

--	--

39T-11502/OZ-7921
Nancy Pasato

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 1705825 ONTARIO LIMITED 2054 ADELAIDE STREET NORTH MEETING ON SEPTEMBER 9TH, 2014

RECOMMENDATION

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 2054 Adelaide Street North, located on the east side of Adelaide Street North and adjacent to municipal boundary:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 16, 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 Environmental Review **TO** Low Density Residential, Multi-Family, Medium Density Residential, and Open Space; and to add a secondary collector to Schedule C;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 16, 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 (UR3) Zone **TO**;
 - i. a Holding Residential R1 Special Provision (h. h-100•R1-4(*)) Zone to permit single detached dwellings with a minimum lot area of 360 m² 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 (3.0m without a garage);
 - ii. a Holding Residential R1 Special Provision (h. h-100•R1-4(**)) Zone to permit single detached dwellings with a minimum lot area of 360 m² 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 (3.0m without a garage), and a 20m setback from the oil pipeline;
 - iii. a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h-__•R5-2(*)/R6-1(*)) 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 dwellings at a height of 10.5 m and a maximum density of 15 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;
 - iv. a Holding Residential R5 Special Provision/R6 Special Provision h. h-100.h-__•R5-2(**)/R6-1(**)) 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 dwellings at a height of 10.5 m and a maximum density of 15 units per hectare (R6), with a special

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

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 20 m setback from the oil pipeline;

- v. a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100•R5-4(*)/R6-5(*) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and a maximum density of 40 units per hectare (R5) and to permit cluster single detached, semi-detached or duplex dwellings at a height of 12 m and a maximum density of 35 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;
- vi. a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100•R5-4(**)/R6-5(**) 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 a 20 m setback from the oil pipeline;
- vii. an Open Space (OS1) Zone to permit conservation lands and works, public and private parks, and public and private golf courses;
- viii. an Open Space (OS5) Zone to permit conservation land and works.

The following holding provisions have also been applied:

- (h) - 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 will not affect the adjacent significant natural heritage features, the h-____ shall not be deleted until the recommendations from the final Environmental Impact Study, water balance report, final Stormwater Management Report, hydrogeological study and a geotechnical study have been accepted and implemented into the development agreements for the site, to the satisfaction of the City of London;

- (c) 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 1705825 Ontario Limited relating to the property located at 2054 Adelaide Street North;
- (d) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by 1705825 Ontario Limited (File No. 39T-11502), prepared by Zelinka Priamo Ltd., drawing No. SRG/LON/11-01, as red-line amended, which shows 15 low density blocks, 2 medium density blocks, 3 open space blocks, and several 0.3 m reserves and road widenings, all served by 1 new secondary collector and 4 new local streets, **SUBJECT TO** the conditions contained in the attached Appendix "C", and the adopted Official Plan amendment coming into effect; and
- (e) the applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in Appendix "D".

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of this report is to recommend a redlined draft plan of subdivision with 15 low density blocks, 2 medium density blocks, 3 open space blocks, and several 0.3 m reserves and

--	--

39T-11502/OZ-7921
Nancy Pasato

road widenings, all served by 1 new secondary collector and 4 new local streets.

RATIONALE

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 Official Plan;
- iv) The recommended Official Plan and Zoning By-law amendments encourage the development of plan of subdivision that includes placemaking elements, and creates a pedestrian oriented development with parks and open space as key focal points.

BACKGROUND

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Agriculture – cash crops with a residence and several accessory buildings • Frontage – 184.8 m (606.2 ft) • Area - 21.2 ha (52.38 ac) • Shape - Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Agriculture, Woodland, Township of Middlesex Centre/municipal boundary • South – Agriculture, Environmentally Significant Area, Stoney Creek Community Centre, future commercial • East – Environmentally Significant Area, single detached dwellings • West – future medium density block, single detached dwellings, and draft approved plan of subdivision 39T-09501

OFFICIAL PLAN DESIGNATION:
<ul style="list-style-type: none"> • Schedule “A” - Multi-Family, Medium Density Residential, Low Density Residential, Open Space, Environmental Review • Schedule “B1” – Potential Environmentally Significant Area; Provincially Significant Wetland; Maximum Hazard Line; Potential Naturalization Areas; Big Picture Meta Corridor
EXISTING ZONING:
<ul style="list-style-type: none"> • Urban Reserve (UR3) and Environmental Review (ER)

Date Application Accepted: Original application – June 13, 2011; Most recent submission – May 26, 2014	Agent: Michelle Doornbosch, Zelinka Priamo
---	---

--	--

39T-11502/OZ-7921
Nancy Pasato

APPLICANT’S REQUESTED ACTION:

Note: The following is the most recent request from the Applicant (circulation date: October 1, 2012)

Official Plan Amendment Application

- Redesignate a portion of Block 1 and Block 15 to "Low Density Residential";
- Redesignate Block 18 and a portion of Block 17 to "Multi-Family, Medium Density Residential"; and
- Redesignate Blocks 19 and 20 to "Open Space".

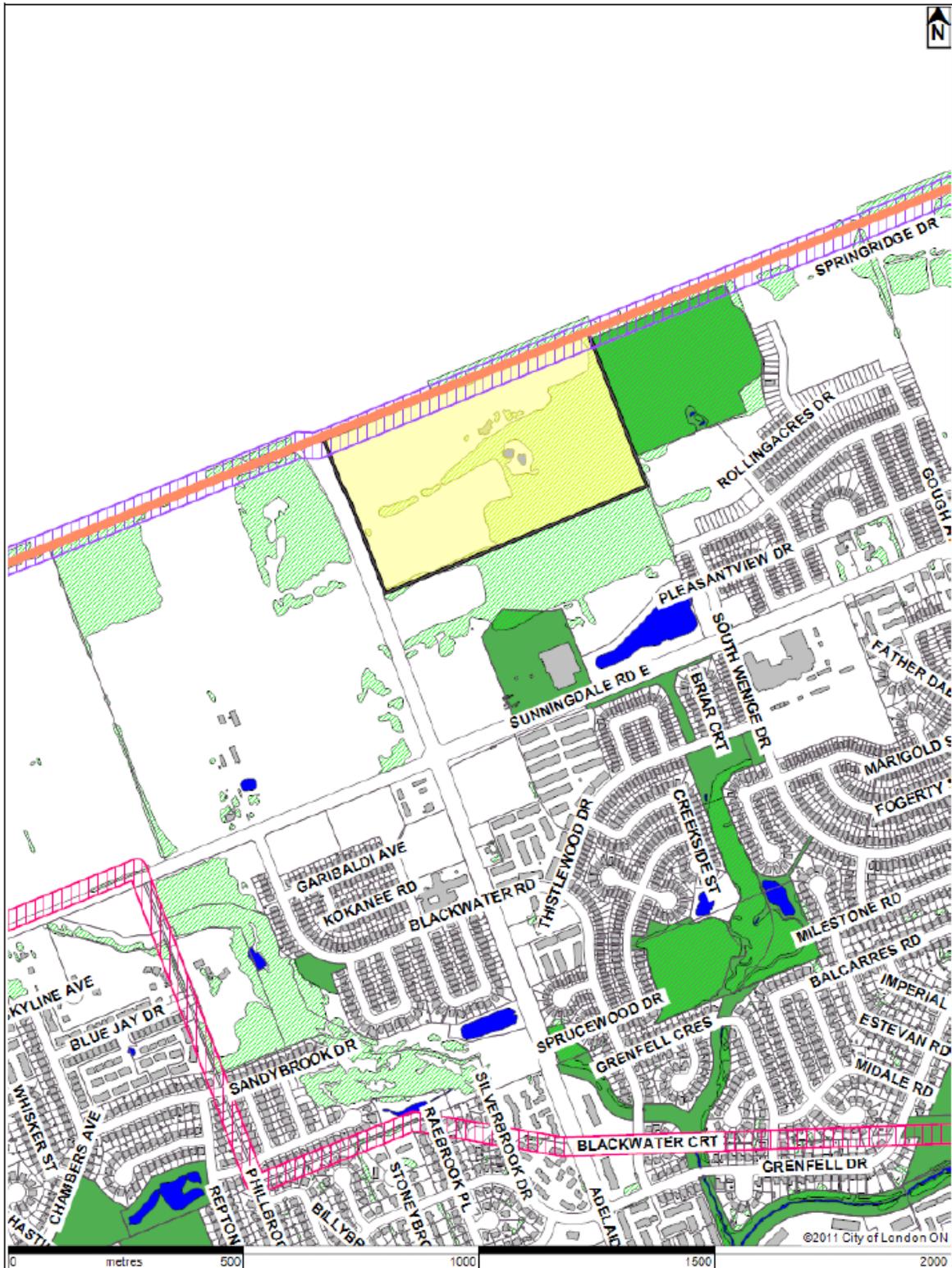
Zoning By-law Amendment Application

- Residential R1 Special Provision (R1-13(*))/Residential R4 Special Provision (R4-2(*)) Zone for Blocks 1-12;
- Residential R1 Special Provision (R1-13(**))/Residential R4 Special Provision (R4-2(**)) Zone for Block 2;
- Residential R5 Special Provision (R5-2(*))/Residential R6 Special Provision (R6-4(*)) Zone for Blocks 14-16;
- Residential R5 Special Provision (R5-4(*))/Residential R6 Special Provision (R6-5(**)) Zone for Blocks 17-18;
- Open Space (OS1) Zone for Blocks 19, 20, and 22; and
- Open Space (OS5) Zone for Block 21.

With the following special provisions

- Residential R1 (R1-13(*)):
 - Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5m to garage
 - Interior Side Yard Setback - 1.2m on one side and 0.6m on other side
- Residential R1 (R1-13(**)):
 - Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5m to garage
 - Interior Side Yard Setback - 1.2m on one side and 0.6m on other side
 - Rear Yard Setback - 16.5m from High Pressure Gasline easement
- Residential R4 (R4-2(*)):
 - Lot Frontage (min) – 7.0m per unit
- Residential R4 (R4-2(**)):
 - Lot Frontage (min) – 7.0m per unit
 - Rear Yard Setback - 16.5m from High Pressure Gasline easement
- Residential R5 (R5-2(*)):
 - Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5m to garage
 - Rear Yard Setback - 16.5m from High Pressure Gasline easement
- Residential R5 (R5-4(*)):
 - Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5m to garage
 - Rear Yard Setback - 16.5m from High Pressure Gasline easement
- Residential R6 (R6-4(*)):
 - Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5m to garage
 - Rear Yard Setback - 16.5m from High Pressure Gasline easement
- Residential R6 (R6-5(**)):
 - Front Yard Setback from a Collector or Local Road - 3.0m to house and 5.5m to garage
 - Rear Yard Setback - 16.5m from High Pressure Gasline easement

Location Map

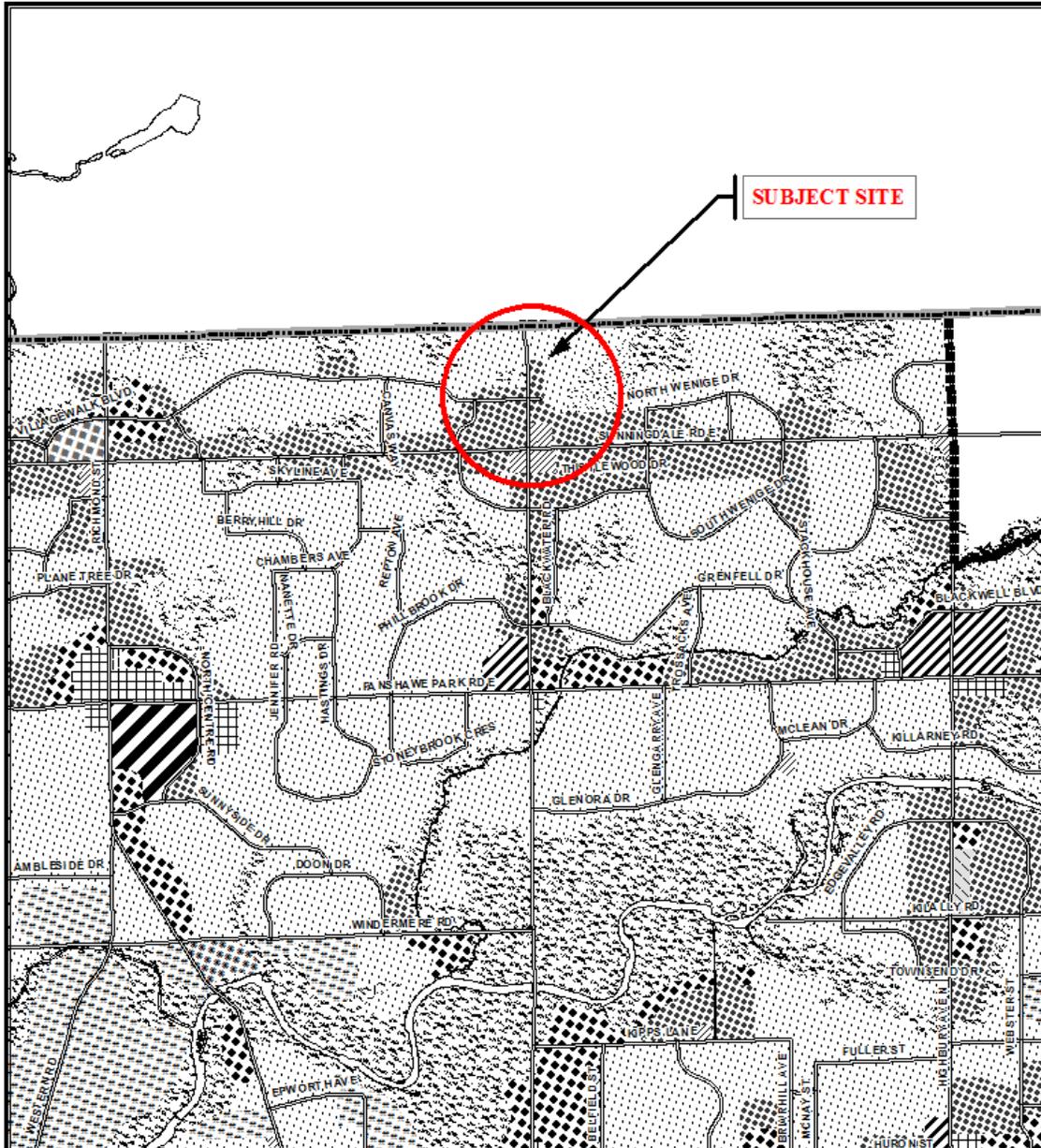


<p align="center">LOCATION MAP</p> <p>Subject Site: 2054 Adelaide St N Applicant: 1705825 Ontario Limited File Number: 39T-11502/OZ-7921 Planner: Nancy Pasato Created By: Nancy Pasato Date: 2011-06-27 Scale: 1:10100</p>	<p align="center">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

