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File: 39T-14503/OZ-8410
Planner: L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 1080 WESTDEL BOURNE APPLICATION FOR APPROVAL OF DRAFT PLAN OF SUBDIVISION OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS PUBLIC PARTICIPATION MEETING ON NOVEMBER 30, 2015

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, for approval of a Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for lands located at 1080 Westdel Bourne, bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on December 8, 2015, to amend the Official Plan for lands bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road **BY ADDING** a specific policy to Section 10.1.3 – Policies for Specific Areas and to change the land uses designations on Schedule 'A' – Land Use **FROM** "Community Commercial Node" **TO** "Multi-family, Medium Density Residential" and **FROM** "Multi-family, Medium Density Residential" **TO** "Multi-family, High Density Residential";

- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting to be held on December 8, 2015, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the subject lands **FROM** an Urban Reserve (UR3) Zone, a Community Shopping Area (CSA5) Zone, and a holding Community Shopping Area (h•h-25•CSA5) Zone **TO**:
 - a Holding Business District Commercial Special Provision (h•h-•BDC()) Zone, to permit a range of uses such as animal clinics, apartment buildings, assembly halls, bake shops, cinemas, clinics, commercial recreation establishments, convenience service establishments, financial institutions, hotels, medical/dental offices, nursing homes, offices, places of entertainment, private clubs, private schools, restaurants, retail stores, service and repair establishments, supermarkets, taverns, cluster townhouses, cluster stacked townhouses and street townhouses together with special zone regulations for a front and exterior side yard depth maximum of 8.0 metres; interior side and rear yard depth minimum abutting a residential zone of 6.0 metres; interior side and rear yard depth minimum abutting a non-residential zone of 3.0 metres from any other zone boundary and 0.0 metres within the same BDC() zone; building height minimum of 8.0 metres; building height maximum of 38.0 metres; gross floor area for retail uses maximum 30,000 square metres; total gross floor area for office uses maximum 9,500 square metres; gross floor area for offices per building maximum 5,000 square metres; landscaped open space minimum 10%; lot coverage maximum 60%; off-street parking minimum for commercial – one (1) space per 30 square metres; off-street

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parking minimum for office – one (1) space per 40 square metres; off-street parking minimum for residential – one (1) space per unit; distance of surface parking areas from a public road allowance minimum 3.0 metres; residential density maximum 100 units per hectare; it being noted that uses shall be permitted in a shopping centre building, a stand-alone building or a mixed use multi-storey building (including live-work format); (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London;

- a Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-__•R5-3()/R6-5()/CF1()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse and apartment buildings up to a maximum density of 35 units per hectare with a special provision for maximum lot coverage of 50%, minimum front and exterior side yard depth to main building of 3.0 metres; and to permit a limited range of Community Facility uses such as community centres and libraries; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London;
- a Holding Residential Special Provision (h•h-__•R5-3()/R6-5()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse and apartment buildings up to a maximum density of 35 units per hectare with a special provision for maximum lot coverage of 50%, and minimum front and exterior side yard depth to main building of 3.0 metres; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London;
- a Holding Residential R5/R6/R7/R8 Special Provision (h•h-__•R5-6()/R6-5()/R7•D75•H18/R8-4()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse and stacked townhouses up to a maximum density of 50 units per hectare with a special provision for a maximum lot coverage of 50%, maximum height of 15 metres and minimum front and exterior side yard depth to main building of 3.0 metres; and, to permit such uses as apartment buildings, senior citizens apartment buildings, nursing homes, continuum-of-care facilities and emergency care establishments

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up to a maximum density of 75 units per hectare and maximum height of 18 metres; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London;

