

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES INC. 1551 BLACKWELL BOULEVARD PUBLIC PARTICIPATION MEETING ON MAY 4, 2015

RECOMMENDATION

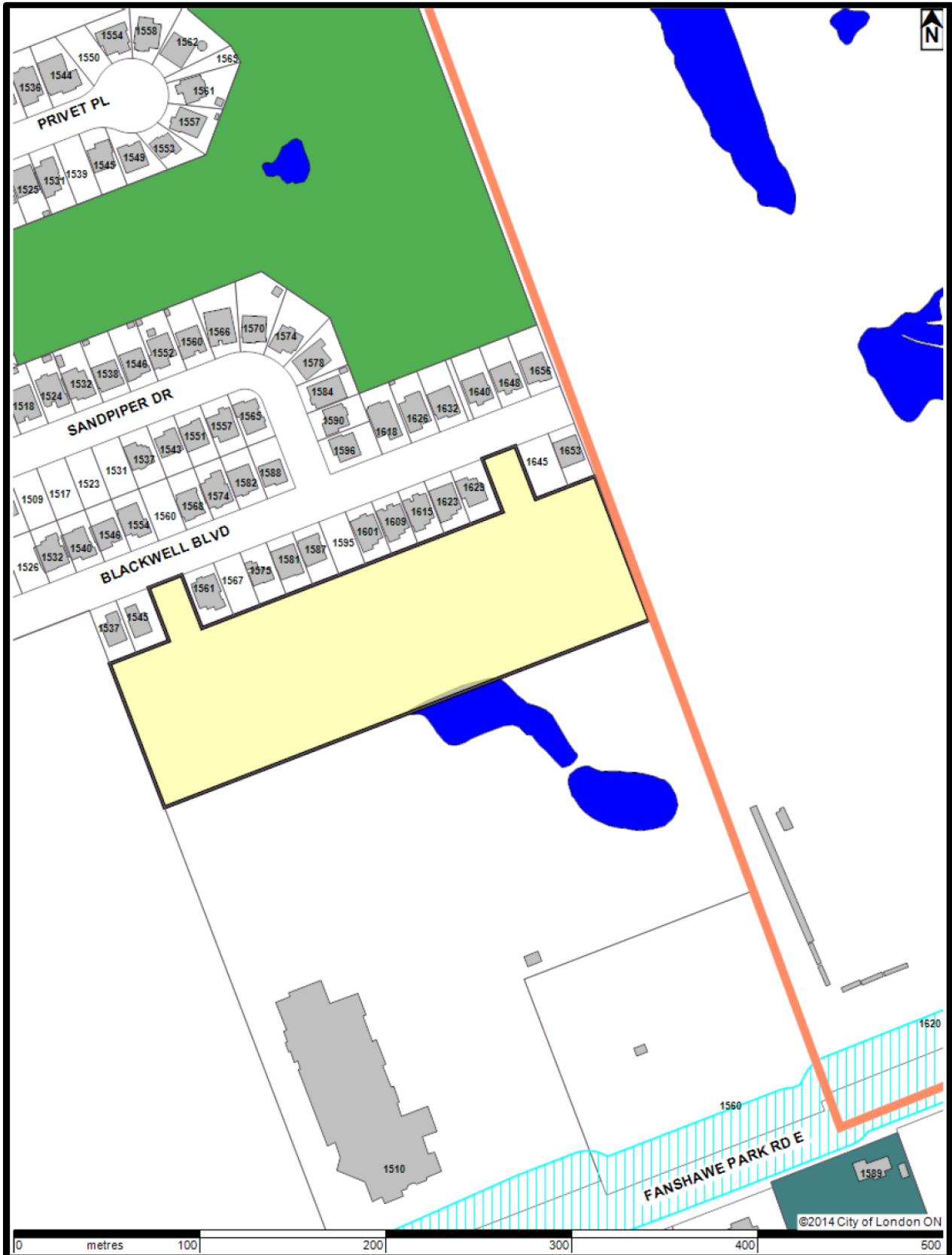
That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Inc. relating to the property located at 1551 Blackwell Boulevard:

- (a) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application by Sifton Properties Inc. for draft plan of subdivision relating to the property located at 1551 Blackwell Boulevard;
- (b) The Approval Authority be advised that Council **SUPPORTS** issuing draft approval of the proposed plan of residential subdivision, as submitted by Sifton Properties Inc. (File No. 39T-08504, prepared by Delcan, certified by Robert Stirling, OLS, FKS Land Surveyors, as redline revised which shows 33 single detached lots served by two (2) new local streets, **SUBJECT TO** the conditions contained in the attached **Appendix "39T-08504"**;
- (c) the proposed by-law attached hereto as **Appendix "C" BE INTRODUCED** at the Municipal Council meeting on May 12, 2015 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Residential R1/Residential R7/ Neighbourhood Facility (h.*h-45*R1-4/R7 D75 H13/NF1) Zone **TO** a Holding Residential (h*h-45*R1-4) Zone which permits single detached dwellings on lots with a minimum lot frontage of 12 metres and a minimum lot area of 360 m²; and
- (d) the applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in **Appendix "A"**.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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February 27, 2012- Report to Planning Committee

August 11, 2008 – Report to Planning Committee



LOCATION MAP
 Subject Site: Fanshawe Ridge Subdivision - Draft Plan of Subdivision
 Applicant: Sifton Properties Limited
 File Number: 39T-08504
 Planner: Craig Smith
 Created By: Craig Smith
 Date: 2014-12-01
 Scale: 1:2500

- LEGEND**
- Subject Site
 - Parks
 - Assessment Parcels
 - Buildings
 - 123 Address Numbers

Agenda Item #	Page #

File: 39T-08504/Z-7521
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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the proposal is to develop a subdivision with 33 single detached lots, served by two (2) new local streets.