--	--

39T-11502/OZ-7921
Nancy Pasato

Existing Official Plan

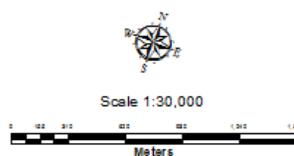


Legend

- | | |
|--|-----------------------------------|
| Downtown Area | Office Area |
| Regional Shopping Area | Office/Residential |
| Community Shopping Area | Office Business Park |
| Neighbourhood Shopping Area | General Industrial |
| Associated Shopping Area Commercial | Light Industrial |
| Business District | Regional Facility |
| Arterial Mixed Use District | Community Facility |
| Highway Service Commercial | Open Space |
| Restricted/Highway Service Commercial | Urban Reserve - Community Growth |
| Restricted Service Commercial | Urban Reserve - Industrial Growth |
| Commercial Policy Area | Rural Settlement |
| Multi-Family, High Density Residential | Environmental Review |
| Multi-Family, Medium Density Residential | Agriculture |
| Low Density 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.

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



FILE NUMBER: 39T-11502
PLANNER: NP
TECHNICIAN: JTS
DATE: July 31, 2014

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

PLANNING HISTORY

The original application was submitted and accepted by the City on June 13, 2011. The subdivision was circulated on June 27, 2011. The two major issues were concerning the development limit adjacent to the natural heritage area, and the location of Street A and Street E with respect to Adelaide Street. A revised application, draft plan, and EIS was submitted on September 19, 2012 and circulated on October 1, 2012, however, there continued to be disagreement on the limit of development, the buffers applied, and the application of ESA Boundary Guidelines. The issues regarding site lines on Adelaide Street and the location of Street A and Street E were resolved. Several meetings between the Applicant, Staff and UTRCA occurred and a site visit was conducted. The Applicant provided a letter response to the UTRCA and Parks Planning (but no proposed changes to the submitted draft plan) in November, 2013, and most recently in May, 2014. Parks Planning and UTRCA continue to disagree with the limit of development. The most recent comments provided by the agencies are summarized in the Comments section of the report.

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 sewers and provide any necessary easements when the sewer is not in a municipal roadway.

Stormwater

- The majority of this plan's storm drainage flows shall be directed to the Regional Stoney Creek SWM Facility 1N.

Water

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

Transportation

- Street A is to be designated as a secondary collector on Schedule "C". 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 to ensure that there is orderly development through the execution of a subdivision agreement.
- 'h-100' holding provision 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.

Environmental and Parks Planning

E&PP provided the following comments with respect to the submitted Environmental Impact Study (EIS) and Environmental Management Strategy (EMS):

- *Patch 2031 Boundaries presented in the EIS is unacceptable as it does not include all of Community 1 (white pine plantation) and Community 6 (sugar maple forest) inside the boundary. Our position is that community 1 and 6 form part of the Significant Woodland patch based on the Council approved Boundary Delineation Guidelines in*

**39T-11502/OZ-7921
Nancy Pasato**

- the Environmental Management Guidelines (EMG).*
- *E&PP suggest that provided the boundary of the Significant Woodland is revised to be delineated at the dripline of the White Pines (Community 1) and the dripline of the Sugar Maple Forest (Community 6), and a 10m buffer is applied to the Significant Woodland boundary in the areas adjacent to the Sugar Maple Forest, E&PP would generally be in support of the remainder of the boundary and buffer identified on the March 2014, Figure 3 Patch Boundary with Development Proposal, noting that development, rear yards, lots or grading cannot occur inside the Significant Woodland boundary or the buffers.*
 - *No buffers have been provided between the Significant Woodland Feature boundary and the development blocks. Rationales regarding the lack of buffers are not supported by E&PP as they are not consistent with the Environmental Management Guidelines (EMG), the Official Plan (OP) or the Provincial Policy Statement (PPS).*
 - *E&PP do not support the proposed “Environmental Management Strategy” as it actually suggests cutting into the Significant Woodland itself to reduce its size, does not provide a buffer to the Significant Woodland, and is effectively reducing the width of the Significant Woodland to just 20m from the PSW boundary at this location (from its current 30m width). This approach is not consistent with the Environmental Management Guidelines (EMG), the Official Plan (OP) or the Provincial Policy Statement (PPS).*

Note: Conditions for draft approval have been to captured the above requirements (Conditions #19, 20, 24-28).

Redline Amendments to the draft plan:

- *The limits of Block 12 must be adjusted as the 30 m PSW buffer and the Significant Woodland must be identified as Open Space as part of Block 21, outside of Block 12.*
- *The limits of Blocks 12 and 13 must be adjusted as the Significant Woodland and required buffers must be identified as Open Space as part of Block 21, outside of Blocks 12 and 13.*
- *The limits of Block 15 must be adjusted as the Significant Woodland must be identified as Open Space as part of Block 21, outside of Block 15.*
- *The limits of Block 14 must be adjusted as the Significant Woodland buffer must be identified as Open Space as part of Block 21, outside of Block 15.*

E&PP provided the following comments with respect to Parks and Open Space:

- *It has been suggested in previous comments that the applicant should attempt to promote greater natural surveillance, improved community design and increased functionality, by giving consideration to revising the road pattern and/or block design to take better advantage of the natural heritage feature as a component of the subdivision and provide better pathway/trail connections to the community centre/district park to the south.*
- *The required parkland dedication for this subdivision 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. For the purposes of calculating parkland, the maximum proposed zoned density in each block will be applied. If the owner wishes to build at a lower density, parkland dedication requirements will not be recalculated. It is the expectation of E&PP that the required parkland dedication will be partly satisfied through the identified park blocks, redlined park blocks and cash-in-lieu of parkland (in accordance with By-Law CP-9).*

Table 1 – Parkland Dedication Calculations

Land Use (Block)	Area (ha)	Requested Maximum Density	Dedication Rate	Expected Dedication (ha)
Low Density Residential Blocks (1 – 12)	3.802	30 units/ha	1ha / 300 units	0.380
Low Density Residential Blocks (13 – 15)	4.542	30 units/ha	1ha / 300 units	0.454
Medium Density Residential Blocks	2.21	40 units/ha	1ha / 300 units	0.295

--	--

**39T-11502/OZ-7921
Nancy Pasato**

(17-18)				
Approximate Parkland Required				1.129 ha
Parkland Provided				
Land Use (Block)	Area (ha)	Ratio	Provided	Accepted
Additional Parkland (16)	0.216	1:1	0.216	0.216
Pathway (19) less 5m pathway	0.081	1:1	0.058	0.058
Pathway (20) Easement less 5m pathway	0.448m-0.294m 0.154	16:1	0.16	0.01
Pathway (20)	0.435	1:1	0.435	0.435
PSW & ESA (21)	7.070	27:1	7.070	0.262
Approximate Parkland Provided				0.972 ha
Total Parkland Required				1.129
Total Parkland Provided				0.972
Under Dedication (cash in lieu)				0.157 ha

- *The Owner is to provide initial pathway concepts as a component of the Design Studies Review Phase of File Manager for Blocks 16 and 19.*

Note: Conditions for draft approval have been to capture the above requirements (Conditions #21, 22, & 23).

Upper Thames River Conservation Authority

The Conservation Authority continues to have concerns regarding this development which, as proposed, does not in their opinion provide adequate protection for the significant natural heritage features that are located on the site. UTRCA provided the following comments:

- *In reviewing the plan of subdivision, we note that Block 12 encroaches into the 30 metre setback intended to protect the Provincially Significant Wetland. As a condition of draft plan approval we request that Block 12 be redlined so that the 30 metre setback/buffer is included entirely within Block 21 - Open Space.*
- *Similarly, Block 15 needs to be redlined because this (future development) block encroaches into the significant woodland in two locations as does a small portion of Block 14 (the area where a holding provision is proposed). All of the significant woodland and the buffers should be included in the Block 21 - Open Space.*
- *The proponent continues to disagree with both the City and the UTRCA regarding the need for a buffer to protect the Significant Woodland on the site including Communities 1 and 6. We understand that the City's Parks Planning Unit has recommended (in memo dated June 19, 2014) that the delineation of the feature be revised to include the dripline of these communities and to apply a 10 metre buffer to those features. We concur with Parks Planning and recommend that this provision be included as a condition of draft plan approval. If the buffer size is disputed and a size of less than 10 metres is proposed, the Authority will require the completion of a full 3 season inventory of the flora on the site as we have advised the applicant that the September 18th inventory that has been provided is not adequate.*
- *The responses that have been provided with respect to the wetland and the seeps including flow and water balance have not been adequately addressed. Therefore, as a condition of draft plan approval, the UTRCA requires a consolidated Environmental Impact Study (EIS) which addresses our outstanding concerns which potentially could result in a further redlining of the plan.*
- *With respect to Block 15, the zoning for this block should include a provision for the future redevelopment of these lands which should include the need for a Hydrogeological Study as well as an EIS. We understand that a holding provision is proposed for Block 14 as the consultants have indicated that the details of Area 5 within Block 14 have not been provided. We request that the zoning for Blocks 14 and 15 stipulate that the required technical studies are to be prepared to the satisfaction of both the City and the UTRCA.*
- *The UTRCA also requests to be included in the review and approval of the Stormwater Management Plan, the Lot*

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

- *Grading Plan and the Drainage Plan for this proposed development.*
- *Lastly, in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act,*
- *the proponent(s) is required to obtain the necessary permit/approvals from the UTRCA.*

Note: Conditions for draft approval have been to captured the above requirements (Conditions #17, 18, 19, 32, & 33).

Environmental and Ecological Planning Advisory Committee (EEPAC) – July, 2014
Hydrology and Stormwater Management

Recommendations:

1. EEPAC recommends a hydrogeological study be required prior to zoning approval to ensure surface flows and infiltration to the wetland are maintained at pre-development levels and that the post development hydro-period be consistent with the pre-development hydro-period.
2. No construction be permitted in the Patch for outlet pipes.
3. There is a block (15?) not being considered for development at this time. Therefore EEPAC recommends an EIS addendum be required prior to the development of this Block to determine the then present state of the wetland and the potential impact of additional development on the wetland that may be caused by continued loss of infiltration and overland flow.
4. The City and the proponent review the “Comfort Lands Subdivision Stormwater Management Strategy” to see what, if anything, was done to mitigate the loss of infiltration and the impact on the wetland features and functions. We anticipate this will assist in the work on this application.

Patch Boundary

5. A more detailed Environmental Management Plan be submitted and included in the conditions of draft approval and in the subsequent development agreement.
6. The pine trees should be retained as part of the feature and not removed.

Ecological Buffers and Setbacks

7. A 10 m buffer from the drip line be the minimum buffer required for the Patch.

Faunal survey

8. EEPAC recommends a fall faunal survey.
9. EEPAC recommends a one season amphibian survey according to the March Monitoring Protocol.

Mitigation and Protection during and post construction

10. Any plantings should be non- invasive native species consistent and appropriate with an area associated with a woodland adjacent to a wetland.
11. Clean Equipment Protocol should be followed during construction.
12. Buckthorn removal/herbiciding by the proponent or developer should be a condition of any transfer of ownership to the City.
13. A clear and detailed plan to address the conservation focus of PIF species, including timelines, monitoring, responsibilities for doing and paying for, must be a condition of development.
14. A plan for monitoring the natural features must be a condition of development. This plan should include timelines (including the frequency of monitoring and reporting), the responsible party for action and for payment (city or developer).