- a Holding Residential R5/R6/R8 Special Provision (h•h-•R5-6()/R6-5()/R8-3()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse and stacked townhouses up to a maximum density of 50 units per hectare with a special provision for a maximum lot coverage of 50%, maximum height of 15 metres and minimum front and exterior side yard depth to main building of 3.0 metres; and, to permit such uses as apartment buildings, senior citizens apartment buildings, continuum-of-care facilities and emergency care establishments up to a maximum density of 65 units per hectare with a special provision for maximum height of 15 metres; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London;
- a Holding Residential R5/R6 Special Provision (h•h-•R5-6()/R6-5()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, apartment buildings, townhouse and stacked townhouses up to a maximum density of 50 units per hectare with a special provision for a maximum lot coverage of 50%, maximum height of 15 metres and minimum front and exterior side yard depth to main building of 3.0 metres; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London;
- a Holding Residential R10 (h•h-54•h-•R10-3•H55) Zone to permit such uses as apartment buildings, senior citizens apartment buildings and continuum-of-care facilities up to a maximum density of 250 units per hectare and maximum height of 55 metres; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; (h-_) – to ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development is in keeping with the design principles

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and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London; (h-54) – to ensure the owner implements all noise attenuation measures as recommended in noise assessment reports, acceptable to the City of London;

- an Open Space (OS1) Zone to permit such uses as conservation lands, conservation works and public parks;
 - an Open Space (OS3) Zone to permit cemeteries; and,
 - a Holding Community Shopping Area Special Provision (h•h-25•CSA5()) Zone with a special provision that the Total Gross Floor Area for Office Uses (Maximum) within this zone and the adjacent BDC() Zone combined shall not exceed 9,500 square metres; (h) – to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development;
- c) the Approval Authority **BE ADVISED** of any issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for draft plan of subdivision by Sifton Properties Limited, relating to the lands located at 1080 Westdel Bourne, bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road;
- d) the Approval Authority **BE ADVISED** that the Municipal Council supports the Approval Authority issuing draft approval of the proposed plan of subdivision, submitted by Sifton Properties Limited (File No. 39T-14503), prepared by GSP Group and certified by Jason Wilband, Ontario Land Surveyor dated May 6, 2015 (Project No. 8103), as red-line amended, which shows one (1) medium density residential block, three (3) medium density residential/mixed use blocks, one (1) mixed use block, one (1) high density residential/mixed use block, served by one (1) primary collector, two (2) local streets, one (1) road widening block, and five (5) reserve blocks **SUBJECT TO** the conditions contained in the attached Appendix "C" and the adopted Official Plan Amendment coming into effect;
- e) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands **FROM** an Urban Reserve (UR3) Zone, a Community Shopping Area (CSA5) Zone and a holding Community Shopping Area (h•h-25•CSA5) Zone **TO** a Mixed Use (MU) Zone **BE REFUSED** for the following reasons:
- i) the requested amendment proposes to introduce a new zone category to the Zoning By-law which currently does not exist, and which is not considered necessary; and,
 - ii) the requested amendment can be accommodated through existing zone categories; and,
- f) the financing for the project **BE APPROVED** in accordance with the “Estimated Claims and Revenues Report” as attached in Appendix "D".

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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June 1, 2015 – Report to Planning and Environment Committee on an application by Sifton Properties Limited to remove holding provisions on lands located at 1080 Westdel Bourne, north of Oxford Street West, east of Westdel Bourne, and west of the future extension of Riverbend Road (Agenda Item #4).

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March 23, 2015 – Report to Planning and Environment Committee public participation meeting on an application by Sifton Properties Limited re: Riverbend South Secondary Plan – application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (Agenda Item #15).

December 3, 2012 – Report to Civic Works Committee on Tributary ‘C’ Storm/Drainage & Stormwater Management Transportation and Sanitary Trunk Servicing Environmental Study Report modifications (Agenda Item #14).

July 17, 2012 – Report to Civic Works Committee with respect to the Municipal Class Environmental Assessment (EA) Study Schedule “C” for Tributary ‘C’ Storm/Drainage and Stormwater Management (SWM), Transportation and Sanitary Trunk Servicing Works located within the Downstream Thames River Subwatershed Area (Agenda Item #12).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect is to permit development of a mixed use community consisting of commercial, office, medium and high density residential uses; and to recommend approval of the draft plan of subdivision (as red-line revised) and corresponding Official Plan and Zoning By-law amendments.