RATIONALE

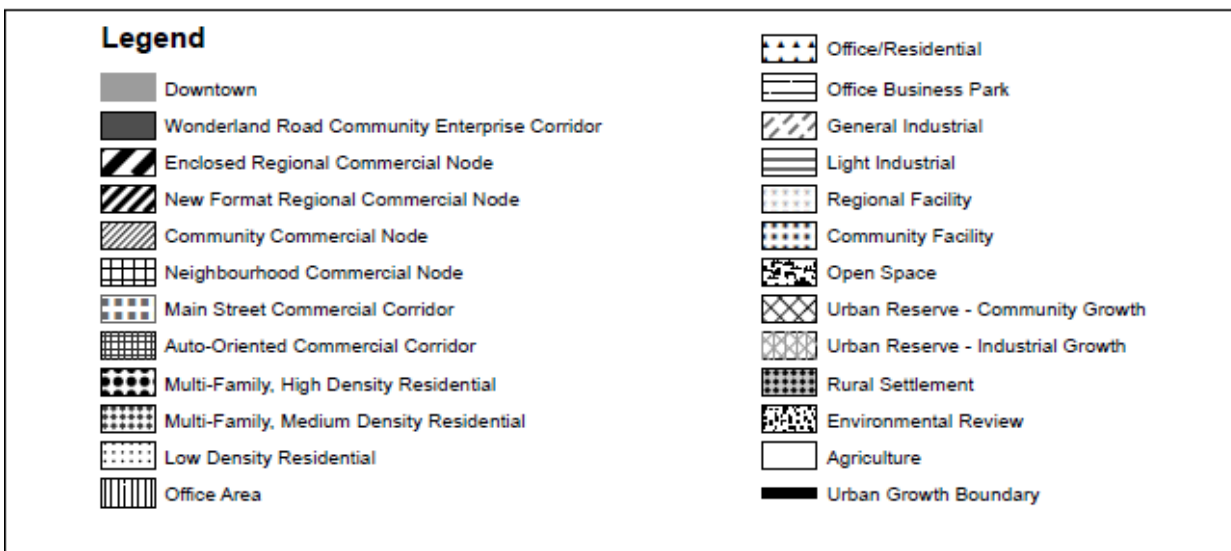
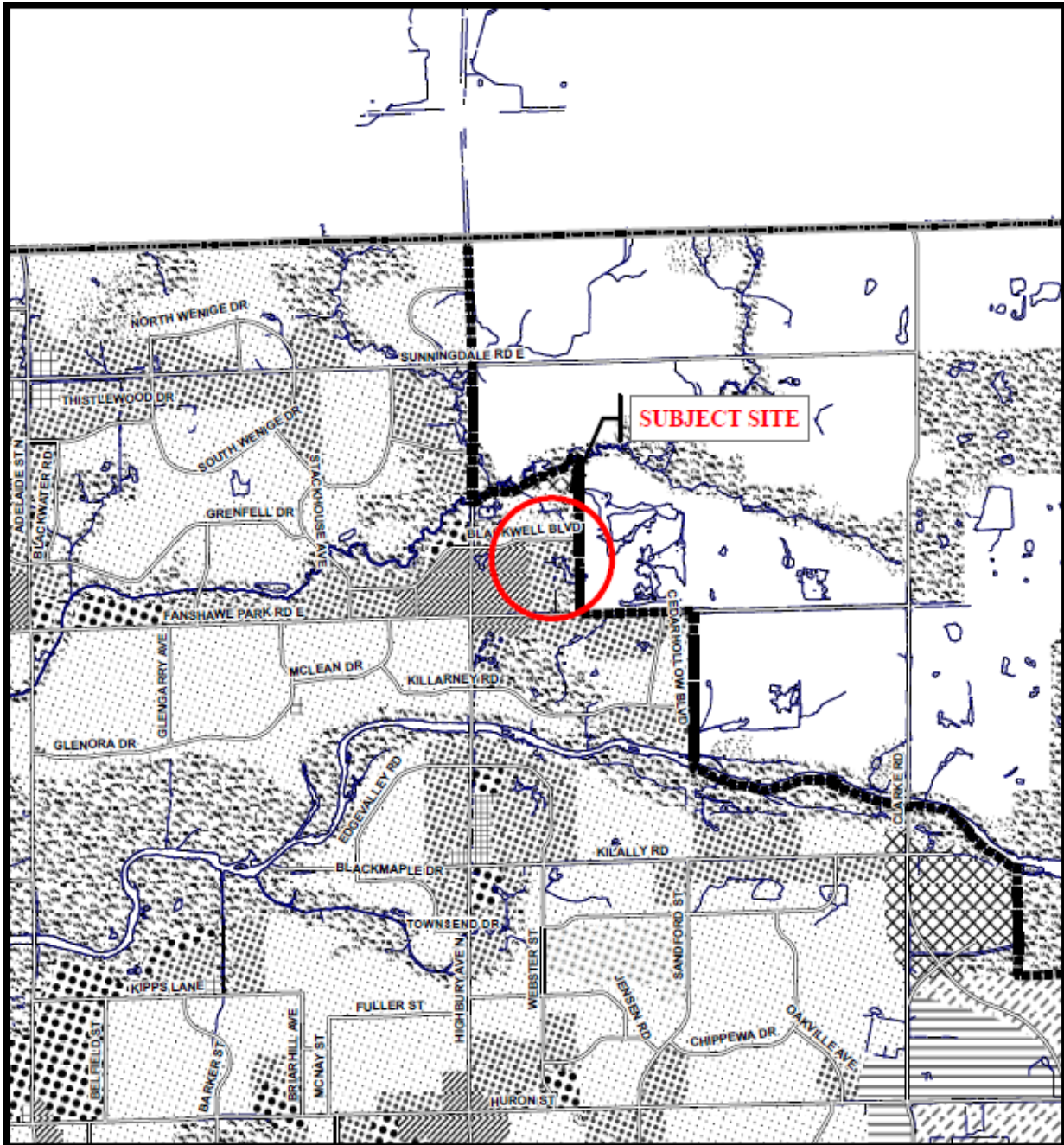
1. The proposed draft plan is consistent with the Provincial Policy Statement which encourages appropriate residential intensification.
2. The requested single detached residential use is permitted under the Multi-Family, Medium Density Residential designation.
3. Conditions of draft plan approval and existing zoning contain provisions which will ensure development of the lands for sensitive land uses does not occur until noise and dust mitigation measures are in place both physically on the ground and through warning clauses in the subdivision agreement.
4. Conditions of draft approval and recommended zoning contain provisions which will ensure future development of the lands does not impact storm flows on abutting lands.
5. Conditions of draft approval contain provisions which will ensure access will be provided to the lands to the south for future residential development.
6. Removal of the Residential R7/Neighbourhood Facility (R7*D75*H13/NF1) Zones is appropriate as the applicant has indicated their intended future land use is for single detached dwellings only.

BACKGROUND

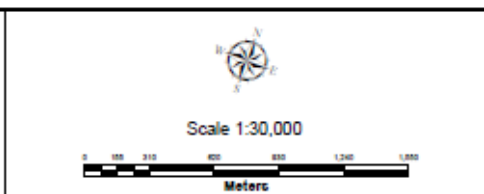
Date Application Accepted: January 9, 2013	Agent: Maureen Zunti, Sifton Properties
REQUESTED ACTION: application for a draft plan of subdivision & zoning by-law amendment to permit the development of a 33 lot subdivision.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - Vacant • Frontage – 38 m (124.6 ft) to planned extension of Blackwell Boulevard (two 19 m (62 ft) road connections • Depth – 113 m (370 ft.) • Area – 2.42 ha (6.0 ac) • Shape – Generally rectangular with two road allowance projections •

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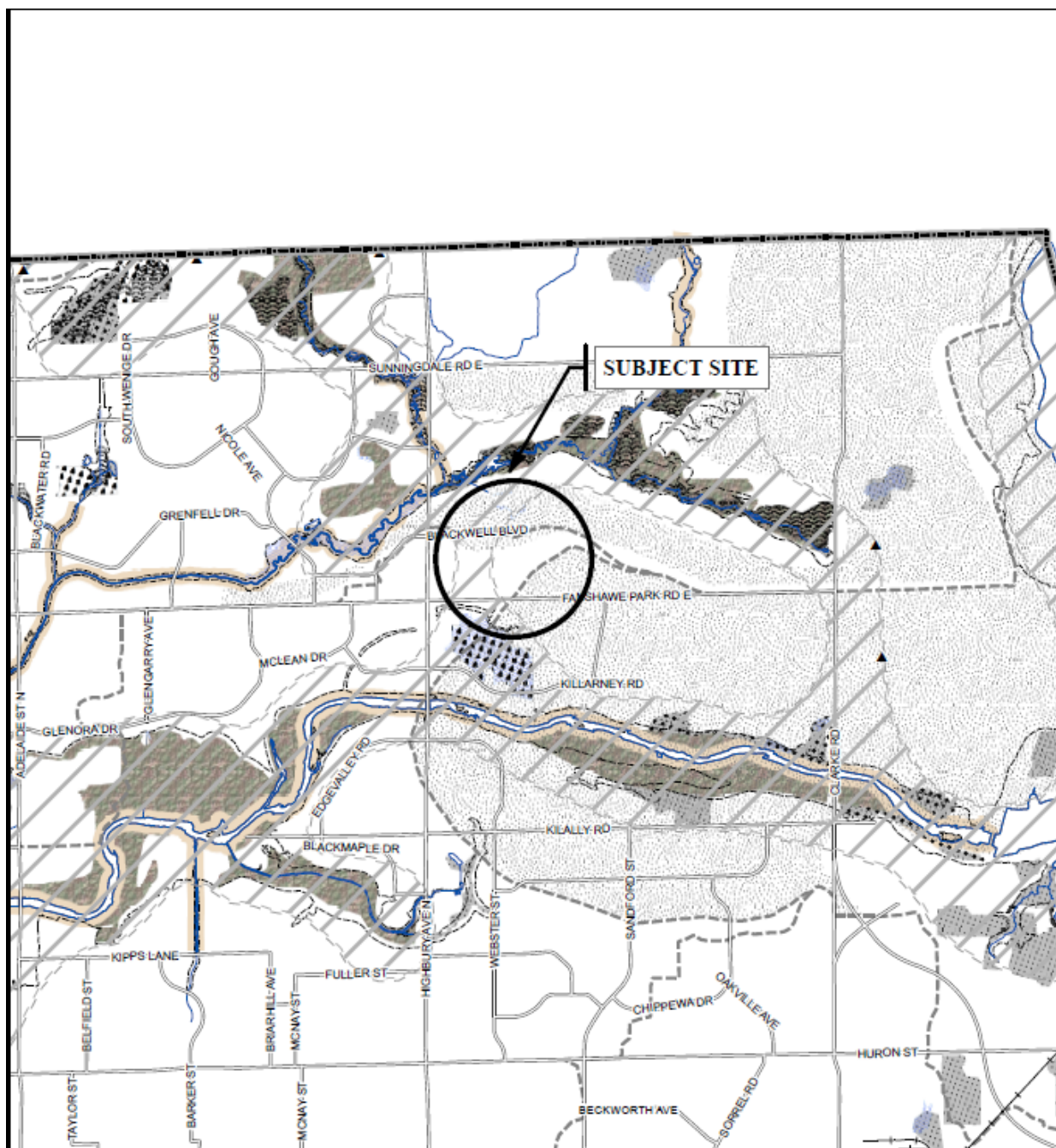


CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
PREPARED BY: Graphics and Information Services



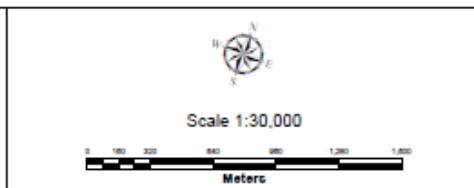
FILE NUMBER: Z-7521
PLANNER: CS
TECHNICIAN: JS
DATE: 2015/04/16