Other matters

EEPAC agrees with the UTRCA and city staff (as mentioned in the October 21, 2013 letter to the proponent) that no trail system be developed.

15. A Guideline for trail planning for Significant Woodlands be developed prior to trails being introduced to woodlands designated as significant on Schedule B-1 of the Official Plan.

Note: Additional studies, such as revised EIS, a revised Hydrogeological Study, and a Functional Stormwater Management Report, are conditions of draft approval and are required as part of the Design Studies process. These studies will be reviewed by Parks Planning and the UTRCA and will address issues. Conditions have also been added to draft approval to ensure appropriate fencing, mitigation measures and education for residents. Finally, the plan has been redlined as per Parks comments to ensure adequate buffering for the significant features.

39T-11502/OZ-7921
Nancy Pasato

Thames Valley District School Board (submitted November 2, 2011)

In view of the many site constraints, we wish to withdraw our request dated September 21, 2011 for a new public elementary school site to be reserved within the subject plan 39T-11502.

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

Canada Post (submitted August 27, 2014)

The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post:

- *include on all offers of purchase and sale, a statement that advises the prospective purchaser:*
 - i) *that the home/business mail delivery will be from a designated Centralized Mail Box.*
 - ii) *that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.*
- *the owner further agrees to:*
 - i) *work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.*
 - ii) *install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes*
 - iii) *identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.*
 - iv) *determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.*
- *Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.*

Note: The standard condition regarding community mail boxes and locations will be included in the standard subdivision agreement.

PUBLIC COMMENTS

PUBLIC LIAISON:	<p><u>1st submission and circulation</u> - On June 27, 2011, Notice of Application was sent to 14 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 20, 2011.</p> <p><u>2nd submission and circulation</u> - On October 1, 2012, Notice of a revised Application was sent to 14 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 October 6, 2012.</p>	<p>1st submission and circulation – 1 reply received</p> <p>2nd submission and circulation – no replies received.</p>
<p>Nature of Liaison: (submission and circulation from June, 2011) The purpose and effect of the proposal is to develop a residential subdivision with 254 residential units in the form of single detached and townhouse dwellings.</p>		

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Response:

Support for the draft plan, provided the following items are addressed:

1. The draft plan should identify Block 12 for "Low Density" use. The reference to "Existing Residential" should be deleted. There is an existing dwelling; however, this is to be incorporated in to the proposed development.
2. The road access for Block 12 to Street" D" must be confirmed as adequate for development at the proposed density from a transportation/planning perspective (volumes, sight lines, etc.).
3. The "frontage" or Block 12 along Street" D" must be sufficient for the creation of a public street (by resubdivision of Block 12).
4. Services must be provided to Block 12 to allow development to the maximum permitted density.
5. The suitability of the easterly boundary of Block 4 must be confirmed (shallow depth, different zones than Block 12 - may require reconfiguration).
6. The details of the site specific designation and zone must be settled.

ANALYSIS

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, and the City's Placemaking Guidelines. It evaluates the proposed draft plan with respect to small lots, low and medium density blocks, parkland and open space, 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 21 ha parcel of land located east of Adelaide Street, north of Sunningdale Road and adjacent to the municipal boundary (Township of Middlesex Centre). It currently houses an estate home with an access to Adelaide Street North. The majority of the property is currently being farmed. The lands generally roll from east to west and north to south.

The site also contains a Potential Environmentally Significant Area, and a Provincially Significant Wetland.

The subject site is bounded to the west by a recently approved draft plan of subdivision (known as the Applewood Subdivision, also owned by the Applicant, file 39T-09501). The lands directly abutting to the north are within the Township of Middlesex Centre, designated as agricultural and open space, are being used for cash crops. The existing Sun Canadian Oil Pipeline runs along the entire north limit of this 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. The following commentary applies to the proposed redline plan of subdivision.

1. **Building Strong Healthy Communities**

The proposed subdivision accommodates a range and mix of residential units and densities, such as zoning to permit single detached dwellings and various cluster housing zones. The proposed subdivision layout allows for pedestrian walkability and efficiency in services by providing a direct link to the proposed recreational trail to be located along the northern edge of the City, and connections south the future commercial uses and the Stoney Creek Community Centre.

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.

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

The subject lands include a Potential Environmentally Significant Area (ESA) and a Provincially Significant Wetland. As per comments provided by Parks Planning and the UTRCA, a revised limit of development and additional buffers has been incorporated into the plan. The proposed

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

redline plan does not propose development within the significant natural heritage feature and provides adequate buffering to further protect the features.

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 an 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.

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 contain a significant natural heritage feature which has been assessed and the appropriate buffers and mitigation have been proposed and incorporated through the redlined draft plan and conditions. Municipal services are planned for the site and will need to be extended by the Applicant prior to development occurring. Other municipal services such as roads and transportation infrastructure will be provided and constructed as 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, several walkways and a municipal pathway located at the northern boundary of this subdivision will be constructed to service the area. This municipal pathway 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. This plan proposes a 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. 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 Stoney Creek North Community Plan was never adopted by Municipal Council or the Ontario Municipal Board. It has no status therefore it was not used in the evaluation of this plan of subdivision.

The existing Official Plan designations were however applied through the Ontario Municipal Board hearings related to the Stoney Creek North Area Plan (2001). The subject site is currently designated for Low Density Residential throughout most of the site, Multi-Family, Medium Density Residential along Adelaide Street, and Environmental Review for the Potential ESA and Provincially Significant Wetland.

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

Schedule “A” – Land Use

- Redesignate a portion of Block 1 and Block 15 to "Low Density Residential";

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

- Redesignate Block 18 and a portion of Block 17 to "Multi-Family, Medium Density Residential"; and
- Redesignate Blocks 19 and 20 to "Open Space".

Schedule "B1" – Natural Heritage Features

The Applicant did not propose any changes to Schedule B1.

Schedule "C" – Transportation Corridors

- Add Street A as a secondary collector.

The requested change to extend the Multi-Family, Medium Density Residential north along the Adelaide Street frontage is in keeping with the policies of the Official Plan. These lands abut an arterial road, but can be accessed off of the local road (Street E) so will not have any direct traffic impact on Adelaide Street. The proposed height (12m) and scale (townhouse dwellings) is low rise in nature and will not have a significant impact on surrounding low density residential uses. The proposed medium density use is compatible with surrounding proposed land uses, can accommodate the proposed use, is in close proximity to public open space and recreational facilities (such as the Stoney Creek Community Centre) and future transit. The requested change from Multi-Family Medium Density Residential to Low Density Residential is also appropriate, as it will help to facilitate single detached dwellings adjacent to other single detached dwellings. The proposed change to the Open Space designation is also appropriate in order to recognize the extent of the natural heritage features.

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

The proposed draft plan of subdivision provides for an appropriate mix of low and medium density housing consistent with the Official Plan. The redline to the draft plan now provides for views and vistas into the natural heritage feature. The revised development limit and the Applicant’s request to leave Street C in its current location means there will be a window street adjacent to the significant feature, which implements a key element of placemaking by encouraging street patterns to use natural features and parks as visual terminuses for views and streetscapes. The placemaking guidelines also encourage a range of alternative design standards for road sections and utility placements to allow for streetscape designs that promote attractive and functional neighbourhoods. The design of the road network overall is such that pedestrians can easily access the proposed east-west pathway along the northern municipal boundary and will facilitate future connections to the Stoney Creek Community Centre to the south.

While there may be other designs or other modifications which could add more Placemaking features, the developer has made a considerable effort to incorporate some principles of Placemaking as part of this subdivision design. Given the constraints related to the small size of the proposed development, and natural heritage features, the developer has proposed a reasonable design in keeping with placemaking principles.

Evaluation of the proposed Redline Draft Plan of Subdivision and Zoning as Recommended

The purpose of this report is to recommend a redlined draft plan of subdivision with 15 low density blocks, 2 medium density blocks, 3 open space blocks, 1 park block, and several 0.3 m reserves and road widenings, all served by 1 new secondary collector and 4 new local streets.

Below is an evaluation of the proposed redline draft plan of subdivision. Figure 1 shows Staff’s redlined plan with proposed zoning.

Land Use

The land uses as determined through the Official Plan have generally been provided through this subdivision, save and accept the addition of a small amount of Multi-Family, Medium Density Residential uses along the Adelaide Street frontage, which is considered acceptable.

Environmental/Open Space

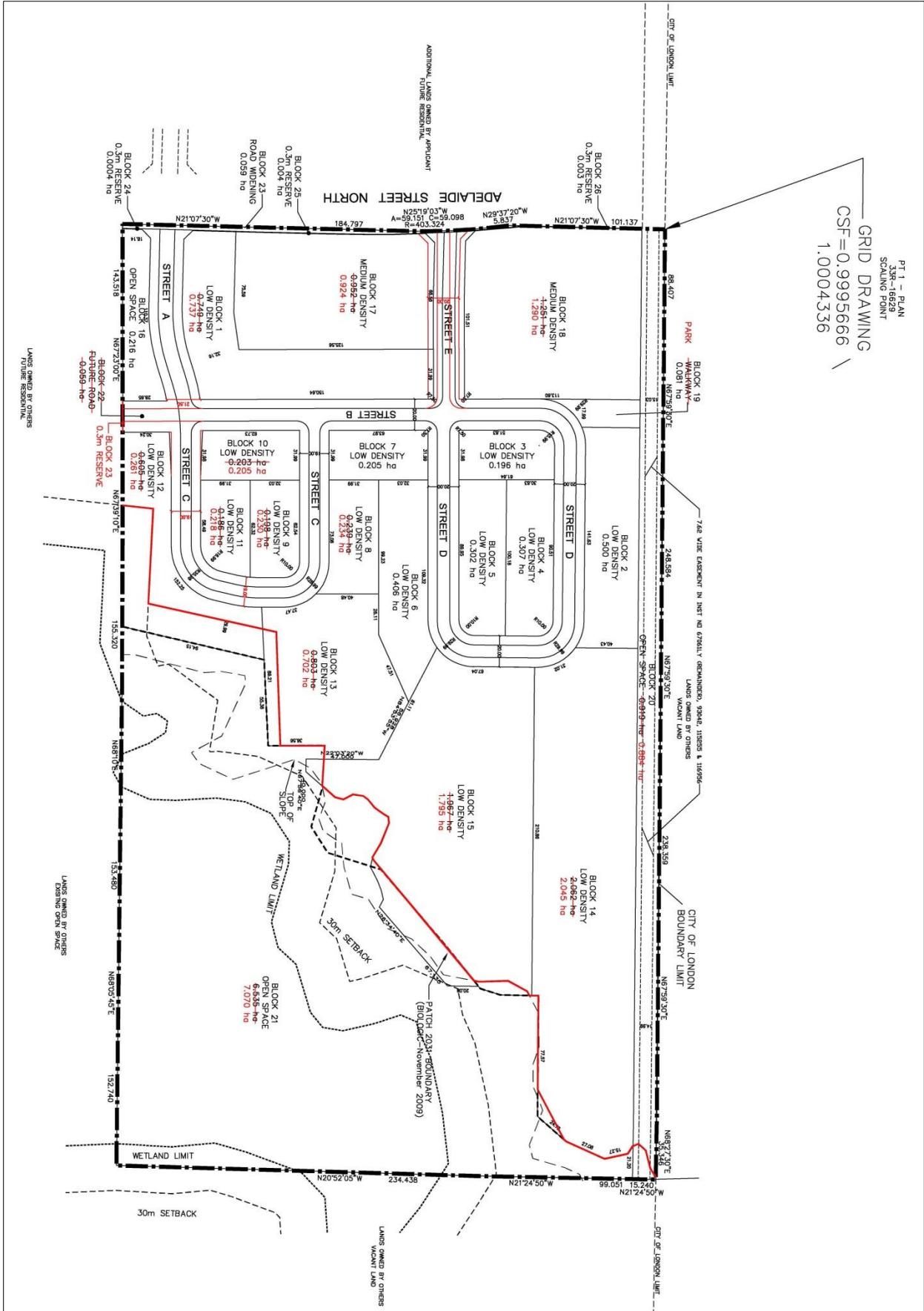
A Significant Woodland and a Potential Environmentally Significant Area are located on a portion of the site. The submitted EIS, Environmental Management Strategy (EMS) and subsequent response letters from the Applicant’s Environmental consultant have not addressed

--	--

39T-11502/OZ-7921
Nancy Pasato

the City nor UTRCA concerns.

Proposed Redline Draft Plan



Agenda Item #	Page #

39T-11502/OZ-7921

Nancy Pasato

The major issue is the delineation of the Significant Woodland Boundary which is located within the Potential ESA. The EMS and EIS recommended that a stand of white pines and sugar maple forest be removed, whereas Environmental & Parks Planning (E&PP) and UTRCA assert both form part of the patch based on the Council approved Boundary Delineation Guidelines, and removing them would contravene the Official Plan and the Provincial Policy Statement. In an effort to move the process along Staff, based on recommendations from E&PP and the UTRCA, have revised the development limit to be delineated at the dripline of the White Pines and the dripline of the Sugar Maple Forest, and a 10m buffer is applied to the Significant Woodland boundary in the areas adjacent to the Sugar Maple Forest. A condition has been added to draft approval that requires a Buffer Naturalization Plan and Edge Management Plan be provided for review, including recommendations for the removal of invasive species such as buckthorn to protect the long term health of the Significant Woodland and PSW.