RATIONALE

The rationale for approval of the recommended Official Plan amendment, Zoning By-law amendment and support for the red-lined draft plan of subdivision is as follows:

- i) The proposal is consistent with the Provincial Policy Statement and the Planning Act;
- ii) A specific area policy amendment is considered appropriate to provide policy direction and guidance to achieve the long term vision for this mixed use development proposal;
- iii) The recommended red-line revisions provide for inclusion of all the lands bounded by Oxford Street, Westdel Bourne, Shore Road and Kains Road, and considers the subdivision draft plan completely and comprehensively;
- iv) The development application demonstrates through the preparation of design guidelines a strong emphasis on urban design principles and sustainability initiatives.
- v) The recommended holding provisions together with proposed conditions of draft plan approval will ensure this subdivision is developed in an orderly manner.

BACKGROUND

- SITE CHARACTERISTICS:**
- **Current Land Uses** – vacant agriculture (cash crops)
 - **Frontage** – approx. 370 metres (1,214 ft.) along Westdel Bourne and 854 metres (2,802 ft.) along Oxford Street West
 - **Area** - approx. 30 ha (74 ac.)
 - **Shape** - irregular

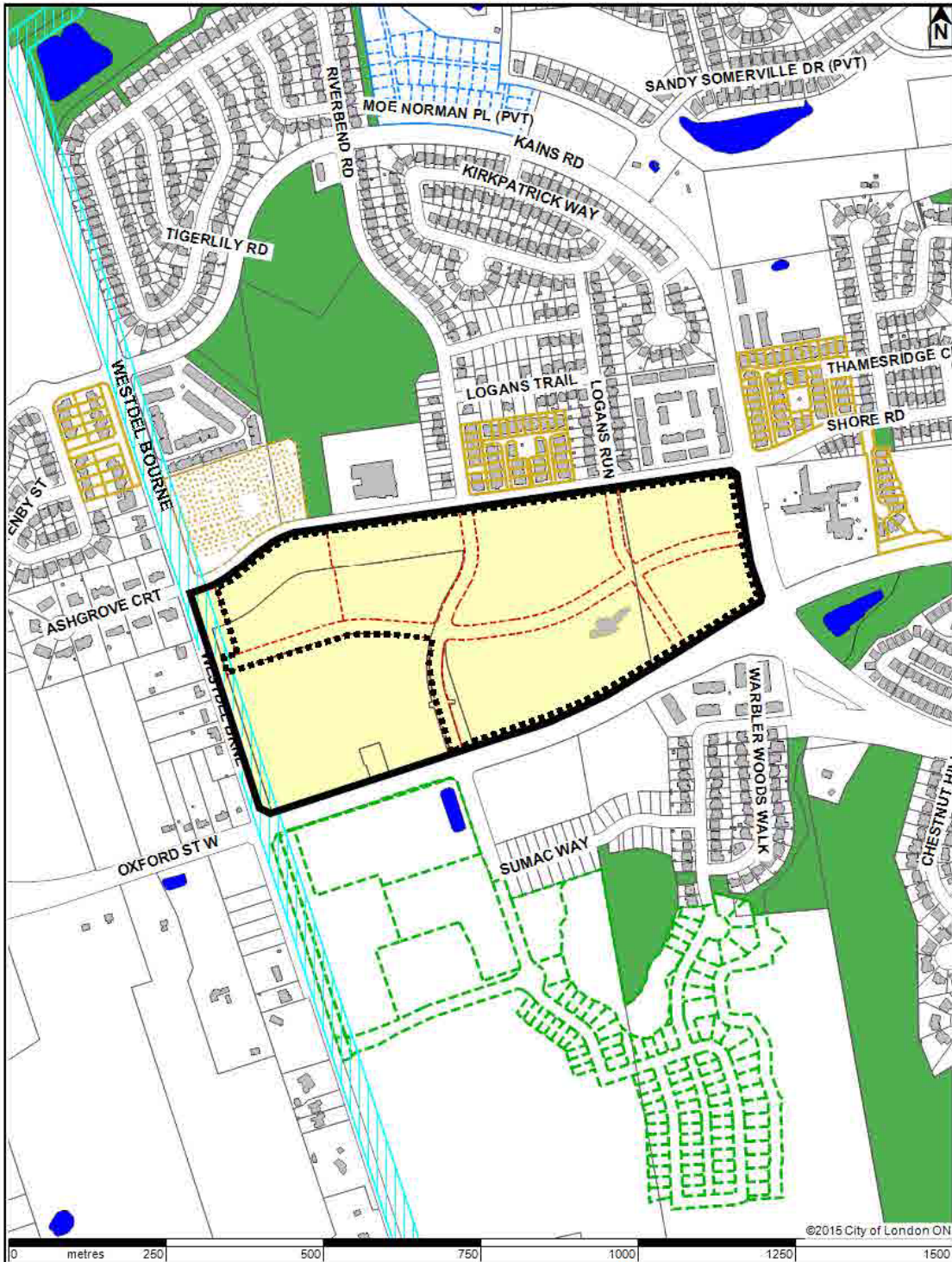
- SURROUNDING LAND USES:**
- **North** – residential detached homes and attached townhouses; open space (Riverbend Park); and elementary school (St. Nicholas Catholic School)
 - **South** – residential townhouses, single detached dwellings, and vacant development lands
 - **East** – residential long term care (McCormick Home)
 - **West** – existing residential dwellings and convenience commercial/gas station