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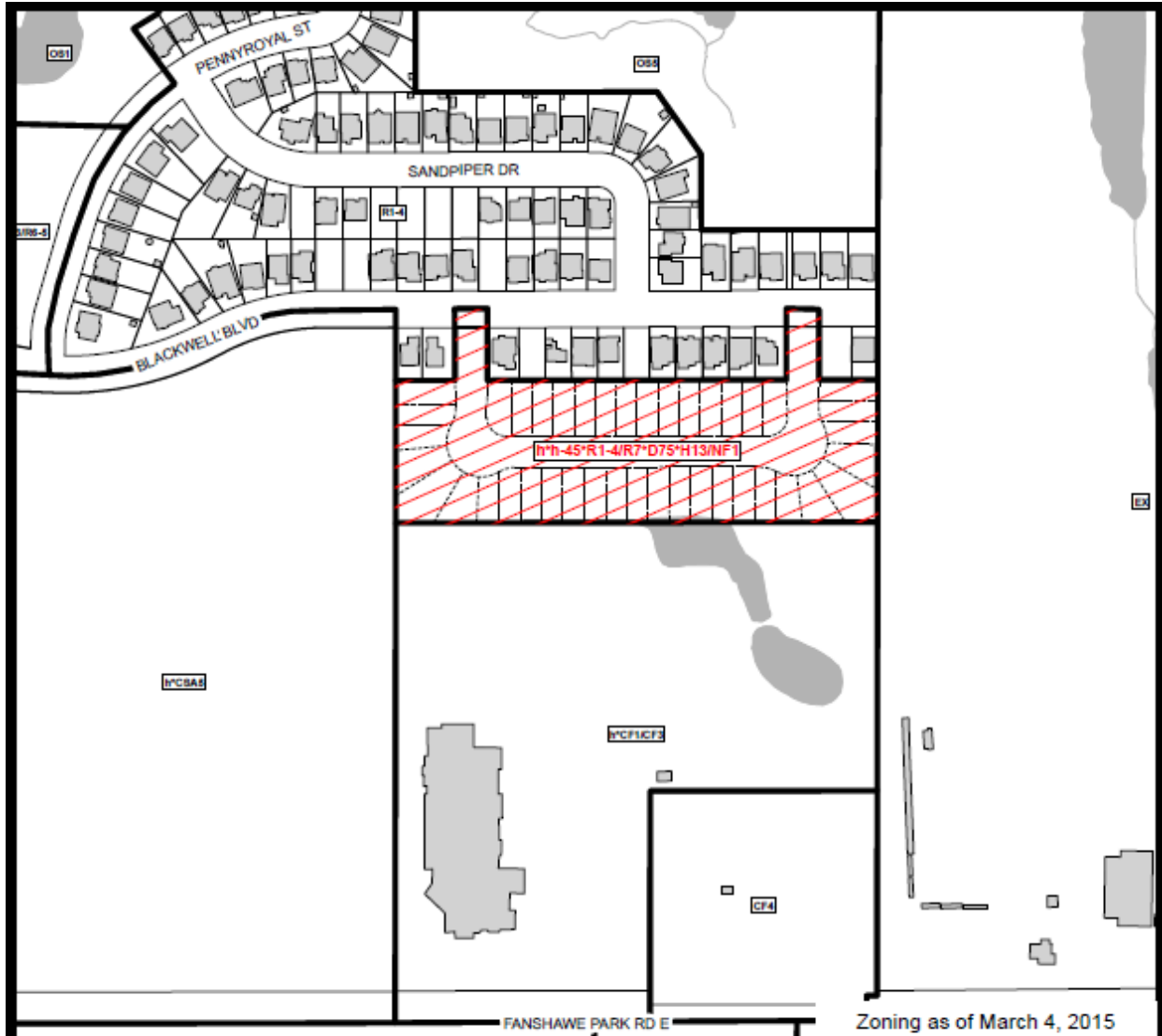
<p>NATURAL HERITAGE SYSTEM</p> <ul style="list-style-type: none"> ESAs Potential ESAs Significant Woodlands Woodlands Unevaluated Vegetation Patches Significant River, Stream, and Ravine Corridors Unevaluated Stream and Ravine Corridors Provincially Significant Wetlands Locally Significant Wetlands Unevaluated Wetlands Potential Naturalization Areas Potential Upland Corridors Ground Water Recharge Areas 	<p>NATURAL HAZARDS</p> <ul style="list-style-type: none"> Maximum Hazard Line <p><small>NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.</small></p> <p><small>NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.</small></p>
<p>Base Map Features</p> <ul style="list-style-type: none"> Railways Water Courses/Ponds Streets (refer to Schedule "C") Conservation Authority Boundary Subwatershed Boundary Big Picture Meta-Cores and Meta-Corridors 	

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE B1
- NATURAL HERITAGE FEATURES -
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-7521
PLANNER: CS
TECHNICIAN: JS
DATE: 2015/04/17

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Zoning as of March 4, 2015



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R8 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:

Z-7521

CS

MAP PREPARED:

2015/04/16

JS

1:3,500

0 15 30 60 90 120

Meters

Agenda Item #	Page #

File: 39T-08504/Z-7521
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SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Residential subdivision under construction • South – Institutional (church) on private services • East – Aggregate extraction operation • West – Vacant (zoned for future commercial development)

OFFICIAL PLAN DESIGNATION: (refer to attached map)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to attached map)
Holding Residential R1/Residential R7/ Neighbourhood Facility (h. h-45 R1-4/R7 D75 H13/NF1)

PLANNING HISTORY

Draft Plan

The subject lands were part of a larger plan of subdivision application which was originally submitted by Pittao Construction Ltd. in 2001. The original submitted plan contained 130 single detached dwelling lots, 1 medium density residential block, 1 medium density residential/institution block (subject lands) and several open space, stormwater management, road widening and reserve blocks. The plan of subdivision application by Pittao Construction Ltd was granted draft approval on December 2, 2003.

The first phase of the Pittao subdivision which consisted of 65 single family detached lots, 1 medium density residential block, 1 stormwater management block, 1 park block and 1 open space block served by 4 new streets (including Blackwell Boulevard), was registered in June 2006 as plan 33M-548.

A three year extension to the draft approval was granted in 2006 to allow sufficient time to obtain the necessary approvals for future phases. The draft approval expiry date for 39T-01509 was December 2, 2009. Sifton did not seek a further extension of the draft approval and draft approval on this block has lapsed.

The initial report for this draft plan was presented to Planning Committee on August 11, 2008. At that time a number of issues were raised by the property owner to the south, North Park Community Church. Their issues revolved around servicing, access and other potential impacts this development may have on their lands. As a result, the subdivision application was deferred by Planning Committee to allow time for the applicant and the adjacent land owner to try and address these issues. Due to a downturn in market conditions, Sifton Properties requested that their application be placed on hold until such time as the market improved.

In April 2009 an information report on the application was brought forward to public participation meeting. On April 29th, 2009 Council resolved that:

- (a) on the recommendation of the General Manager of Planning and Development, the report dated April 6, 2009 be received for information; it being noted that the application will be placed on hold at the request of Sifton Properties Limited;
- (b) Planning and Development staff be requested to provide a report at a future meeting of the Planning Committee with respect to the status of negotiations between Sifton

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

Properties Limited and North Park Community Church relating to a possible public road connection on the property line of the two properties; and

- (c) the General Manager of Planning and Development be requested to arrange a public participation meeting of the Planning Committee for consideration of the site plan for this application, at such time as the application proceeds;

As per the Council resolution, the application was placed on hold and was brought back to a further public participation meeting on February 27, 2012. The application was then referred to the March 20, 2012 Planning and Environment Committee meeting which was then referred to the April 16, 2012 Planning and Environment Committee meeting. No report was before the Planning and Environment Committee meeting on April 16, 2012 and no further direction was given by Council.

The property owner resubmitted a revised plan in August 2013, a notice of application for draft plan of subdivision and a further revised plan was submitted in November 2014 and a further revised notice of application was circulated at that time.

As per clause b) of Council's April 29, 2009 resolution, the property owner and North Park Community Church have met. The proposed redlined revised road allowance that terminates at the property line is the resolution of those discussions. Conditions of the draft approval will ensure that an access can be provided to facilitate potential future residential development on the North Park Community Church's property to the satisfaction of the City.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Development Services- Development Engineering

Servicing Related Comments

Sanitary

- Connect to the existing the 200 mm (8") diameter sanitary sewer located on Blackwell Boulevard.

Stormwater

- To serve the plan construct storm sewers and connect to the existing municipal storm sewer system, namely, the 450 mm (18") and 750 mm (30") diameter storm sewers located on Blackwell Boulevard and outletting to the Regional SWM Facility located in Fanshawe Ridge Subdivision, Block 67, Plan 33M-548

Water

- Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 200 mm (8") diameter watermain stubs on Blackwell Boulevard on the east and west side of the proposed crescent.