As a result of this change in the development limit, rear lotting onto Block 21 will no longer be feasible. Staff had recommended that Street C be brought easterly to abut Block 21, creating a window street onto the Open Space/natural heritage feature. This has the added advantage of creating a focal point/strong placemaking feature for the subdivision. However, the Applicant has requested that Street C remain in its current location and configuration, rather than redline it, as they feel that with additional studies and consultation with MNR, the PSW boundary may be altered and the development limit may shift, prior to registration. Staff do not have an issue with this request, so there will be no redline change to Street C.

Other issues with the draft plan that necessitate a redline amendment to the plan include:

- A 30m buffer for the PSW (and a portion of the Significant Woodland) is located inside the residential Block 12. The limits of Block 12 must be adjusted as the 30m PSW buffer and the Significant Woodland must be identified as Open Space as part of Block 21, outside of Block 12.
- A portion of the Significant Woodland and the associated 10m buffer is shown inside the residential Blocks 12 and 13. The limits of Blocks 12 and 13 must be adjusted as the Significant Woodland and required buffers must be identified as Open Space as part of Block 21, outside of Blocks 12 and 13.
- A portion of the Significant Woodland is shown inside the Residential Block 15. The limits of Block 15 must be adjusted as the Significant Woodland must be identified as Open Space as part of Block 21, outside of Block 15.
- A portion of the buffer for the Significant Woodland is shown inside the residential Block 14. The limits of Block 14 must be adjusted as the Significant Woodland buffer must be identified as Open Space as part of Block 21, outside of Block 15.

All of these redline amendments have been made to the plan to ensure the full extent of the natural heritage feature and buffers are included within the Open Space designation and zoning. A new holding provision has also been added specific to Blocks 13-15 which will ensure the recommendations from the final Environmental Impact Study, water balance report, final Stormwater Management Report, hydrogeological study and a geotechnical study have been accepted and implemented into the development agreements for these Blocks, to the satisfaction of the City of London.

Through comments provided by E&PP, UTRCA and EEPAC, further studies are required to ensure this development will not have a negative effect on the adjacent PSW/Potential ESA. Conditions for a Water Balance for the PSW, a hydro/geotechnical study and the final SWM report have been incorporated into the draft approval. The submitted EIS/EMS is not acceptable, and as such, a revised EIS/EMS will also be required as part of design studies.

No changes were proposed to Schedule B1 through the EIS/EMS submitted neither for the site nor by Staff. The full extent of the Potential ESA, Significant Woodland and associated buffers will be included in the Open Space designation and afforded protection. It is recommended that through any future subdivision applications for lands to the south of the subject site, any additional EIS submitted can recommend the addition of this feature as a full ESA.

Parks

No neighbourhood park has been identified within this plan of subdivision. Two park blocks and a walkway block have been identified from a Parks perspective for this area. Block 20, located along the northern edge of the subdivision and adjacent to the municipal boundary, which also includes the Sun Canadian High Pressure Pipeline and easement, will become an east-west pathway along the municipal boundary, and will connect to future pathways planned west of Adelaide Street. Block 19 will be the principal pedestrian connection point for Block 20 from this

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

subdivision. Block 16 will also include a pathway which is anticipated to connect west of Adelaide Street into the Applewood subdivision (via the internal road network) to the west (also owned by the Applicant). Also, Parks anticipates that Block 21 (the PSW/ESA) will be dedicated to City as part of the subdivision process.

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. Parks Planning anticipates, based on a calculation of 1 hectare per 300 units, a required parkland dedication of 1.129 ha. The Owner shall dedicate Blocks 16, 19, 20, and redlined 21 to cover a portion of the required parkland dedication. The remaining parkland dedication for Blocks 6-8 and Block 13 will be taken as cash-in-lieu as per By-law CP-9.

Servicing

There is currently downstream sanitary and storm sewer capacity to service these lands. No on site stormwater management pond is proposed as part of this subdivision. All storm flows will be directed to Stoney Creek 1 N. Water capacity is generally available but water infrastructure will need to be constructed from the intersection of Bluebell and Sunningdale Road . Conditions of draft approval have been added to address the construction and requirements for servicing.

Built Heritage & Archaeology

An Archaeological Assessment (Stages 1, 2, 3 and 4) was completed for the subject site and submitted. There were no cultural heritage concerns identified on the balance of the site and thus no additional studies are recommended. There was a lone area identified that resulted in the Stage 4 assessment being completed. These findings have been documented and no additional study is anticipated at this time. The site also contains an existing dwelling, which is not listed as a priority on the City's Archeological Inventory.

Rural/Urban Interface, Sun Canadian Pipeline & Municipal Walkway

The Official Plan contains a special policy (3.6.13.) relating to the rural/urban interface:

“The long-term Rural/Urban Interface exists where residentially designated lands abut both the City's Urban Growth Boundary and the City's municipal boundary. Development proposals within 300 m of the Rural/Urban Interface, including Area Plans, Official Plan amendments, zoning by-law amendments, plans of subdivision, severances and site plans, shall be reviewed within the context of the following policies to determine the potential for rural/urban land use conflicts:

- i. Development at the Rural/Urban Interface shall incorporate existing natural features and man-made features to provide for separation and buffering between rural and urban land uses.*
- ii. Development agreements to be registered on lands at the Rural/Urban Interface shall clearly identify that agricultural operations are ongoing in the area, beyond the City's municipal boundary, and that these agricultural practices may result in noise, odours, dust and other potential nuisances resulting from normal farm practices.*
- iii. Development proposals at the Rural/Urban Interface shall include design measures to mitigate adverse impacts that agricultural operations beyond the City's municipal boundary may have upon urban land uses in the City;*
- iv. As well, development proposals at the Rural/Urban Interface shall include design measures to minimize adverse impacts which urban land uses in the City may have upon agricultural operations beyond the City's municipal boundary.”*

As was mentioned under the “Parks” section above, the Sun Canadian oil pipeline corridor is located along the northern edge of the subject property, right at the municipal boundary, and is proposed to be used 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

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Zoning

Small Lots – Blocks 1-12

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 by 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 necessarily 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 wish to apply an R1-4 Zone for Blocks 1-12, which would require lots with 12 metre frontages. Staff is also recommending this R1-4 Zone variation, which permits single detached dwellings with a lot area of 360 m² with 12 metre frontages. 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, and a reduced interior side yard setback of 1.2 metres (3.0 m on one side if no garage). These special provisions will help achieve a building product where the garage is not the dominant feature of the building.

Recommendation:

- Blocks 8-12 will be redlined slightly to account for the window street and change in development limit adjacent to the natural heritage feature.
- In order to avoid issues with small lots, zoning is recommended for Blocks 1-12 to be changed to a Residential R1 (R1-4(*)) Special Provision Zone to permit single detached dwellings with a lot area of 360 m² 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 (3.0m for homes without a garage). An additional 20 m setback from the centerline of the high pressure oil pipeline (Sun Canadian) will be included as a special provision for Block 2.

Low Density Blocks 13-15

Originally, the Applicant had requested a R5-2/R6-4 Zone which permitted a wide range of cluster housing types at a maximum density of 30 units per hectare. However, the Applicant recently requested an R6-1 Zone variation for Blocks 13-15, which would permit cluster single detached dwellings at a maximum density of 15 units per hectare. Staff still recommends combining the R6-1 Zone with an R5 Zone variation, to allow some flexibility for future housing choices. The proposed R5-2 Zone for the Low Density Blocks provides for a range of cluster housing, including cluster townhouse and stacked townhouse dwellings, at a maximum density of 30 units per hectare. Both of these zones are 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. A redline change to Block 13 is recommended to reflect the change in development limit based adjacent to the natural heritage feature.

Recommendation:

- Redline change in Block 13.
- Zoning recommendation is Residential R5 Special Provision (R5-2(*))/Residential R6 Special Provision (R6-1(*)) Zone for Blocks 13 and 15 – the R5 Zone would permit cluster townhouses and stacked townhouses at a maximum height of 12 m and a maximum density of 30 units per hectare, and the R6 Zone would permit cluster single detached dwellings at a height of 10.5 m and a maximum density of 15 units per hectare, 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

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

interior side yard setback of 1.2 metres (3.0m for homes without a garage). An additional 20 m setback from the centerline of the high pressure oil pipeline (Sun Canadian) will be included as a special provision for Block 14.

Medium Density Blocks 17-18

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, at a maximum height of 12 metres, and a maximum density of 40 units per hectare. This is consistent with the Multi family, Medium Density Residential designation for these lands. 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.

Recommendation:

- Zoning recommendation for Blocks 17-18 is Residential R5 (R5-4)/Residential R6 (R6-5) (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, 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 (3.0m for homes without a garage). An additional 20 m setback from the centerline of the high pressure oil pipeline (Sun Canadian) will be included as a special provision for Block 18.

Open Space Block 16, 19-21

A redline amendment to Block 21 is reflected on the revised plan. It is recommended an OS5 Zone be applied to this Block to reflect the significance of the natural heritage feature. An OS1 Zone is recommended for Blocks 16, 19 and 20 to reflect the future walkway/pathway. All of these lands will be dedicated to the City.

Recommendation:

- Redline Block 21 to reflect the revised limit of development.
- An Open Space (OS1) Zone is recommended for future walkway Blocks 16, 18 and 19.
- An Open Space (OS5) is recommended for redlined Block 21, which includes a Potential ESA and a PSW.

Holding Provisions

In addition to the h-__ holding provision, 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.

Additional red-line changes to the plan

In addition to several changes to Blocks that have been noted throughout the report, several redline changes have been made to the draft plan. The following is a list that sets out some of those changes.

- Block 22 will not be shown as a “Future Road Block” but rather will become part of the required road allowance for this plan;
- Street E has been revised to align with Street D, which has necessitated small redlines changes to Block 1, 17 and 18;
- Street A is redlined to 21.5m;
- Add 0.3 m reserve at the south limit of Block 22.

--	--

**39T-11502/OZ-7921
Nancy Pasato**

CONCLUSION

The Staff recommended proposed draft plan of subdivision, Official Plan amendments and zoning by-law amendments are consistent with the PPS, The Planning Act, and the City's Official Plan. The recommended redlined draft plan and conditions of draft approval will create a residential subdivision with good pedestrian accessibility and strong connections to natural heritage. The proposed plan represents good land use planning and is an appropriate form of development.

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

August 29, 2014
 NP/...\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2009\39T-09501- 660
 SUNNINGDALE RD E (JL)\3rd Submission 2012\Report\status report Sergautis Jul13.docx

Agenda Item #	Page #

**39T-11502/OZ-7921
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 Brian Blackwell, submitted May 11, 2011.

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.
 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-11502 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-11502 unless otherwise stated.

Agenda Item #	Page #

**39T-11502/OZ-7921
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 2054 Adelaide Street North.

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 September 16, 2014.

Joni Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – September 16, 2014
Second Reading – September 16, 2014
Third Reading – September 16, 2014

Agenda Item #	Page #

39T-11502/OZ-7921
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 Environmental Review to Low Density Residential, Multi-Family, Medium Density Residential, and Open Space on Schedule "A", Land Use, to the Official Plan for the City of London.
2. To add Street A as a Secondary Collector road 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 2054 Adelaide Street North in the City of London.

C. BASIS OF THE AMENDMENT

Schedule "A" -

The subject site is a 21 ha parcel of land located east of Adelaide Street, north of Sunningdale Road and adjacent to the municipal boundary (Township of Middlesex Centre). It currently houses an estate home with an access to Adelaide Street North. The majority of the property is currently being farmed. The lands generally roll from east to west and north to south. The site also contains a Potential Environmentally Significant Area, and a Provincially Significant Wetland. The subject site is surrounded by a recently approved draft plan of subdivision (known as the Applewood Subdivision, also owned by the Applicant, file 39T-09501) located on the west side of Adelaide Street. The lands to the north within the Township of Middlesex Centre are designated as agricultural and open space. The land directly abutting the north limit of the plan is being used for cash crops. The existing Sun Canadian Oil Pipeline runs along the entire north limit of this site.

The Stoney Creek North Community Plan was never adopted by Municipal Council or the Ontario Municipal Board. It has no status therefore it was not used in the evaluation of this plan of subdivision. The existing Official Plan designations were however applied through the Ontario Municipal Board hearings related to the Stoney Creek North Area Plan (2001). The subject site is currently designated for Low Density Residential throughout most of the site, Multi-Family, Medium Density Residential along Adelaide Street, and Environmental Review for the Potential ESA and Provincially Significant Wetland.

