moore #20	16		

2<sup>nd</sup> submission and circulation – June 2010

(written)

Don & Linda Groke, 642 Garibaldi Avenue, N5X 4R6

We wish to submit our comments on the above Revised Notice of Application for Approval of Draft Plan of Subdivision and Official Plan and Zoning By-law Amendments. Municipal address: 660 Sunningdale Road East.

We do not believe this is in the best interest of property value in this neighbourhood. We

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**Nancy Pasato**

purchased our home in London North in this area due to the higher end homes and good resale value. If this development goes through as proposed, there will be lower end homes, businesses and high rise apartment buildings. We were told when we bought here that there would not be any apartment buildings in this area. If we had wanted to be around apartment buildings, we would have saved ourselves a lot of money and purchased elsewhere. We do not want to look out and see apartment buildings towering in our back yard.

Apartment buildings, businesses, etc. as proposed, will bring higher traffic to this area and the traffic at present is congested at numerous times of the day and that is before the new YMCA and Library are even open.

In closing, we are definitely NOT in favour of this application.

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3<sup>rd</sup> submission and circulation – no responses.

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4<sup>th</sup> (and most recent) submission and circulation – March, 2014  
(written)

Rick DeJong 620 Garibaldi Avenue, N5X 4R6

I am in receipt of a Notice to Revise Zoning dated March 6, 2014 re Subject.

My concerns are 2 fold:

1. The 150 unit per hectare 42 m max building request on the NW corner of Adelaide and Sunningdale
2. The amount land requested to be zoned business/ commercial.

In my view, neither of these points are consistent with the community plan. It is my understanding that there was a resolution by the council that any future resolution must be in compliance with the community plan. Neither of these 2 concerns are.

To my own personal view, a building of that height will per-determine the future of buildings to the North of this 42 m high monolith. No housing to the north of it will have a view of the city or to the north because of the south facing slope they would be built on. Density in the area is already a concern without a large high density unit.

Again, there is high density zoning only a few kilometres to the west of us on Richmond. I continue to struggle with the need to have high density sprawl and how that could possibly be considered a good planning strategy. There continue to be vacancies in buildings on Richmond. How adding more high density capacity to an otherwise medium density community makes absolutely no sense.

As far as the business/ commercial planning, these pose a significant risk to become unfilled and derelict. A ghetto would be no one's goal but with so much high traffic commercial space available at Masonville and Adelaide and Fanshawe, it is highly likely that merchants would select higher traffic areas and put at risk of a ghetto zone or a future request to rezone to less favourable options.

Please take these concerns seriously.

Stan Brown, President

Stoneybrook Heights/Uplands Residents Association

We have been following this application process for several years. On behalf of the Stoneybrook Heights/Uplands Residents Association we offer the following comments with respect to the latest revision to the Sergautis application.

1. The plans for the property have undergone numerous revisions over the past decade. Residents find the process difficult to follow. Many responded to an application submitted a few years ago and request that their individual comments should be considered as part of this review.

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2. The association is concerned that the high density block and commercial blocks do not reflect the community plan. A recent council resolution determined the application must be consistent with the community plan.

3. We are concerned with the extent and amount of commercial in addition to the location. Previous plans showed a new urbanist community with mixed use commercial and residential/office uses in a main street village atmosphere. This plan simply places a glut of commercial in a location detached from the community centre.

4. Over the years, tree removal and natural heritage destruction has occurred numerous times. Our expectation is that the city will ensure protection of these elements as they were in the community plan.

Auburn Developments  
560 Wellington Street, 2<sup>nd</sup> floor  
London, N6A 3R4

Please be advised that we have reviewed the proposal from Extra Realty and offer the following comments to be considered prior to approval.

**Supply and Determination of Need**

The City of London has ample supply of draft plan approved lands, in well of excess of three (3) years supply and the market in London is soft. The proposed does not provide for any compelling reason to provide additional housing especially in North London.

**Commercial**

The addition of commercial uses in this location is not required and ample supply exists in this immediate location. The addition of commercial uses, especially supermarket or grocery sized uses will have a detrimental impact on the ability to fulfill the planned function at Adelaide and Sunningdale, as well as, Richmond and Sunningdale. The continued approvals of applications for these uses undermine the goals and objectives of these Community Plans and we strongly suggest deletion, modification and/or limitations to be placed on this proposal.

**Servicing**

We have had previous discussions and conversations with the Applicant regarding extension of services, however, not within the last year. The provision of services for this property will require a reciprocal agreement to provide the necessary infrastructure and access for our lands, as well as the subject lands. If it is decided to proceed to draft approval, we would request a provision for a reciprocal service/access agreement to be incorporated into the draft plan conditions to ensure orderly development in the area.

We would like to preserve our right for future involvement and would suggest that this approval be deferred in consideration of the above comments.