Transportation

- The Owner shall design the roadworks in accordance with the following road widths:
 - Street 'A' and Street 'B' have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').
- The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on Street 'B' in this plan of subdivision.

The Owner shall limit/eliminate the bulge in the curb line on Street 'B' to only a maximum offset from the standard radius required to achieve the minimum curb distance for

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

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.

- The Owner shall place a barricade on the south limit of Street 'A', to the satisfaction of the City Engineer
- The Owner shall locate the driveway for Lot 5 close to the north property line for the purpose of accommodating snow storage, to the satisfaction of the City
- The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:
 - Street 'A' – west boulevard
 - Street 'B' south and east boulevards

Staff Response: Conditions to support the Engineering comments have been added to the draft plan and addressed through specific holding provisions attached to the zoning.

Upper Thames River Conservation Authority (UTRCA)

The UTRCA has no objections to this application.

City of London Environmental Parks Planning

The owner shall make a cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law CP-9.

Staff Response: proposed draft plan condition 12 addresses this comment.

Canada Post

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

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

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

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 effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Staff Response: proposed draft plan condition 13 addresses this comment.

PUBLIC COMMENTS

PUBLIC LIAISON:	On August 8, 2013 and November 28, 2014 notice for draft approval and zoning by-law amendment was circulated to all property owners within 120m of this property. On August 15, 2013 and December 11, 2014 notice of draft approval and zoning by-law amendment was advertised in the Londoner.	2 replies
Nature of Liaison: The purpose and effect of the proposal is to develop a subdivision with 33 single detached lots, served by one new local street.		
Responses: <ul style="list-style-type: none"> • Zoning would permit lots not the same size as the existing subdivision to the north; and • North Park Community Church: <ul style="list-style-type: none"> ○ Provide a public road access ○ Mitigate SWM without the use of a retaining wall ○ Enter into an agreement for works on NPCC lands to facilitate SWM 		
Comments are attached as Appendix "B"		

ANALYSIS

Subject Site

The subject site is located on the south side of Blackwell Boulevard, east of Highbury Avenue North. The site is approximately 2.4 hectares in size, with two 19 metre frontages on Blackwell Boulevard. The proposed draft plan of subdivision site is located north of North Park Community Church. It is surrounded by single detached residential uses to the north, aggregate industrial operation to the east and a future commercial block to the west.

PROVINCIAL POLICY STATEMENT (2014)

This application has been reviewed against the 2014 PPS and it is staff's opinion that the proposed subdivision is consistent with, and generally conforms to, the Provincial Policy Statement.

The proposed use achieves objectives for efficient development and land use patterns, represents a form of intensification of a vacant parcel of land which is located within the City's urban growth area, utilizes existing public services and infrastructure, and maintains appropriate

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

levels of public health and safety. The use of holding provisions will ensure that sensitive land uses developed adjacent to the existing aggregate operation will be protected with appropriate mitigation measures.

Based on staff's analysis, this draft plan is consistent with the 2014 Provincial Policy Statement.

OFFICIAL PLAN POLICIES

The subject lands are designated Multi-Family Medium Density Residential. A portion of these lands are also identified on Schedule B of the Official Plan as being within a groundwater recharge area. In addition to the general land use policies, there is also a specific policy which was developed for this area through the Kilally North Area Plan. The following analysis will address the general land use policies and provide an analysis of this development in light of the specific policy which was developed as a result of the Kilally North Area Plan process.

Multi-Family Medium Density Residential

The Multi-Family Medium Density Residential designation, which applies to the majority of this site, permits multiple-unit residential developments having a low rise profile, at a maximum density of 75 units per hectare (uph). Uses may include row houses, cluster houses, low-rise apartment buildings and certain specialized residential facilities such as small scale nursing homes. This designation also permits uses found within the Low Density Residential land use designation such as single detached, semidetached and other forms of low density residential uses. The applicant's proposed Draft Plan of Subdivision and associated Zoning By-law amendment to permit single detached dwellings conforms to the Multi-Family Medium Density Residential policies in terms of building form and density.

Schedule "B" - Floodplain and Environmental Features

Schedule "B", Flood Plain and Environmental Features, identifies a portion of the site being within a ground water recharge area. Development is permitted on areas identified as ground water recharge provided the hydrological function is protected. The conditions of draft approval for 39T-01509 requires a detailed hydrogeological investigation to be carried out to determine the effect of construction on existing groundwater elevations. To ensure conformity with Section 15.4.8 of the Official Plan, this requirement will also be applied to this subdivision.

The proposed plan and conditions of draft approval, and the recommended zoning by-law amendment will result in development which conforms to the policies of the Official Plan.

Specific Kilally North Official Plan Policy

Section 3.5.15 of the Official Plan is specific to the Kilally North Planning Area. It states that development in the area shall have regard for mitigation of noise and dust impacts from nearby extractive industrial operations. Specifically, it states that prior to a rezoning or final approval of a plan of subdivision within 300 m (984 ft) of an Extractive Industrial Area or Aggregate Resource Area, a noise, dust and vibration impact study shall be completed and recommended setbacks for development or mitigation measures contained therein shall be carried out to the satisfaction of the City of London at the sole cost of the proponent of the development. In addition, it requires the developer of residential lands to notify prospective lot purchasers of potential noise and dust impacts associated with the extraction. In order to comply with this site specific policy, Holding Provision h-45 was applied to these lands as part of the original draft approval (39T-01509). In 2006 Pittao Construction Ltd (original owner) provided a noise and dust study in response to this holding provision.

Results of Noise Study

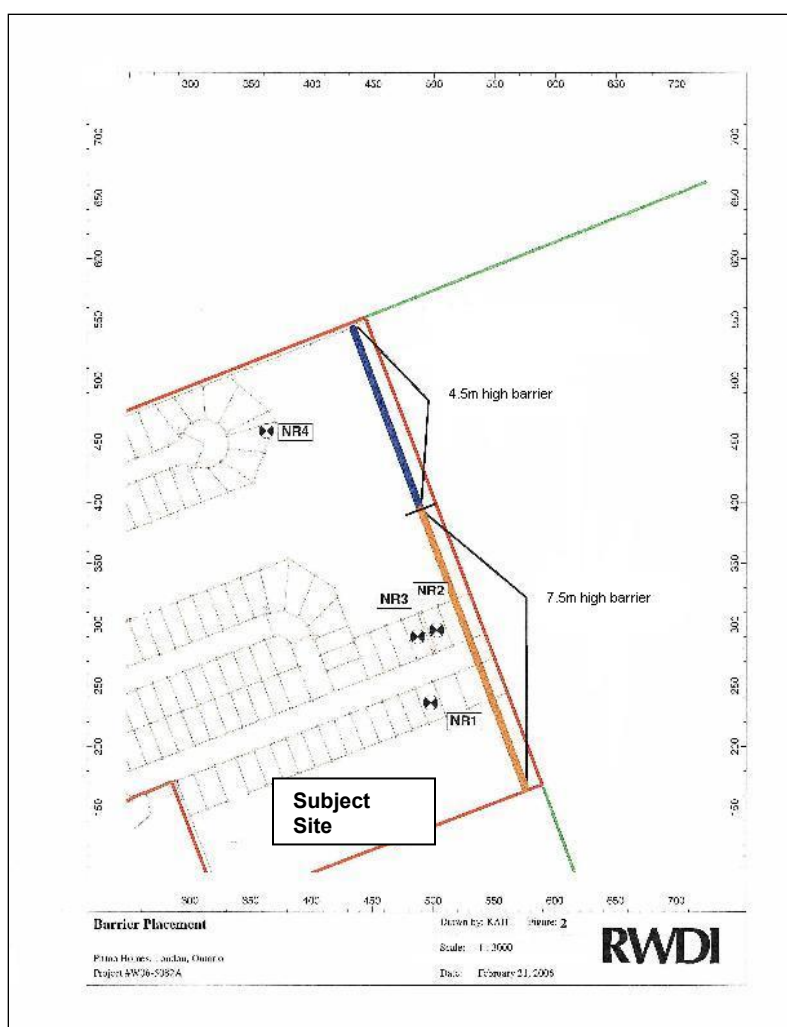
On May 1, 2006, RWDI Consulting Engineers and Scientists submitted a noise study report on behalf of the property owner. The noise study concluded that to achieve acceptable sound levels a barrier would be required at the property line between the Fanshawe Ridge Subdivision and the J-AAR aggregates site. The barrier would be required to have a height of 7.5 m at the

Agenda Item #	Page #

File: 39T-08504/Z-7521
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south end of the site, and 4.5 m at the north end (see drawing below). A suitable barrier could be constructed either by erection of an earthen berm, a wall, or a combination of the two. A combination berm and wall barrier would consist of an acoustic barrier wall being constructed on top of a berm. Berms are typically constructed during removal of overburden and prior to the start of excavation. To construct a 7.5 m high berm with an appropriate slope, it was expected that lots 15, 16, 17 and 18 within draft approved plan 39T-01509 would be lost to the base of the berm, as well as a section of Block 132 (subject lands) and Block 135 (open space lands to the north). Use of a wall could eliminate some loss of usable land. Given the requirements for a noise wall it is recommended that the h-45 holding provision be applied to the entire site until such time as the noise wall/berm has been installed.