The requested change to extend the Multi-Family, Medium Density Residential north along the Adelaide Street frontage is in keeping with the policies of the Official Plan. These lands abut an arterial road, but can be accessed off of the local road (Street E) so will not have any direct traffic impact on Adelaide Street. The proposed height (12m) and scale (townhouse dwellings) is low rise in nature and will not have a significant impact on surrounding low density residential uses. The proposed medium density use is compatible with surrounding proposed land uses, can accommodate the proposed use, is in close proximity to public open space and recreational facilities (such as the Stoney Creek Community Centre) and future transit. The requested change from Multi-Family Medium Density Residential to Low Density Residential is also appropriate, as it will help to facilitate

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

single detached dwellings adjacent to other single detached dwellings. The proposed change to the Open Space designation is also appropriate in order to recognize the extent of the natural heritage features.

Schedule "C" -

The Stoney Creek Area Plan was never formally adopted by Council and as such, no secondary collector roads were added to Schedule C. Through the subdivision process, the Transportation Division requested that Street A be designated as a secondary collector road.

D. THE AMENDMENT

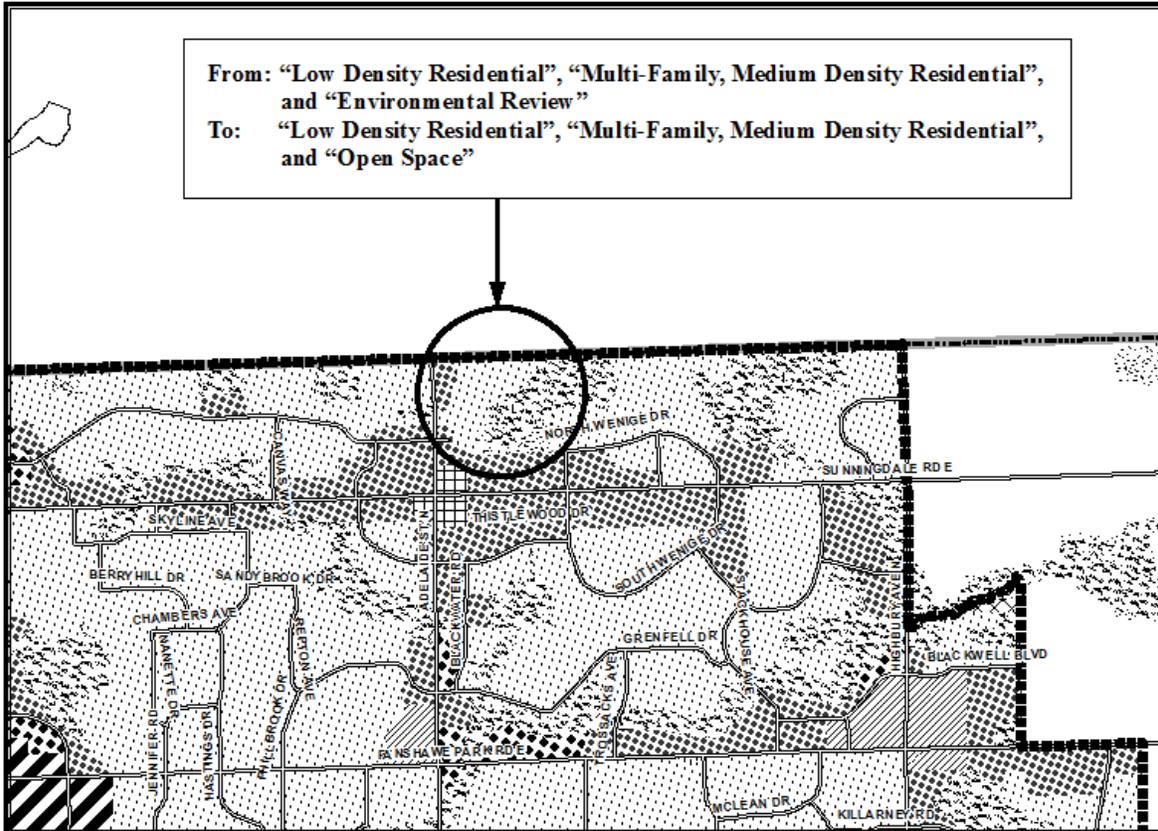
The Official Plan for the City of London is hereby amended as follows:

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located 2054 Adelaide Street North in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential, Multi-Family, Medium Density Residential and Environmental Review to Low Density Residential, Multi-Family, Medium Density Residential, and Open Space.
2. Schedule "C", Transportation Corridors to the Official Plan for the City of London Plan is amended by designating Street A from Sunningdale Road East to Street B as a Secondary Collector.

--	--

39T-11502/OZ-7921
Nancy Pasato

AMENDMENT NO:



Legend

- | | |
|---|---|
| <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area | <ul style="list-style-type: none"> Office/Residential Office Business Park General Industrial Light Industrial Regional Facility Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture 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.

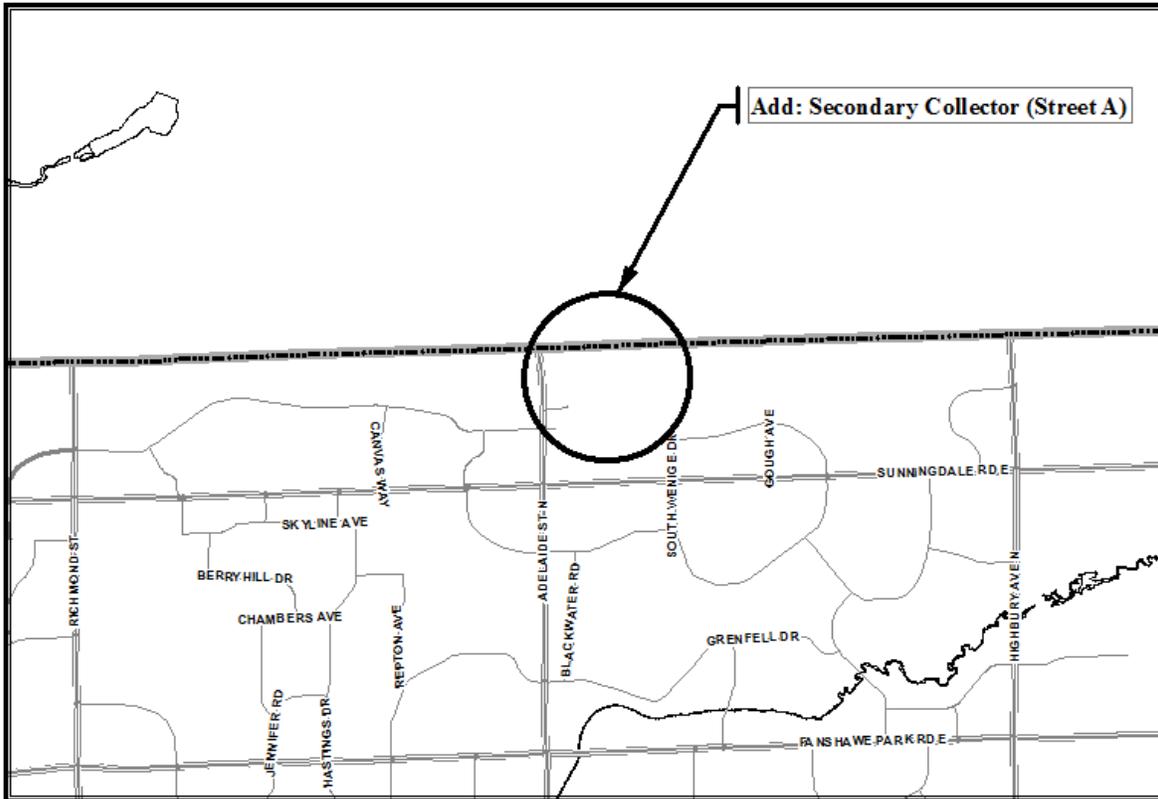
<p>SCHEDULE A TO OFFICIAL PLAN</p> <p>AMENDMENT NO. _____</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: 39T-11502 / OZ-7921</p> <p>PLANNER: NP</p> <p>TECHNICIAN: JTS</p> <p>DATE: August 27, 2014</p>
---	-------------------------------------	--

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsolid\amendments\????\mxd\scheduleA_b&w_8x11_with_SWAP.mxd

--	--

39T-11502/OZ-7921
Nancy Pasato

AMENDMENT NO:



Legend

ROAD CLASSIFICATION

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

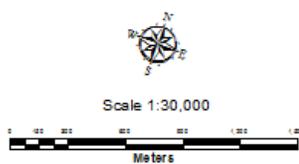
PROPOSED ROAD CORRIDOR

-  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

**SCHEDULE C
TO
OFFICIAL PLAN**
AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



FILE NUMBER: 39T-11502 / OZ-7921

PLANNER: NP

TECHNICIAN: JTS

DATE: August 27, 2014

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\amendments\????\mxd\scheduleC_b&w_8x11_with_SWAP.mxd

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 2054 Adelaide Street North.

WHEREAS 1705825 Ontario Limited has applied to rezone an area of land located at 2054 Adelaide Street North, 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 2054 Adelaide Street North, from an Urban Reserve (UR3) Zone and an Environmental Review (ER) Zone to a Holding Residential R1 Special Provision (h. h-100•R1-4(*)) Zone, a Holding Residential R1 Special Provision (h. h-100•R1-4(**)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h-__•R5-2(*)/R6-1(*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h-__•R5-2(**)/R6-1(**)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100•R5-4(*)/R6-5(*) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100•R5-4(**)/R6-5(**)) Zone, an Open Space (OS1) 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 will not affect the adjacent significant natural heritage features, the h-_____ shall not be deleted until the recommendations from the final Environmental Impact Study, water balance report, final Stormwater Management Report, hydrogeological study and a geotechnical study have been accepted and implemented into the development agreements for the site, 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,
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. |

- 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 d) ___ R1-4(**)

(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): | 20.0 metres (66 feet) |

4) 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) |

5) 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) | Dwelling Setback
From High Pressure
Pipeline (Minimum): | 20.0 metres (66 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 d) ___ R5-4(*)

(a) Regulations

- | | | |
|----|---------------------|---------------------|
| i) | Front Yard Setback, | 3 metres (9.8 feet) |
|----|---------------------|---------------------|

Main Dwellings (Minimum):

- | | | |
|-----|--|------------------------|
| 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 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) | Dwelling Setback
From High Pressure
Pipeline (Minimum): | 20.0 metres (66 feet) |

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

10.4 a) ___ R6-1(*)

(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) |

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

10.4 a) ___ R6-1(**)

(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) | Dwelling Setback
From High Pressure
Pipeline (Minimum): | 20.0 metres (66 feet) |

10) 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

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

- | | | |
|-----|--|------------------------|
| 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 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) | Dwelling Setback
From High Pressure
Pipeline (Minimum): | 20.0 metres (66 feet) |

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

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

PASSED in Open Council on September 16, 2014.

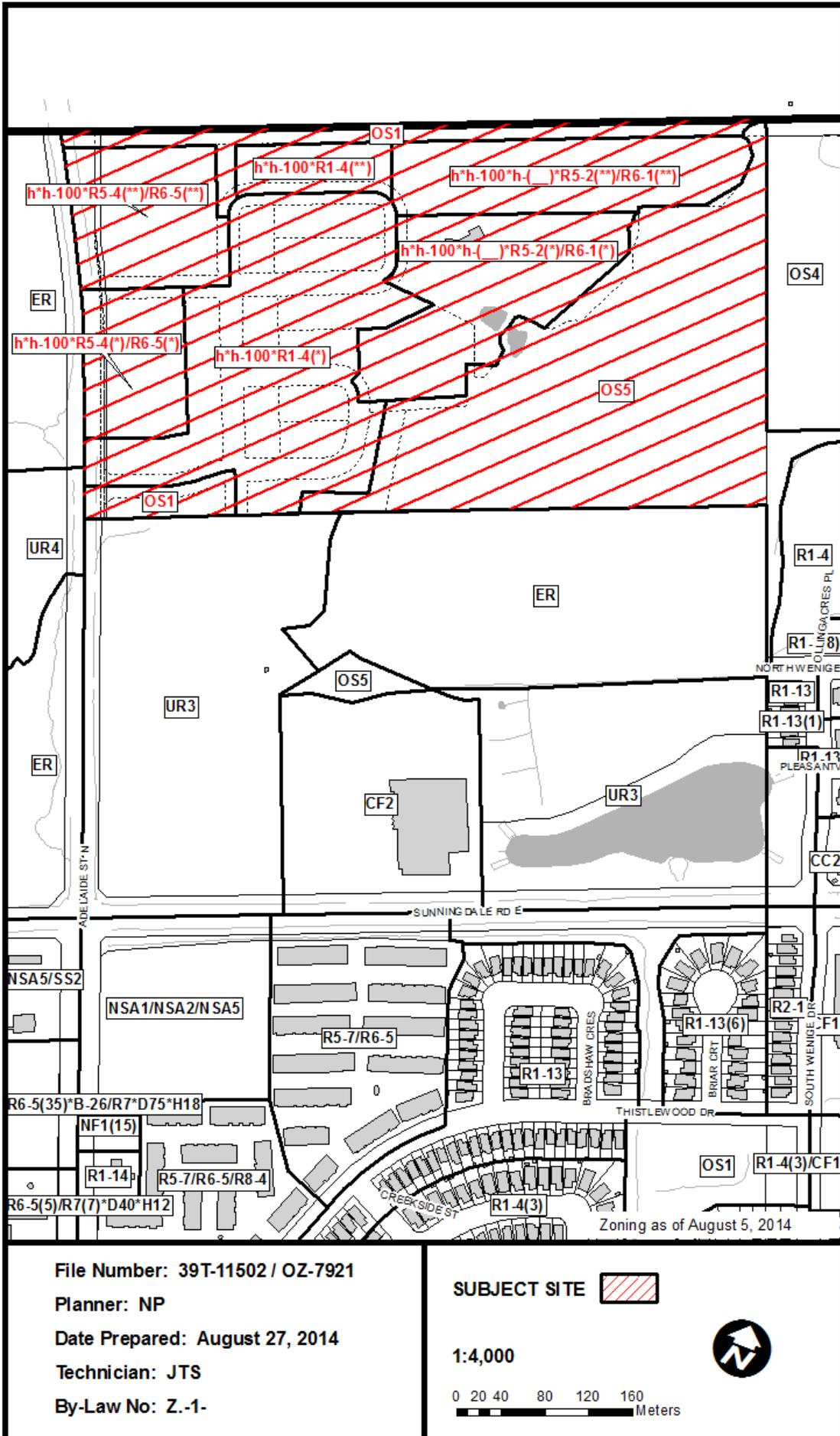
Joni Baechler
Mayor

Catharine Saunders
City Clerk

First Reading - September 16, 2014.
Second Reading - September 16, 2014
Third Reading - September 16, 2014

39T-11502/OZ-7921
Nancy Pasato

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



Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Planning

11. Prior to final approval, the Owner shall submit a plan confirming the lotting pattern within Blocks 1 to 12 inclusive, which shall be consistent with the approved zoning for these blocks and acceptable to the City. This lotting pattern shall be reflected on the final plan submitted for approval and registration.

12. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.

13. The Subdivision Agreement shall contain warning clauses advising future residents of nearby agricultural operations and its potential impact on residential uses by owners.

14. 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”.

15. 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 lots (to be determined) without first obtaining prior written approval from Sun Canadian Oil Limited.

16. The Owner shall not construct any structures or any type of fencing within the Sun Canadian Oil Pipeline easement.

Upper Thames River Conservation Authority (UTRCA) and Parks Planning

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

18. In conjunction with the Design Studies submission, a revised Environmental Impact Study shall be prepared that addresses the UTRCA’s and Environmental and Parks Planning’s outstanding concerns, to the satisfaction of the City and the UTRCA.

Environmental & Parks Planning

19. In conjunction with the Design Studies submission, the Owner shall have a water balance report prepared by a qualified consultant, to assess the impact the development will have on the Provincially Significant Wetland, and identifying all required mitigation measures, including any requirements to be implemented in the subdivision agreement, to the satisfaction of the City and the UTRCA.

20. In conjunction with the Design Studies submission, a Buffer Naturalization Plan and Edge Management Plan shall be provided that includes recommendations for the removal of invasive species within the Significant Woodland, to the satisfaction of the City.

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

21. Parkland dedication has been calculated at a rate of 1 ha per 300 units. The Owner shall dedicate Blocks 16, 19, 20, and redlined 21 to cover a portion of the required parkland dedication. The remaining parkland dedication for Blocks 6-8 and Block 13 will be taken as cash-in-lieu as per By-law CP-9.
22. In conjunction with the Design Studies submission, the Owner shall provide initial pathway concepts for Blocks 16, 19 and 20, to the satisfaction of the City.
23. Within one year of registration of this plan, the Owner shall grade, service and seed all areas dedicated for parkland and construct all works within all park blocks and pathway corridors within the phase being registered, in accordance with the approved plan, to the satisfaction of the City.
24. 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 adjacent to existing and/or future Park and Open Space Blocks, to the satisfaction of the City.
25. The Owner shall not grade into any open space area (Block 20 and Block 21). 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.
26. In conjunction with the Design Studies submission, the Owner shall prepare 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 package shall be delivered to all homeowners upon registration of the transfer to each purchaser within this plan, to the satisfaction of the City.
27. 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. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City.
28. 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

29. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) A sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
 - ii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;

- iii) 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
 - iv) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
30. 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 (including the extension of a minimum 300 mm (12") sanitary sewer on Sunningdale Road East, at no cost to the City) and connect them to the existing municipal sewer system, namely, the 300 mm (12") diameter sanitary sewer located on Sunningdale Road East, west of 920 Sunningdale Road East which connects to the 375 mm (15") sanitary sewer that runs through an easement in the condominium complex at 620 Thistlewood Drive eventually connecting to the 525 mm (21") municipal trunk sanitary sewer at Thistlewood Drive and Creekside Street;
 - 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; and
 - iii) 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.
29. 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 allowing any weeping tile connections into the sanitary sewers within this Plan;
 - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City;
 - iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
 - iv) Any additional measures recommended through the Design Studies stage.
30. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Engineering – Storm and Stormwater Management (SWM)

31. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identify the storm/drainage and SWM servicing works for the subject and external lands, if necessary, 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, all to the satisfaction of the City, including the preliminary storm sewer routing from this plan to the existing outlet;
 - 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) Develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction; and
 - v) 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.

32. In conjunction with the Design Studies submission, the Owner's professional geotechnical engineer shall provide a geotechnical report to address all geotechnical issues including cutting/filling, erosion, maintenance and structural setbacks related to slope stability associated with the existing wetlands, all to the satisfaction of the City and the Upper Thames River Conservation Authority (UTRCA). The Owner shall implement all geotechnical recommendations with respect to slope stability, to the satisfaction of the City and the UTRCA.

33. In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

34. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i) Construct storm sewers, located within the Stoney Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1200 mm (48") diameter storm sewer stub located within an easement at 920 Sunningdale Road East on private lands which outlet to the Regional Stoney Creek SWM Facility 1N;
 - ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan, if necessary, to accommodate flows from upstream lands external to this plan;
 - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
iv) Address forthwith any deficiencies of the stormwater works for this plan.

35. 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 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 Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (May 2011);
 - iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - iv) The approved Functional Stormwater Management Plan for Regional SWM Facility 1N – AGM Engineering – Revised September 2008 or any updated Functional Stormwater Management Plan;
 - v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vii) The City Council approved Official Plan Policies relating to open watercourse and wetland setbacks, the Owner shall allocate and maintain adequate setbacks as per the Ministry of the Environment and the City requirements;
 - 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.
36. 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) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
 - iii) Implement all geotechnical/slope stability recommendations in accordance with the accepted geotechnical report; and
 - iv) The Owner shall make best efforts with the affected property owner(s) of lands to the south to direct overland flows from this plan over the abutting lands to the south to SWM Facility 1N and construct all necessary works over the lands to the south or make alternate arrangements, to the satisfaction and specifications of the City. The Owner shall obtain all required easements for the City, as necessary, to the specifications and satisfaction of the City, at no cost to the City.
37. The Owner shall make the necessary arrangements to secure any required municipal storm sewer servicing easement(s) from the downstream landowner(s) for the storm sewer outlet system to service this plan of subdivision, all to the satisfaction of the City Engineer and at no cost to the City.
38. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Engineering – Water

41. 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.
42. 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. This site shall be serviced from the Uplands High Level Water distribution System. Currently the closest watermain for this pressure system is the existing 300 mm (12”) diameter high level watermain on located on Sunningdale Road at Blackwater Road;
 - ii) Extend watermains to site along municipal rights of way, or through future proposed municipal rights of way, in accordance with design standards and requirements through future developments 39T-09501 (660 Sunningdale Road) or along Sunningdale Road and Adelaide Street North to the subjects site; and
 - iii) In accordance with the Design Standards and requirements, the subdivision shall be serviced from 2 sources of water supply (the watermain system shall be looped) to the satisfaction of the City Engineer where development or phasing of the development is proposed to proceed beyond 80 units.
43. 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.

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Engineering – Transportation

Roadworks

44. In conjunction with the Design Studies submission, the Owner shall have its professional engineer demonstrate how Street 'A' will align with Street 'D' in Plan 39T-09501 to the west, to the specifications of the City.
45. The Owner shall construct Street 'A' at the western boundary of the plan in an alignment with Street 'D' in Plan 39T-09501 to the west, to the satisfaction of the City.
46. The Owner shall construct Street 'A' to secondary collector standards.
47. The Owner shall revise Street 'A' to provide 6.0 metre tangents on Street 'A', west of Street 'B', as per City standards.
48. 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.
49. 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. The Owner shall also 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:"
50. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer provide a proposed layout of the tapers for Street 'A'/Street 'C' (east of Street 'B') in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 21.50 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.
51. The Owner shall construct the right-of-way width on Street 'A', east of Street 'B', to be 21.5 metres tapered back over a distance of 30 metres to the standard road allowance of 19 metres (62').
52. 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 the bulge in the curb line on streets in this plan 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, the bulge in the street line is only to be to the extent required to achieve the minimum frontage for the abutting lots.
53. The Owner shall design and construct the roadworks, as designed by it's professional engineer, in accordance with the following road widths:
 - i) Street 'A' has a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').
 - ii) Street 'B', Street 'D' and Street 'E' have a minimum road pavement width (exluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
 - iii) Street 'C' has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').
 - iv) Street 'A' from Adelaide Street North to 45 metres (150') east 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 'A' 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')

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

of road allowance width for this street with 30 metre (100') long tapers on both street lines.

Sidewalks/Bikeways

- a) The Owner shall construct a 1.5 metre (5') sidewalk on both sides of Street 'A'.
- b) The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:
 - i) Street 'B' – west boulevard
 - ii) Street 'C' – outside boulevard
 - iii) Street 'D' – outside boulevard
 - iv) Street 'E' – north boulevard
- c) Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

Street Lights

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

Boundary Road Works

- 62. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for the turn lanes on Adelaide Street North at Street 'A' and Street 'E' and any associated works, for review and acceptance by the City.
- 63. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall restrict access to Street 'E' at Adelaide Street North to right-in and right-out only by constructing a centre median island on Adelaide Street North and associated works, to the satisfaction of the City.
- 64. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct a right turn taper on Adelaide Street at Street 'E' and associated works, to the satisfaction of the City.
- 65. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct turn lanes on Adelaide Street North at Street 'A' , and any associated works, with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the subdivision to the satisfaction of the City.
- 66. The Owner shall be required to make minor boulevard improvements on Adelaide Street North 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.
- 67. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lighting at the intersection of Street 'A' and Street 'E' with Adelaide Street North to adequately illuminate the intersection, to the specifications and satisfaction of the City, at no cost to the City.

Road Widening

- 68. The Owner shall be required to dedicate sufficient land to widen Adelaide Street North to 18.0 metres (59.06') from the centreline of the original road allowance.

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

69. The Owner shall be required to dedicate 6.0 m x 6.0 m “daylighting triangles” at the intersection of Street ‘A’ with Adelaide Street North and Street ‘E’ with Adelaide Street North in accordance with the Z-1 Zoning By-law, Section 4.24.

Vehicular Access

70. The Owner shall ensure that no vehicular access will be permitted to Blocks 1, 16, 17, and 18 from Adelaide Street North. All vehicular access is to be via the internal subdivision streets.

Construction Access/Temporary/Second Access Roads

71. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Adelaide Street North or other routes as designated by the City.
72. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have it’s contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

Engineering – Other

73. 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.
74. 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.
75. 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.
76. In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.
77. 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.
78. The Owner shall have the common property line of Adelaide Street North 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 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.

79. 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

Agenda Item #	Page #

**39T-11502/OZ-7921
Nancy Pasato**

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; and
- ii) The Owner must provide a video inspection on all affected unassumed sewers.

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

- 80. 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.
- 81. 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.
- 82. 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.
- 83. The Owner's professional engineer shall provide inspection services for all work during construction by it's professional engineer for all work to be assumed by the City, and have it's professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
- 84. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
- 85. The Owner shall have it's professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".

Agenda Item #	Page #

**39T-11502/OZ-7921
Nancy Pasato**

86. 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.)
87. 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.
88. 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.
89. 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.
90. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
91. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
92. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
93. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
94. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have the existing access and services to 2054 Adelaide Street North relocated and/or reconstructed to the satisfaction of the City should the existing dwelling on Block 15 be retained. Any portion of the existing services not used shall be removed or abandoned and capped to the satisfaction of the City, at no cost to the City. In addition, the Owner shall regrade areas within Block 15 to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City.
95. 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.
96. 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

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

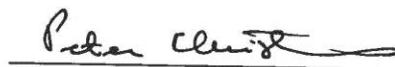
at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.

Appendix "D"
Related Estimated Costs and Revenues

Estimated Costs – This Draft Plan	
Claims from Urban Works Reserve Fund – General -roadworks - channelization at Street 'A' & 'E' -storm sewer oversizing subsidy	\$936,125 \$30,780
Claims from Urban Works Reserve Fund - Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
Total	\$966,905
Estimated Revenues - This Draft Plan (Jan. 2014 rates)	
CSRF	\$3,960,495
UWRF	\$663,978
Total	\$4,624,473

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 the 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 an "urban area wide" 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. The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.
5. The channelization at Street 'A' shall also serve the subdivision to the west (39T-09510) and will be included in that agreement. The channelization at Street 'A' and 'E' requires the Owner to verify the adequacy of the sight lines and to relocate the streets and/or reconstruct Adelaide Street North to provide adequate sight distance at his cost.