Proposed Berm Size and Location



Results of the Dust Study

In their February 24, 2006 dust report, RWDI noted that during the spring, summer and autumn in London, the wind most often (60%) comes for the southwest, west and northwest direction. When these wind directions occur, dust emissions from the aggregate operation facility are directed away from these lands.

RWDI provided the following discussion on measures to reduce the potential negative impacts from dust generated on-site.

- 1. Land-use Buffer.** Typically, it is desirable to provide separation distance between residential uses and active areas of aggregate operations as an effective means of mitigating dust impacts. It reduces the aggregate operator's level of effort for dust control to a more manageable level. An approximate rule of thumb based on RWDI's past experience in assessing the potential for dust impacts from pits and quarries is 300 m. In

Agenda Item #	Page #

**File: 39T-08504/Z-7521
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the present case, such a buffer could only be achieved by agreement with J-AAR to cease regular operations in the northwest portion of their site.

- 2. Operational Control.** If Item 1 (above) is not possible, then another option would be to seek an agreement from J-AAR to avoid operations in the northwest part of their site whenever the weather is deemed to be dry and the prevailing winds are from easterly, southeasterly or northeasterly directions.
- 3. Monitoring.** If neither Item 1 nor Item 2 (above) is feasible, then RWDI would recommend that a dust monitoring program, over a period of a few months during the summer season, be conducted to indicate whether or not the level of activity in the northwest part of the J-AAR site and the current dust control practices are sufficient to minimize the potential for dust impacts.
- 4. Trees and Other Landscaping.** Trees can be very effective at intercepting airborne dust, and a buffer area that is well treed can be significantly smaller than 300 m (on the order of 50 to 100 m). However, a newly planted tree screen typically requires many years of growth before it is effective for dust control. Coniferous trees are more effective than deciduous trees at intercepting airborne dust, but tend to grow more slowly. Often, a mixed planting of coniferous trees, deciduous trees and shrubs provides the most effective barrier. Berms are generally not very effective at dust control unless they are combined with significant tree planting. Unless the remaining life of operations in the northwest part of the aggregate site is a relatively small number of years, then RWDI recommend tree planting as a long-term measure in conjunction with any of the previous recommendations.
- 5. Warning Clause.** The potential for dust impacts will be limited to days when operations take place in the northwestern part of the AAROC site, the weather is dry and the prevailing wind is from the southeasterly, easterly or northeasterly directions. These conditions will coincide only some of the time. In addition, the dust emissions from aggregate operations consist mainly of relatively large particles that are not readily inhaled into the lungs. These factors indicate that the dust emissions are not a concern in terms of effects to human health. The concern is more related to nuisance effects such as dust on cars, windows, gardens, etc. A common technique in dealing with nuisance factors is to incorporate warning clauses on the titles of the residential properties, so that buyers are forewarned of potential for nuisance dust. Warning clauses would be appropriate in conjunction with the previous recommendations.

RWDI noted in their addendum to the noise report that if there is no further mining activity in the western portion of the J-AAR site (including mining, haul routes, crushing or screening, then no berm would be required along the boundary between the aggregate site and the residential subdivision. Based on this, staff recommends that the holding provision relating to noise and dust for the southern half of the draft plan be retained until such time as the property owner and J-AAR address this issue through an application to the Ministry of Natural Resources to amend their aggregate site plan to eliminate the mining activity in this area. Alternatively, the site plan could also be amended to allow for the construction of a berm on the J-AAR site to address the noise and dust issues. Once the issue of noise and dust has been adequately addressed, an application to remove the holding provision (h-45) for these lands may be brought forward for consideration.

SUBDIVISION DESIGN

At the time draft approval of file 39T-01509 was granted, a concept plan was submitted showing how the subject lands might develop for single detached dwellings. That plan showed functional single detached dwellings lots on a crescent. It did not include a vehicular or pedestrian connection to the lands to the south. The applicants proposed plan is consistent with the earlier concept.

Agenda Item #	Page #

**File: 39T-08504/Z-7521
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Street Design

This draft plan will include two (2) new streets which connect to Blackwell Boulevard. The City of London Transportation Division has noted that the bulge in the curb-line on Street “B” must be reconfigured to meet City standards. Street “A” will terminate at the south property line. Street “A” will provide for vehicular access to the North Park Community Church lands if in the future the lands are developed for residential development. A condition of draft approval requires the driveway on proposed lot 5 to be located on the north side to allow for snow storage.

The road alignment and bulge reconfiguration will be addressed through redline amendments to the draft plan.

Lotting Pattern

The applicant has proposed a mix of lot frontages (13.8 m to 18.5 m) which will accommodate a variety of housing styles and designs. The lot frontages shown on the plan are consistent with the existing single detached form of development to the north.

Connectivity

Vehicular Access

Representatives of North Park Community Church expressed concern over the lack of vehicular access from this proposed draft plan to the Church lands (immediately to the south). They note that should they wish to develop the northern portion of their site for multi-family residential development at some point in the future, a separate access would be necessary.

The property owner, North Park Community Church and City staff have met to discuss a resolution of this issue. The proposed redlined revised road allowance that terminates at the property line is the resolution of those discussions. Conditions of the draft approval will ensure that an access can be provided to facilitate residential development on the North Park Community Church’s property, if proposed in the future, to the satisfaction of the City.

Development Services Staff have consistently identified concerns with allowing an access to the Church’s lands from Blackwell Boulevard as the levels of traffic generated by Church could have significant impact on this low density neighbourhood. The Church has assured staff (and the applicant) that it is not the intent to use the access for Church use. In order to ensure that this does not occur staff are recommending that access to the Church lands from Street “A” be controlled until such time as development plans are brought forward by the Church to determine the impacts on this single detached neighbourhood.

Development of Adjacent Lands

The west portion of the site abuts a 10.5 ha (26.1 ac) property planned to accommodate 30,000 m² (322,930 ft²) of general commercial uses. There is no active site plan application submitted or approved for the commercial lands to date. There are numerous situations in the City where single detached dwellings abut Community Shopping Centre nodes and traditional mitigation measures include fencing, screening controlling lighting and in some instances noise attenuation barriers. Measures to ensure the impacts from the planned commercial centre are appropriately addressed will be dealt with in the future as part of the site plan review for the commercial block.

OPEN SPACE AND ACTIVE PARKLAND

There is some Open Space and Parkland available for these residents to the north within draft plan 39T-01509 and registered plan 33M-548. As not all of the parkland dedication was provided for in the original draft approval, cash-in-lieu of parkland dedication will be required for this development.

SERVICING

Sanitary Servicing

The Owner shall connect sanitary sewers to serve this plan to the existing sanitary sewer on

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

Blackwell Boulevard (200 mm (8 ") diameter).

North Park representative have requested that the applicant be required to construct a sanitary stub to the northern limit of their property. Street "A" will terminate at the property boundary. Lots 4 and 5 will be connected to the sanitary sewer extension in Street "A"

Stormwater Management

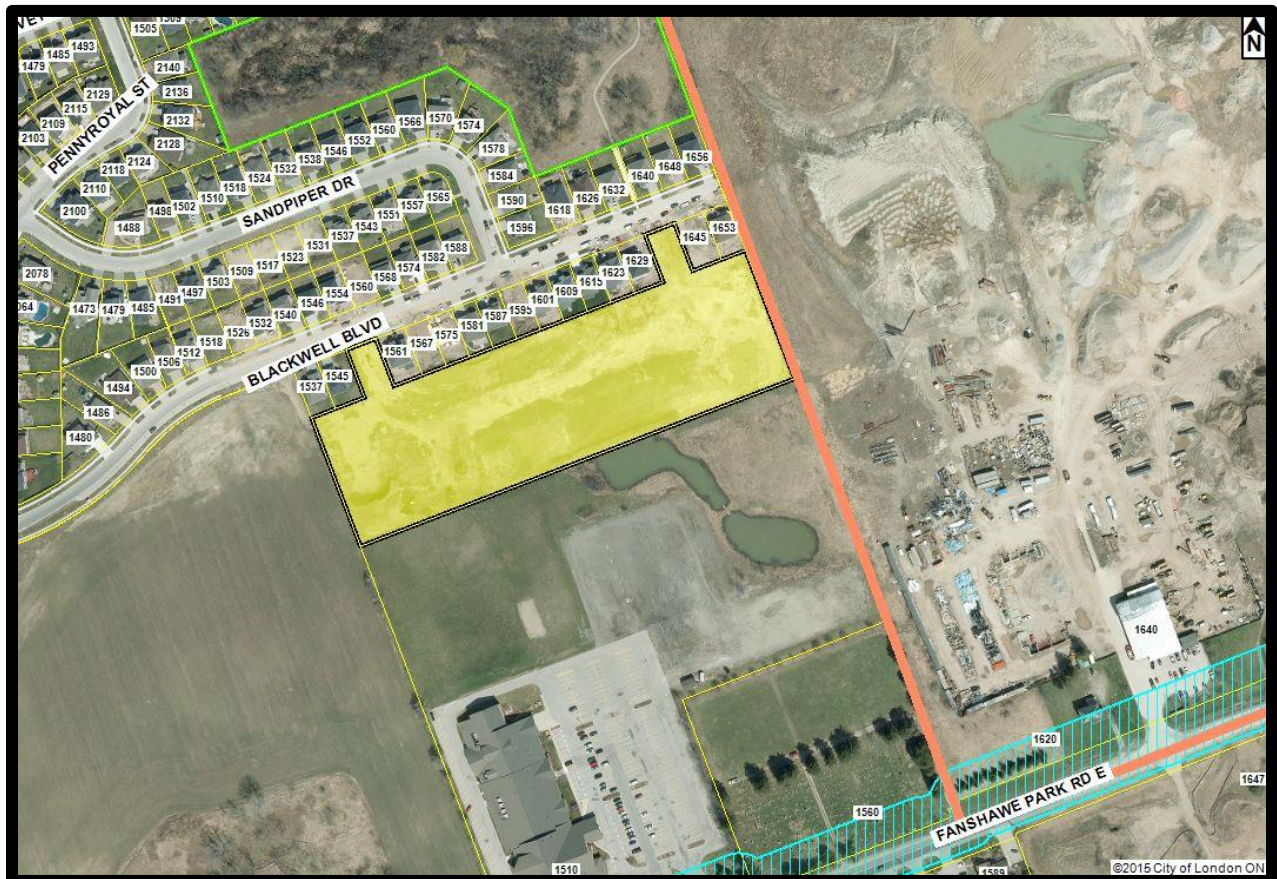
The Owner shall connect storm sewers to serve this plan to the existing 450 mm (18") and 750 mm (30") diameter storm sewers located on Blackwell Boulevard and outletting to the Regional SWM Facility located in Fanshawe Ridge Subdivision, Block 67, Plan 33M-548.

North Park Community Church Lands

A small depression, has existed at the southern limit of the subject lands since prior to 1989. When North Park Community Church was constructed in the 1990's, stormwater from their paved parking area was directed to this depression. As the church and its parking areas grew over the years increased water volumes were directed to the depression. By the early 2000's the Church constructed a stormwater retention pond (with no outlet) which was linked to the depression.

When the most recent gravel parking area was constructed in 2006 the open swale connecting the paved parking area to the stormwater management pond/depression was enclosed and the water storage facility was enlarged to its current size. (See attached below).

2014



Sifton Properties had provided two Stormwater Management options during the draft plan approval process. North Park Community Church was circulated all studies submitted by the owner's engineer. Through subsequent meetings arranged by the City, the Church and Sifton Properties have come to an agreement on a preferred SWM option. The preferred option does not include the use of retaining walls and will require an agreement between the Church and the property owner to the satisfaction of the City. The final design and details will be refined through the detailed design studies process. A condition of draft approval requires that the parties enter

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

into an agreement to the satisfaction of the City.

To manage stormwater on the Church lands, the Church had requested confirmation of the planned storm sewer outlet or outlet options available for the church. The City of London Environmental Services Stormwater Management Unit has confirmed the following:

Storm Sewer Outlet

The storm sewer servicing outlet for the North Park property is an existing 750 mm storm sewer which is part of the storm sewer conveyance system within Fanshawe Park Road, Highbury Avenue and Killarney Road. The ultimate outlet of the storm sewer system is the existing Kilally North Stormwater Management facility located on Killarney Road.

Stormwater Management Facility Servicing

Kilally North Stormwater Management facility is located at the downstream extent of the existing storm sewer conveyance system. This facility is an existing facility that is designed to provide Level 2 (Normal) water quality control (total suspended solids removal) for the service catchment. The North Park property is part of the service catchment, with the northern and eastern property boundaries forming the catchment outer boundary.

Overland Flow

Overland flow conveyance routes are to be identified by the Church’s consulting engineer during any development approval consultation process. Preliminary calculations will be required as supporting documentation at the development approval consultation stage to confirm the safe and adequate conveyance of overland flow with no adverse impact to downstream property or infrastructure while meeting City of London design specifications. Final design details will be required as part of the design studies submission. Onsite quantity control (Permanent Private System) may be required to ensure safe and adequate conveyance of overland flow and is subject to design study details.

Water Mains

The Owner shall connect the watermain to serve this plan to the existing municipal 200 mm (8”) diameter watermain stubs on Blackwell Boulevard on the east and west side of the proposed plan.

Transportation

The Owner will be required eliminate/limit the bulge in the curb line on Street “B” to a maximum offset from the standard radius required to achieve the minimum curb distance, as approved by the City Engineer. The intent of Street “A” is to accommodate future residential development of the church lands. To prohibit the use of Street “A” as a secondary church access the Owner shall place a barricade on the south limit of Street ‘A’ and to accommodate snow storage the Owner shall locate the driveway for Lot 5 close to the north property line.

Other Issues

Grading

The Church had raised concerns regarding the grading of the subject lands and how it will interface with their property. Through the submission of detailed SWM studies, a grading solution that will provide a transition between the properties without the need of retaining walls was preferred.

A condition of draft approval will require Sifton Properties to establish a grading plan for the interface of these two properties and that an agreement be entered into to the satisfaction of the City.

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

Property Management and Liability

The Church has requested that fencing of consistent material be constructed along the mutual property line at no cost to the church

It is recommended that Sifton Properties Limited construct a 1.8 m high (6 ft) board privacy fence along the mutual property line with the church. Although this fence is to be constructed at Siftions expense, future property owners will be responsible for the long term maintenance of the fence. Any vegetation or screening along this area will also be the responsibility of the respective property owners.

North Park Community Church has requested that a warning clause be placed on title advising future home owners they may experience noise and other impacts form the church’s activities. Such warning clauses are most often associated with industrial or intensive commercial uses. Given warning clauses will be included in the Subdivision Agreement for school boards and the abutting aggregate operation, it is reasonable to include an additional warning clause as requested by North Park Community Church to advise future residents of the presence of this large-scale church complex containing an area of worship, a gymnasium, youth theatre, library, weekday nursery school and meeting rooms that has a weekly attendance of between 2000 to 2500 persons.

Conditions of draft approval will require that a privacy fence that is 1.8m in height be constructed along the common property line and that a warring clause regarding noise from the church be included in the subdivision agreement and registered on title of the lots abutting the church use.

ZONING BY-LAW AMENDMENT

When draft plan 39T-01509 was submitted and approved, the subject lands were shown as a multi-family housing/institutional block. Consistent with their draft plan the applicant requested zoning to permit a range of uses from single detached dwellings to seniors housing and neighbourhood facility uses. Development of the lands for any of these uses would have been in conformity with the Official Plan and with appropriate site planning, compatible with planned single detached dwellings on Blackwell Boulevard. While the lands were pre-zoned to permit single detached dwellings, it was understood prior to dwellings being constructed a draft plan of subdivision application would be required.

The proposed Holding Residential R1 (h*h-45*R1-4) Zones will allow for the continuation of development that is compatible with surrounding land uses and will not negatively impact the proposed development on present and future land uses in the area.

The proposed Holding provisions require that subdivision agreement be entered into and a noise and dust study be completed and any mitigation measures be implemented prior to removal.

Planning Impact Analysis

Planning Impact Analysis under Section 3.7 in the Official Plan was used to evaluate this application for the proposed zoning amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses. The proposed subdivision and zoning amendment is consistent with Section 3.7 as:

- it is compatible with the surrounding land uses and will not impact development on present and future land uses in the area;
- the size and shape of the parcel can accommodate the intensity of the proposed use;
- the proposed zoning will permit height, location and spacing of buildings consistent with the surrounding land uses; and
- the location of vehicular access points comply with the City’s road access policies.

Staff has reviewed the rezoning request of the applicant and subject to holding provisions, the recommended zoning of the subject property to implement the draft plan is appropriate and

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

represents good land use planning.

RedLine Amendments

Requested Revisions to the Draft Plan

- i) The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on Street 'B' in this plan of subdivision.
- ii) Please revise the plan to eliminate the bulge in the curb line as much as possible. This may include modifications to the lot lines to reduce the bulge while complying with Zoning and the above criteria. Contact Development Services for more details.

Staff Response: Holding Provisions and Conditions to support the Engineering comments have been added to the amended zoning by-law and the draft plan.

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

CONCLUSION

The subject lands are currently zoned to permit single detached dwellings, seniors housing and neighbourhood facility uses. The applicant has submitted a draft plan of subdivision application to permit the development of single detached dwellings only.