Reviewed By:



Peter Christiaans
Director, Development Finance

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Appendix "E"
Department and Agency Comments

Development Services

Please note the attached recommended conditions supercede the conditions sent to your office on June 10, 2013. The updated conditions are highlighted.

Please find attached the recommended conditions for the revised draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Wastewater and Drainage Engineering Division, the Water Engineering Division and the Stormwater Management Unit. Claims have been reviewed and accepted by Development Finance.

Zoning By-law Amendment

Development Services and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. '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.
2. '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.
3. a special provision is implemented with respect to minimum 7.8 metre lot frontages in R4-2 zones (street townhouses)
4. holding provision is implemented on Block 16 until combined with lands to the south.

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. 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.

Required Revisions to the Draft Plan

Note: Revisions are required to the draft plan as follows:

- i) identify all radii in accordance with City standards. Revise if necessary.
- ii) Revise the plan, if necessary, to be consistent with the geotechnical report to address all geotechnical issues and the required setbacks, erosion, maintenance and structural setbacks related to slope stability for the wetlands located within this plan, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority, the City and the Ministry of Natural Resources for the final setback.
- iii) Revise Block 22 to be identified as a separate block. Ensure Block 22 is aligned with Street 'B'.
- iv) Clearly identify width of Street 'A' and Street 'E'.
- v) Revise Block 19 to be a standard walkway width or to be a 4.6 metre wide walkway if it is to be used as a maintenance access.
- vi) The Owner shall align the right-of-way of Street 'A' in this plan with Street 'D' to the west of this plan in Plan 39T-09501, to the satisfaction of the City.
- vii) Provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the cul-de-sacs on streets in the subdivision.
- viii) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

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

Agenda Item #	Page #

39T-11502/OZ-7921

Nancy Pasato

E&PP do not support the proposed “Environmental Management Strategy” as it actually suggests cutting into the Significant Woodland itself to reduce its size, does not provide a buffer to the Significant Woodland, and is effectively reducing the width of the Significant Woodland to just 20m from the PSW boundary at this location (from its current 30m width). This approach is not consistent with the Environmental Management Guidelines (EMG), the Official Plan (OP) or the Provincial Policy Statement (PPS).

As a condition of draft approval E&PP require that a Buffer Naturalization Plan and Edge Management Plan be provided for review by E&PP that includes recommendations for the removal of invasive species including buckthorn present in some sections of the Significant Woodland edge to protect the long term health of the Significant Woodland and PSW.

In an effort to move the process along E&PP suggest (as noted previously in this memo) that provided the boundary of the Significant Woodland is revised to be delineated at the dripline of the White Pines (Community 1) and the dripline of the Sugar Maple Forest (Community 6), and, a 10m buffer is applied to the Significant Woodland boundary in the areas adjacent to the Sugar Maple Forest, E&PP would generally be in support of the remainder of the boundary and buffer identified on the March 2014, Figure 3 Patch Boundary with Development Proposal. No development, rear yards, lots or grading can occur inside the Significant Woodland or the buffers.

Recommendation 6 (Net Effects Table – Text Edits Required)

While the majority of the table is acceptable the following additions (in italics) and revisions are required.

Mitigation Column:

Pre-Construction

- A Buffer Naturalization Plan and Edge Management Plan be prepared by an ecologist that includes recommendations for the removal of invasive species including buckthorn present in some portions of the Significant Woodland edges to protect the long term health of the Significant Woodland and PSW.

During Construction

- Development plan avoids shall not permit construction in the Significant Woodland feature boundary or inside the buffers, with lot lines at or near the dripline of the boundary as delineated located outside of the Significant Woodland boundary and the buffers.
- Develop a Grading Plan so that no grading will occur beyond the dripline of the boundary of the Significant Woodland or inside the buffers.

Post Construction

- Install rear yard fences without gates at the lot lines, outside of the Significant Woodland boundary and buffers to City Standard SP0-4.8 or approved equal.

Issues with Draft Plan of May 1, 2014 (Redlines – Attachment A)

- A. The Draft Plan (May 1, 2014) identifies the 30m buffer for the PSW (and a portion of the Significant Woodland) inside the residential Block 12. The limits of Block 12 must be adjusted as the 30 m PSW buffer and the Significant Woodland must be identified as Open Space as part of Block 21, outside of Block 12.
- B. The Draft Plan (May 1, 2014) includes a portion of the Significant Woodland and the associated 10m buffer inside the residential Blocks 12 and 13. The limits of Blocks 12 and 13 must be adjusted as the Significant Woodland and required buffers must be identified as Open Space as part of Block 21, outside of Blocks 12 and 13.
- C. The Draft Plan (May 1, 2014) incorrectly labels and identifies “Patch 2031 Boundary (Biologic - November 2009)” as the current boundary line work. E&PP have redlined the plan to reflect the boundary for the Significant Woodland and appropriate buffers to be identified as Open Space.
- D. The Draft Plan (May 1, 2014) includes a portion of the Significant Woodland (as identified by Biologic in Figure 3, March 2014) inside the residential Block 15. The limits of Block 15 must be adjusted as the Significant Woodland must be identified as Open Space as part of Block 21, outside of Block 15.
- E. The Draft Plan (May 1, 2014) includes a portion of the buffer for the Significant Woodland (as identified by Biologic in Figure 3, March 2014) inside the residential Block 14. The limits of Block 14 must be adjusted as the Significant Woodland buffer must be identified as Open Space as part of Block 21, outside of Block 15.

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

(Parks comments July 11, 2014, revised table August 7, 2014)

Environmental and Parks Planning has reviewed the resubmission of the application and provided the revisions to our November 12, 2012 comments:

NATURAL HERITAGE SYSTEM

- Provided under a separate memo

PARKS AND OPEN SPACE

- It has been suggested in previous comments that the applicant should attempt to promote greater natural surveillance, improved community design and increased functionality, by giving consideration to revising the road pattern and/or block design to take better advantage of the natural heritage feature as a component of the subdivision and provide better pathway/trail connections to the community centre/district park to the south.
- The required parkland dedication for this subdivision 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. For the purposes of calculating parkland, the maximum proposed zoned density in each block will be applied. If the owner wishes to build at a lower density, parkland dedication requirements will not be recalculated. It is the expectation of E&PP that the required parkland dedication will be partly satisfied through the identified park blocks, redlined park blocks and cash-in-lieu of parkland (in accordance with By-Law CP-9).
- Upon review of the proposed plan of subdivision and accompanying tables, Environmental and Parks Planning has some concerns regarding the assumptions in the applicant's proposal.
- Block 19 will be accepted at the proposed rate of 1 to 1, however a 5 metre wide pedestrian corridor as per Section 53 of the Planning Act will be deducted from the block.
- Block 20 will form a portion of a linear pathway system located across the north end of the city located within a high pressure easement. A 5 metre wide pedestrian corridor will be deducted from the block. The pathway block will be located within the easement. Lands outside of the easement will be applied to the required parkland dedication at a rate of 1:1. Environmental and Parks Planning will construct the pathway.
- The total area for Block 20 is 0.919ha. The portion of the walkway block that is considered at a rate of:
 - 1:1 is approximately 0.4507ha
 - 1:16 is approximately 0.1598ha or 0.01ha
 - Pathway is approximately 0.3058 ha
- Block 21 is defined as a Provincially Significant Wetland and an Environmentally Sensitive Area. The PSW and its associated buffer is considered as hazard land. Consistent with the Council approved parkland dedication By-law CP-9; the block would be accepted as a contribution toward the parkland dedication at a rate of 27 to 1. The balance of the ESA will be accepted at a rate of 16 to 1. The information provided in the submitted plan or the EIS does not allow for the calculation. A block defining the two features is required. In the table listed below it was assumed that 50% of the Block is ESA and 50% of the block is PSW.
- It is E&PP understanding that the owner intends to retain the redlined Open space portion of Block 15 in private ownership and therefore the land area will not provide partial satisfaction of the parkland dedication. The area effected by the proposed ESA redline revision has not been calculated. Final adjustments to the table below will be made once the boundaries have been confirmed.
- Block 16 shall be taken as a park block at a rate of 1:1
- Block 15 is to be retained with the existing residential dwelling. Parkland dedication requirements will be deferred until a future date when the site redevelops.
- Natural Heritage Lands that are dedicated to the city in some form will not be included in the calculation for parkland dedication.
- Some calculations on the provided parkland table and proposed land use table contained minor errors.
- The proposed Open Space zoning is not consistent with the field investigation undertaken by the ecologists. The above Natural Heritage Section speaks to the details of the ESA boundary. It would appear; revisions will be required to the open space boundary and therefore will have an impact on the calculated area for

--	--

**39T-11502/OZ-7921
Nancy Pasato**

parkland dedication. It is assumed at this time, that the revised open space boundaries will remain in one private ownership and will not be considered as parkland dedication.

- Initial responses to the proposal submitted at the pre-consultation stage and through subsequent discussions with the consultants indicated a desire from the City to acquire block 16 and part of Block 12 for parkland purposes to allow for the development of a pathway system to the south and lands to the west. The revision to this block would also assist in the retention of the treed hedge row.
- Based on the above please find the revised calculated parkland dedication table.

Land Use (Block)	Area (ha)	Requested Maximum Density	Dedication Rate	Expected Dedication (ha)
Low Density Residential Blocks (1 – 12)	4.25 3.802	30 units/ha	1ha / 300 units	0.425 0.380
Low Density Residential Blocks (13 – 15-14) Block 15 to provide later	5.054 ^{*1} 2.747 (1.795)	30 units/ha	1ha / 300 units	0.505 0.274 (0.18 – block 15)
Medium Density Residential Blocks (17-18)	2.07 2.21	40 units/ha	1ha / 300 units	0.276 0.295
Approximate Parkland Required				1.206 ha 0.949 ha
*1 (should be revised given proposed ESA boundary redline revisions)				
Parkland Provided				
Land Use (Block)	Area (ha)	Ratio	Provided	Accepted
Additional Parkland (16)	0.216	1:1	0.216	0.216
Pathway (19) less 5m pathway	0.081	1:1	0.058	0.058
Pathway (20) Easement less 5m pathway	0.448m-0.294m 0.154	16:1	0.16	0.01
Pathway (20)	0.451 0.435	1:1	0.435	0.435
PSW & ESA (21)	7.070	27:1	0.3156 7.070	0.117 0.262
Approximate Parkland Provided				0.836 ha 0.972 ha
Total Parkland Required				0.949
Total Parkland Provided				0.972
Over Dedication				0.023 ha

- Block 22 (Future Road) is proposed to be zoned Open Space 1?
- The Owner is to provide initial pathway concepts as a component of the Design Studies Review Phase of File Manager for Blocks 16 and 19. The owner is also to provide options for the safe crossing of Adelaide Street at the west end of Block 20 to connect to the pathway block west of Adelaide Street. The consultant shall pre-consult with the E&PP to determine the appropriate budget and amenities to be included in the pathway system.
- The Owner shall grade, service and seed parkland to the satisfaction of the Manager of Environmental and Parks Planning within one year of registration of the plan for the parks in that phase.
- 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 adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.
- The Owner shall construct all works within all park blocks and pathway corridors within one year of plan registration for the parks in that phase. Works will be claimable from the capital works budget based on the approved concept plans and cost estimates.

Agenda Item #	Page #

39T-11502/OZ-7921

Nancy Pasato

- The Owner shall not grade into any open space area (Block 20 and Block 21). 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 Director of Development Approvals.
- 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 ESA and PSW.
- 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 Manager of Environmental and Parks Planning.

OTHER

- The Owner will obtain the necessary permit/approvals from the UTRCA prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to watercourse and/or interference with a wetland.
- Street trees are required as per the standard cash-in-lieu subdivision clause
- The owner shall, as part of the design studies, 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 Urban Forestry 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 owner shall, as part of the design studies; and in lieu of the standard park grade, service and seed requirements; undertakes, by a Registered Professional Forester, a Hazard Tree Assessment Study for the portion of Block 20 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.

Environmental and Ecological Planning Advisory Committee (EEPAC)

We point out that the study area does not include the entire woodland nor relates it to the larger wooded areas to the north of the City boundary. This defies ecosystem planning.

We are also puzzled why the proponent does not appear to use the data collected in the EIS for the development on the east side of the woodland.

And is it too much to ask to have one map that shows the development blocks, the proposed patch boundary, the buffer and the vegetation communities?

Theme #1 –Hydrology and Storm water management

It appears that none of the submissions to date have addressed the hydrogeological long term impact of the development on the natural heritage features particularly the wetland. EEPAC notes from Figure 6 of the EIS, that for most of the southwest portion of the subject site (except for Blocks 7, 10, 16, and 17 (blocks as per the map included in October 21, 2013 letter), surface water flows towards the wetland. There is no information in the EIS about pre and post water balance for the wetland. As the UTRCA pointed out in its November 14, 2012 letter:

- There needs to be more discussion about how the wetland is being sustained. How will the sources of water be maintained (i.e. quantity, quality and timing) during and following development?
- Section 5.3 states the EIS will investigate flow through the site, south of the ponds. There was no further mention of how flow will be maintained through the site post development.