The proposed plan of subdivision has been reviewed in conjunction with the Provincial Policy Statement (2014), the Official Plan for the City of London, and the Kilally North Area Plan, and relevant concerns/comments from circulated departments, agencies and the public have been addressed within this report.

The proposed subdivision of land is consistent with the general intent of both Provincial and City policies and the Kilally North Area Plan. The proposed plan of subdivision, as redline amended, and the proposed Zoning By-law amendment are appropriate for the development of these lands.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

CS/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2008\39T-08504 - 1551 Blackwell Boulevard (AMaCL)\RevisedDraftPlan2014\PECreport1551Blackwell.docx

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

Bibliography of Information and Materials

Request for Approval:

City of London Draft Plan of Subdivision Application Form, completed by Ricor Engineering Limited, December 20th, 2012.

City of London Zoning By-law Amendment Application Form, completed by Ricor Engineering Limited, December 20th, 2012.

Reference Documents:

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

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

Ontario. Ministry of Municipal Affairs and Housing. Provincial Policy Statement, March 01, 2005.

Correspondence:

*all located in City of London File No. 39T-13501 unless otherwise stated.

Internal responses -

B. Page, Parks Planning and Design, E-mail to C Smith, December 18, 2014.

J. Molenhuis, Environmental Services, Memo to C. Smith, January 19, 2015.

External responses-

B. DeSando, Canada Post, December 18, 2014.

C. Creighton, UTRCA, February 20 2015.

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

Appendix "A"

Related Estimated Costs and Revenues

Estimated Costs – This Draft Plan	
Claims from CSRF	Nil
Capital Expense	Nil
Other	Nil
Total	Nil
Estimated Revenues - This Draft Plan (2015 rates)	
CSRF	\$825,728
UWRF	\$74,208
Total	\$899,936

1. There are no expenditures associated with this subdivision that have implications for funds administered by the City.
2. Estimated Revenues are calculated using 2015 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
3. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues – This Draft Plan" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.

Reviewed By:



Peter Christiaans
Director, Development Finance

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

Appendix “B”
Responses to Public Liaison Letter and Publication in “Living in the City”

Written

Hi Craig,

I am writing to express my concerns regarding a zoning by-law amendment in the Fanshawe Ridge subdivision. The proposal is to revise the existing plan to change the lot sizes from 50 feet wide to 40 feet wide in frontage. Phase 3 in the subdivision has been publicly displayed on Sifton's website for a number of years as a proposed next phase and has indicated the lot sizes as 50 foot to 60 foot in frontage. I just noticed today that they have taken down the measurements for the lots in the next phase and it is left blank. I assume this was done by the developer, Sifton since there have been other people in the Fanshawe Ridge subdivision who have complained as well.

The builders and salespeople in Fanshawe Ridge area have all lead buyers like myself to believe that the next phase of this subdivision will be built on lot sizes beginning at 50 feet in width up to 60 feet in width. This was a large factor in our decision to build in this area that we would be surrounded by homes of the same value and stature.

I have been informed that Sifton has plans to revise the next phase and to shrink the lot sizes to 40 feet wide. This will only allow for a home of up to about 2100 square feet for a two story to be built. If this change takes place it will significantly impact the value of our home which is being built in phase 2 on Blackwell Boulevard. I know my neighbour next door feels the same way and he will share his concerns as well. The lack of space between houses as well as the cluster of houses on 40 foot lots will be intrusive and limit our privacy in our backyards and decrease the property values of all of the other larger homes in this area.

The neighbourhood is currently showcasing one of the London Dream Lottery homes on Blackwell Boulevard and that type of recognition and prestige should only draw more interest in the area for others to build homes of the same stature. Please keep the standard of homes high in this area and do not approve a change in zoning to accommodate smaller homes.

Sincerely,

Jeff Hayhoe

1623 Blackwell Boulevard
London, ON

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith



NORTHPARK
COMMUNITY CHURCH

March 10, 2015

City of London
300 Dufferin Ave, P.O. Box 5035
Development Services, City Hall - 6th Floor London ON N6A 4L9

Attention: Allister Maclean, Manager- Development Planning (Team West)

Dear Allister:

Re: Sifton Properties Revised Draft Plan of Subdivision Application File 39T-136011 and Zoning File Z-8139- Fanshawe Ridge Phase 3.

As requested at the meeting with City staff, Sifton Properties Ltd. (SPL) and North Park Community Church (NPCC) held on March 2, 2015, please be advised NPCC is prepared to accept the Option 2 as the preferred option. Option 2 is a draft plan of subdivision with single family lots with a public road access to the NPCC lands in the SW corner of the SPL property.

With respect to the management of stormwater, Option 2 will not involve the necessity of any retaining wall to be constructed on the mutual property line between NPCC and SPL. The rear yards of lots which abut the mutual property will be graded such that the rear yard flows of the mentioned lots will be allowed to flow southerly onto the NPCC property. In principle we are agreeing that this the preferred approach to eliminate the need for any retaining wall along the mutual property line. NPCC is prepared to permit SPL to implement the required grading on NPCC property.

It is our understanding a formal agreement with SPL will be a requirement of a condition of draft approval and will be linked to the draft plan road layout and engineering drawings acceptable to the City of London, SPL and NPCC. NPCC is prepared to enter into an agreement with SPL to implement the various elements of Option 2 once draft approval has been granted.

I trust this letter of intent is acceptable to City staff to prepare the files for a future public meeting and to prepare conditions of draft approval to implement Option 2.

Yours truly,

Matthew Eckert
Interim Executive Pastor, North Park Community Church.

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

Appendix “39T-08504”

(Conditions to be included for draft plan approval)

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-08504 ARE AS FOLLOWS:

- | NO. | CONDITIONS |
|------------|---|
| 1. | This draft approval applies to the draft plan submitted by Sifton Properties Ltd. (File No. 39T-08504 prepared by Delcan, certified by Robert D. Sterling, OLS (dated July 10, 2014), as redline revised which shows 33 single detached lots and served by two (2) new streets. |
| 2. | This draft approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority. |
| 3. | The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways. |
| 4. | The Owner shall request that street(s) shall be named to the satisfaction of the City. |
| 5. | The Owner shall request that the municipal addresses shall be assigned to the satisfaction of the City. |
| 6. | Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program. |
| 7. | The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges. |
| 8. | In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City. |
| 9. | Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City. |
| 10. | Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the |

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

11. Prior to final approval, the Owner shall take all necessary steps to ensure that appropriate zoning is in effect for this proposed subdivision
12. The Owner shall make a cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law CP-9.
13. The Owner shall comply with Canada Post in regards to Community Mailbox requirements, to the satisfaction of the City
14. Within one year of registration of the plan, the Owner shall construct a 1.8 metre privacy fence consistent with the City Site Plan Approval Guidelines along the rear lot line of Lots 5 to 19 inclusive where it abuts lands owned by the North Park Community Church to the satisfaction of the City and the owner shall registered on Title and in subsequent Offers of Purchase as Sale, obliging the purchasers of lots 5-19 to maintain the fence in a satisfactory condition at their expense
15. The Owner shall include in the subdivision agreement a warning clause to be registered on title of each Lot within 300 metres of the aggregate extraction operation, warning prospective purchasers of the existence of the aggregate extraction operation; the possibility of alterations, or expansion which may affect the living environment of the residents notwithstanding the inclusion of noise and dust attenuation measures in the design of the subdivision and individual units.
16. The Owner shall enter into an agreement with North Park Community Church (1570 Fanshawe Park Road East) that implements the draft approved Storm Water Management and Access arrangements to the satisfaction of the City.
17. The following warning clause shall apply to Lots 5 to 19 inclusive and shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for the affected lots:

“Purchasers are advised that a large institutional use (North Park Community Church) operate on the adjacent lands to the south. There may be instances where activity and noise levels from this abutting land may interfere with some activities of the dwelling occupants.”

SEWERS & WATERMAINS

Sanitary:

18. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
 - ii) Propose a suitable routing for any trunk sanitary sewer, if necessary, to be constructed through this plan.
 - iii) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken; and

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

19. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:

- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm (8") diameter sanitary sewer located on Blackwell Boulevard;
- ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, if necessary, to the satisfaction of the City;
- iii) Make provisions for oversizing of the internal sanitary sewers, if necessary, in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
- iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

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

- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
- ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
- iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
- iv) Implementing any additional measures recommended through the Design Studies stage.

21. 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 plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Storm and Stormwater Management (SWM)

22. 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) All checklist items within Table 4 (Section 6: Stormwater Management) of the City of London Design Specifications and Requirements Manual;

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

- ii) Clearly identify the stormwater management strategy for the subject land and any impacted external lands for the ultimate and any interim drainage condition, all to the satisfaction of the City;
 - iii) Develop an erosion and sediment control plan that clearly identifies all erosion and sediment control measures for the subject lands in accordance with Section 10: Sediment and Erosion Control of the City of London Design Specifications and Requirements Manual and applicable Ministry of the Environment and Climate Change standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction;
 - iv) Develop an emergency extreme weather contingency plan for the subject site. This plan is to be in place during all phases of construction;
 - v) Provide a supplementary geotechnical report to address all geotechnical issues with respect to construction, grading, retaining walls and drainage of this subdivision and any necessary setbacks related to slope stability for lands within this plan; and
 - vi) The Functional Storm/Drainage and SWM Servicing Letter/Report must be stamped, signed and dated by the consulting engineer responsible for its preparation;
 - vii) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
23. 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) Stoney Creek Subwatershed Study (May 1995) and any report addendums/amendments;
 - ii) Status Review of Stoney Creek Subwatershed Study (August 2007) and any report addendums/amendments;
 - iii) The Municipal Class Environmental Assessment for the proposed Kilally North Storm Sewer Servicing in the City of London (June 2002) and any report addendums/amendments;
 - iv) Fanshawe Ridge Subdivision – Stormwater Management Report (January 2003) and any report addendums/amendments;
 - v) Fanshawe Ridge Stormwater Management Facility – Functional Assessment of Phase 1 Conditions (April 2005) and any addendums/amendments;
 - vi) Fanshawe Ridge Stormwater Management Facility Operation and Maintenance Manual (January 2006);
 - vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
 - x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
24. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to serve this plan, located within the Stoney Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 450 mm (18") and 750 mm (30") diameter storm sewers located on

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

Blackwell Boulevard and outletting to the Regional SWM Facility located in Fanshawe Ridge Subdivision, Block 67, Plan 33M-548;

- ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan 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 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 and/or monitoring program.
25. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
 - iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City.
26. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
27. In conjunction with the engineering drawing 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, and/or provide an update to the hydro geological report prepared by Trow (November 27, 2008) to reflect changes in the water balance caused by the alteration of the existing pond across this plan and the adjacent Church lands to the south, 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.

Watermains

28. 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:

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

- 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.

29. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:

- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 200 mm (8") diameter watermain stubs on Blackwell Boulevard on the east and west side of the proposed crescent; and

30. 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.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

31. 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 Engineer 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.

32. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on Street 'B' in this plan of subdivision.

The Owner shall limit/eliminate the bulge in the curb line on Street 'B' to only a maximum offset from the standard radius required to achieve the minimum curb distance for

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

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.

33. The Owner shall have it's professional engineer design the roadworks in accordance with the following road widths:

- i) Street 'A' and Street 'B' have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').

34. The Owner shall place a barricade on the south limit of Street 'A', to the satisfaction of the City Engineer.

35. The Owner shall locate the driveway for Lot 5 close to the north property line for the purpose of accommodating snow storage, to the satisfaction of the City.

Sidewalks/Bikeways

36. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:

- i) Street 'A' – west boulevard
- ii) Street 'B' south and east boulevards

Street Lights

37. Within one year of registration of the plan, where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of London Hydro for the City of London.

38. 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.

Vehicular Access

39. The Owner shall restrict access to lands to the south by establishing blocks for 0.3 metre (1') reserves along the south limit of Street 'A', to the satisfaction of the City.

40. 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

41. The Owner shall remove the temporary turning facility on the east leg of Street 'A', in this plan, built by the Owner of Plan 33M-601 to the north of this Plan, and complete the construction of Street 'A' in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-601 for the removal of the temporary turning facility and the construction of this section of Street 'A' and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

Construction Access/Temporary/Second Access Roads

- 42. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Blackwell Boulevard via Highbury Avenue or other routes as designated by the City.
- 43. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision

GENERAL CONDITIONS

- 44. 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.
- 45. 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.
- 46. Prior to final approval, the Owner shall make arrangements with any 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.
- 47. 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.
- 48. In the event that relocating of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.
- 49. 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.
- 50. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

- i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;
- ii) The Owner must provide a video inspection on all affected unassumed sewers;

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

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

51. 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.

52. 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.

53. 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.

54. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.

55. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

Agenda Item #	Page #

**File: 39T-08504/Z-7521
Planner: C. Smith**

56. 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.
57. 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".
58. 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.)
59. 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.
60. 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.
61. 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.
62. The Owner shall remove any temporary works (eg. temporary access and temporary storm sewer located in this plan) when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
63. 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.
64. 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.
65. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

Agenda Item #	Page #

File: 39T-08504/Z-7521
Planner: C. Smith

Appendix "C"

Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1551 Blackwell Boulevard

WHEREAS The City has applied to rezone an area of land located 1551 Blackwell Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1551 Blackwell Boulevard, as shown on the attached map, from a Holding Residential R1/Residential R7/ Neighbourhood Facility (h.*h-45*R1-4/R7 D75 H13/NF1) Zone to a Holding Residential (h*h-45*R1-4) Zone.

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

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

PASSED in Open Council on May 12, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - May 12, 2015
Second Reading – May 12, 2015
Third Reading - May 12, 2015

Agenda Item #

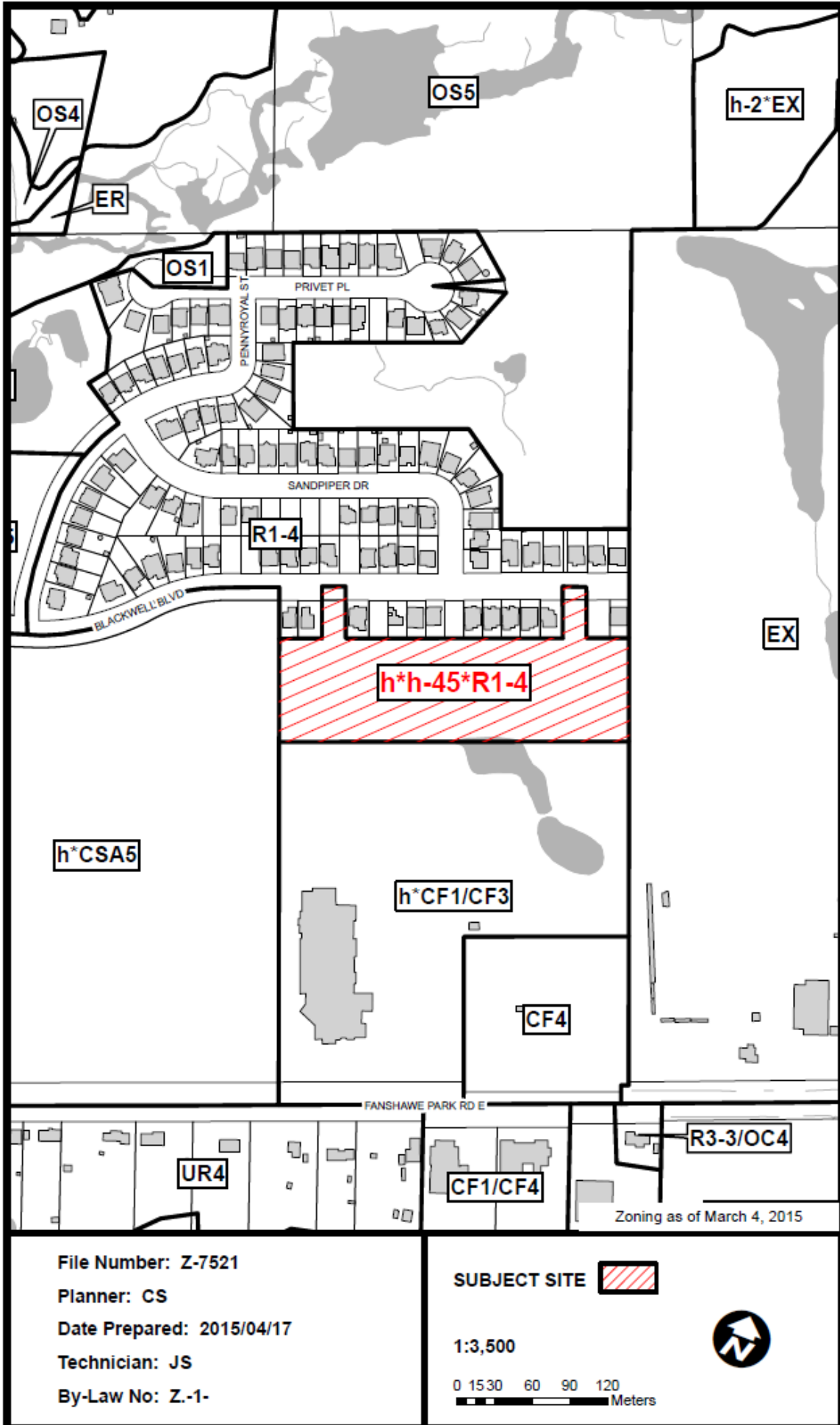
Page #

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File: 39T-08504/Z-7521
Planner: C. Smith

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



File Number: Z-7521
 Planner: CS
 Date Prepared: 2015/04/17
 Technician: JS
 By-Law No: Z.-1-

SUBJECT SITE 
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