Agenda Item #	Page #

**39T-11502/OZ-7921
Nancy Pasato**

- It is frustrating to see that the recent communication (April 2014 replies to the City and the UTRCA) only discusses groundwater and not surface water.
- The previous work on the site for storm water as provided to EEPAC by city staff indicate that major flows will continue overland to existing storm water pond at Sunningdale Road. We are not clear how this will take place. EEPAC would not support any construction that would be in the Patch for outlets.

There is important information contained in the January 27, 2011 Stantec letter to City Staff entitled "Comfort Lands Subdivision Stormwater Management Strategy." Stantec estimated a post development infiltration deficit of 11,310 cubic meters per year (30% less than pre development). It recommended further detailed work in reviewing hydrogeological conditions on the site at the Design Studies stage to determine the impact of reduced infiltration on the wetland including recommendations for mitigation measures. We are unclear if this work was done and if done, why was it not referred in the work to date on this site?

We are alarmed that post development infiltration will be less than pre-development. We think waiting to the detail design stage is too late.

Recommendation 1: EEPAC recommends a hydrogeological study be required prior to zoning approval to ensure surface flows and infiltration to the wetland are maintained at pre-development levels and that the post development hydro-period be consistent with the pre-development hydro-period.

Recommendation 2: No construction be permitted in the Patch for outlet pipes.

Recommendation 3: There is a block (15?) not being considered for development at this time.

Therefore EEPAC recommends an EIS addendum be required prior to the development of this Block to determine the then present state of the wetland and the potential impact of additional development on the wetland that may be caused by continued loss of infiltration and overland flow.

Recommendation 4: The City and the proponent review the "Comfort Lands Subdivision Stormwater Management Strategy" to see what, if anything, was done to mitigate the loss of infiltration and the impact on the wetland features and functions. We anticipate this will assist in the work on this application.

Theme #2 – Patch Boundary

EEPAC appreciates the decision to revise the boundary and include the south pond as recommended by EEPAC in its September 19, 2012 review.

EEPAC also believes that the entire white pine plantation (Community 1) should be within the patch boundary as it meets Guideline 8 of the Guidelines for Assessing Ecological Boundaries of Vegetation Patches. It is for this reason that EEPAC does not accept the EIS recommendation that the pines be excluded nor the present recommendation that they be removed, particularly as we have received no information on what the proposed "naturalized edge" (page 4 and Figure 2, April 21, 2014 letter to proponent to UTRCA responses), would consist of, or of its effectiveness against encroachment including the dumping of yard waste on top of it before it has been established. In other ESAs a buffer of low growing vegetation simply does not stop adjacent homeowners from creating their own access points sometimes even landscaped access points (Kain's Woods, private land condo north of Oxford), to the natural feature.

Recommendation 5: A more detailed Environmental Management Plan be submitted and included in the conditions of draft approval and in the subsequent development agreement.

Recommendation 6: The pine trees should be retained as part of the feature and not removed.

Theme #3– Ecological Buffers and Setbacks

EEPAC agrees with the need for a 30 m buffer from the wetland feature. At the same time, EEPAC believes the EIS has incorrectly determined that no buffer is required for the Patch itself. This is in marked contrast to the buffering on the other side of the patch adjacent to the Forest Hill Estates Phase V subdivision. Stantec, in its letter to Planning staff on June 3, 2010, pointed to an average minimum setback of 13.8 metres and 10.2 metres being maintained from the wetland and woodland boundaries, respectively.

Agenda Item #	Page #

**39T-11502/OZ-7921
Nancy Pasato**

The October 21, 2013 letter from Biologic to the proponent asserts that education is sufficient protection and that because the land below the drip line was plowed, it is not necessary to follow the Guideline Document for the Determination of Ecological Buffers and Development Setbacks. The Guideline calls for a minimum 10 m setback from the drip line. EEPAC does not accept that because the land was plowed within the drip line in the past that it means that it is no longer available as buffer.

There is no evidence to date to show that the material given to new homeowners has or has not improved stewardship. From the anecdotal evidence of the actions of homeowners in the area abutting the northern part of the Medway Valley Heritage Forest ESA, it appears it is not an effective way to prevent incursions and gates with fences being installed after assumption.

EEPAC also points out that in the Scoped EIS for the Forest Hill Estates Phase V subdivision to the east, Stantec wrote:

Activities such as the dumping of garden waste, compost and other refuse, clearing and manicuring of natural areas and encroachment through the construction of structures within a natural area has direct impacts on a natural feature. Such activities result in the loss of natural vegetation and increased human activity and disturbance within a natural feature. These impacts are more pronounced where the backyards are not fenced or where the rear lot line is within the significant natural feature. (EEPAC highlighting)

In addition, Beacon Environmental, in its recent Case Study Report: EIS Performance Monitoring (draft, March 2014) study for the City of nine subdivisions and their compliance with EIS conditions, noted that buffers importantly serve as a means to avoid the most serious impacts of encroachment into a natural feature. According to Beacon, the primary function of buffers is as a zone against encroachment. Buffers must lie outside of areas designated as significant in order to provide the needed protection from encroachment plus any critical function zone that is ecologically required. (see page 63 last full paragraph of the Case Study).

Page 3 of the October 2013 letter to the proponent asserts that there are examples of sites with and without buffers in the city. However, there are no specific sites mentioned, nor information provided about pre and post development data collected to prove this point. Beacon's work clearly highlights the importance of buffers.

EEPAC also rejects the notion that "education" is sufficient. Most of the home owners in the subdivisions studied by Beacon did receive material. Beacon's work shows it has limited if any impact. With all the other material a new homeowner receives when they move in, it is unlikely the educational brochure will command much attention.

We continue to support the requirement of fencing with no gates even though there seems to be nothing to prevent the new homeowner from installing a gate subsequent to assumption.

Recommendation 7: A 10 m buffer from the drip line be the minimum buffer required for the Patch

Theme #5 – Faunal survey

EEPAC reiterates its previous position that the inventory of the subject lands is based on survey data that missed the fall period. The city's Data Collection Standards for Ecological Inventory point to a full three season inventory. We note from Stantec's work on the other side of the patch, American toad, leopard frogs, brown snake and Eastern garter snake were all found in 2009.

Dillon, in its draft report to the City on the Medway Valley Heritage Forest in 2013 noted that the benchmark protocol for amphibian studies is the Marsh Monitoring Protocol outlined in the March Monitoring Program training Kit and Instructions for Surveying Marsh Birds, Amphibians and their Habitats (Bird Studies Canada et al, 2008). It requires three surveys from mid-April to late June to identify early, middle and late breeders. It is not clear to us if doing two surveys in 2006 (June 8 and 21) and two surveys in 2009 (April 16 and May 20) meet the recommendations of the Protocol or of the requirements of the City.

Recommendation 8: EEPAC recommends a fall faunal survey

Recommendation 9: EEPAC recommends a one season amphibian survey according to the March Monitoring Protocol.

Agenda Item #	Page #

**39T-11502/OZ-7921
Nancy Pasato**

Theme #6 - Mitigation and Protection during and post construction

EEPAC is disappointed with the limited information about protecting the natural heritage feature after development. The EIS indicates that there are opportunities to address the conservation focus of a number of Partner in Flight (PIF) birds but there are no plans or suggestions for how to put this idea into action other than a general reference to the Environmental Management Plan, which, we point out, is a general timetable for actions to be taken.

Traditionally, Environmental Management Plans from previous EIS work in London has have suffered from incomplete work, a lack of follow up and the lack of sufficient security to do any remediation.

As the requirements of an Environmental Management Plan will likely be passed on from the proponent, to someone else to do the actual development and building, we believe the requirements need to be clear, detailed and supported with sufficient security to repair any failures in carrying out the Plan.

EEPAC also believes there are opportunities to protect the features and functions of the Patch during and post construction.

Recommendation 10: Any plantings should be non- invasive native species consistent and appropriate with an area associated with a woodland adjacent to a wetland.

Recommendation 11: Clean Equipment Protocol should be followed during construction.

Recommendation 12: Buckthorn removal/herbiciding by the proponent or developer should be a condition of any transfer of ownership to the City.

Recommendation 13: A clear and detailed plan to address the conservation focus of PIF species, including timelines, monitoring, responsibilities for doing and paying for, must be a condition of development

Recommendation 14: A plan for monitoring the natural features must be a condition of development. This plan should include timelines (including the frequency of monitoring and reporting), the responsible party for action and for payment (city or developer).

Theme #7 – other matters

EEPAC agrees with the UTRCA and city staff (as mentioned in the October 21, 2013 letter to the proponent) that no trail system be developed.

Recommendation 15: A Guideline for trail planning for Significant Woodlands be developed prior to trails being introduced to woodlands designated as significant on Schedule B-1 of the Official Plan.

Upper Thames River Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed the April 21, 2014 submission prepared by Biologic titled Response Letter to UTRCA Comments February 5, 2014... While we appreciate the effort that has been made, the Authority continues to have concerns regarding this development which as proposed, does not in our opinion provide adequate protection for the significant natural heritage features that are located on the site.

In reviewing the plan of subdivision, we note that Block 12 encroaches into the 30 metre setback intended to protect the Provincially Significant Wetland. As a condition of draft plan approval we request that Block 12 be redlined so that the 30 metre setback/buffer is included entirely within Block 21 - Open Space.

Similarly, Block 15 needs to be redlined because this (future development) block encroaches into the significant woodland in two locations as does a small portion of Block 14 (the area where a holding provision is proposed). All of the significant woodland and the buffers should be included in the Block 21 - Open Space.

The proponent continues to disagree with both the City and the UTRCA regarding the need for a buffer to protect the Significant Woodland on the site including Communities 1 and 6. We understand that the City's Parks Planning Unit has recommended (in memo dated June 19, 2014) that the delineation of the feature be revised to include the dripline of these communities

Agenda Item #	Page #

39T-11502/OZ-7921

Nancy Pasato

and to apply a 10 metre buffer to those features. We concur with Parks Planning and recommend that this provision be included as a condition of draft plan approval. If the buffer size is disputed and a size of less than 10 metres is proposed, the Authority will require the completion of a full 3 season inventory of the flora on the site as we have advised the applicant that the September 18th inventory that has been provided is not adequate.

The responses that have been provided with respect to the wetland and the seeps including flow and water balance have not been adequately addressed. Therefore, as a condition of draft plan approval, the UTRCA requires a consolidated Environmental Impact Study (EIS) which addresses our outstanding concerns which potentially could result in a further redlining of the plan.

With respect to Block 15, the zoning for this block should include a provision for the future redevelopment of these lands which should include the need for a Hydrogeological Study as well as an EIS. We understand that a holding provision is proposed for Block 14 as the consultants have indicated that the details of Area 5 within Block 14 have not been provided. We request that the zoning for Blocks 14 and 15 stipulate that the required technical studies are to be prepared to the satisfaction of both the City and the UTRCA.

The UTRCA also requests to be included in the review and approval of the Stormwater Management Plan, the Lot Grading Plan and the Drainage Plan for this proposed development.

Lastly, in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent(s) is required to obtain the necessary permit/approvals from the UTRCA.

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 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 (submitted November 2, 2011)

In view of the many site constraints, we wish to withdraw our request dated September 21, 2011 for a new public elementary school site to be reserved within the subject plan 39T-11502.

Agenda Item #	Page #

39T-11502/OZ-7921
Nancy Pasato

Due to current school overcrowding in the North London area, we plan to contact the Owner of subdivision 39T-05510 (Z-Group) and initiate discussions to complete the purchase of the reserved school site.

Board staff project the need to also reserve new elementary school sites within the Fox Hollow and Sunningdale Planning Districts as soon as the draft plans of subdivision are circulated for comment.

We are seeking your assistance and cooperation in the reservation of new public elementary school sites within the North London area.

Canada Post – August 27, 2014

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post :

- a) include on all offers of purchase and sale, a statement that advises the prospective purchaser :
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) the owner further agrees to :
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii) install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in affect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

Agenda Item #	Page #

**39T-11502/OZ-7921
Nancy Pasato**

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

Barry Card, on behalf of 410437 Ontario Limited

My client is the beneficial owner of certain land within the subject area. My client supports the proposed draft plan of subdivision and related amendments, provided that the following issues are properly addressed:

7. The draft plan should identify Block 12 for "Low Density" use. The reference to "Existing Residential" should be deleted. There is an existing dwelling; however, this is to be incorporated in to the proposed development.
8. The road access for Block 12 to Street" D" must be confirmed as adequate for development at the proposed density from a transportation/planning perspective (volumes, sight lines, etc.).
9. The "frontage" or Block 12 along Street" D" must be sufficient for the creation of a public street (by resubdivision of Block 12).
10. Services must be provided to Block 12 to allow development to the maximum permitted density.
11. The suitability of the easterly boundary of Block 4 must be confirmed (shallow depth, different zones than Block 12 - may require reconfiguration).
12. The details of the site specific designation and zone must be settled.

Please circulate by mailed notice in regard to proposed amendments, meetings and approvals.