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<p>OFFICIAL PLAN DESIGNATION (refer to map on page 7):</p> <ul style="list-style-type: none"> • “Multi-Family, Medium Density Residential”, “Multi-Family, High Density Residential”, and “Community Commercial Node”
<p>EXISTING ZONING (refer to map on page 8):</p> <ul style="list-style-type: none"> • Urban Reserve (UR3), holding Community Shopping Area (h•h-25•CSA5), Community Shopping Area CSA5, and Open Space OS3

<p>Date Application Accepted: August 20, 2014</p> <p>Revised Application Submission: May 14, 2015</p>	<p>Agent: n/a</p>
<p>Requested Action:</p> <p><u>Official Plan Amendment Application</u> Amendment to the Official Plan to add a policy under Section 10.1.3 – Policies for Specific Areas to introduce specific policies and objectives for a proposed “Mixed Use” designation. The primary permitted uses in the Mixed Use designation shall include low-mid- and high-rise apartment buildings and a broad range of retail, service, institutional and community facilities, recreation, entertainment and related activities. Office uses shall also be permitted to provide employment opportunities, energy offsets, public transit viability, and to support the mix of uses in the area. Both mixed use and single use buildings shall be permitted. Buildings may be purpose built or designed for future adaptability of use to respond to changing market conditions.</p> <p><u>Draft Plan of Subdivision Application</u> Consideration of a draft plan of subdivision consisting of a number of multi-family residential and mixed use blocks, including one Medium Density Residential block (Block 6), three Medium Density Residential / Mixed Use blocks (Blocks 3, 4 & 5), one Mixed Use block (Block 1), one High Density Residential / Mixed Use block (Block 2), one Primary Collector (Riverbend Road), two local streets (The Linkway and Logan’s Run), one road widening block (Block 7), and several 0.3 metre reserve blocks (Blocks 8-12).</p> <p><u>Zoning By-law Amendment Application</u> Amend Zoning By-law Z.-1 to change the zoning from an Urban Reserve (UR3) Zone, a Community Shopping Area (CSA5) Zone, a holding Community Shopping Area (h•h-25•CSA5) Zone, and an Open Space (OS3) Zone to the following zones:</p> <ul style="list-style-type: none"> • Mixed Use (MU) Zone for Block 1, south portions of Blocks 4 and 5, and a portion of land outside the limits of the draft plan of subdivision on the west side of the future extension of Riverbend Road between Oxford Street West and the “Linkway” • Residential R5/R6 Special Provision/Community Facility (R5-3()/R6-5()/CF1) Zone for south portion of Block 6 • Residential R5/R6 Special Provision (R5-3()/R6-5()) Zone for north portion of Block 6 • Residential R5/R6/R7/R8 Special Provision (R5-6()/R6-5()/R7•D75•H18/R8-4()) Zone for north portion of Block 5 • Residential R5/R6/R8 Special Provision (R5-6()/R6-5()/R8-3()) Zone for north portion of Block 4 • Residential R5/R6 Special Provision (R5-6()/R6-5()) on Block 3 • Residential R10 (R10-3•H55) Zone on Block 2 • Open Space (OS3) Zone for a portion of lands fronting Oxford Street West outside the limits of the draft plan of subdivision. 	

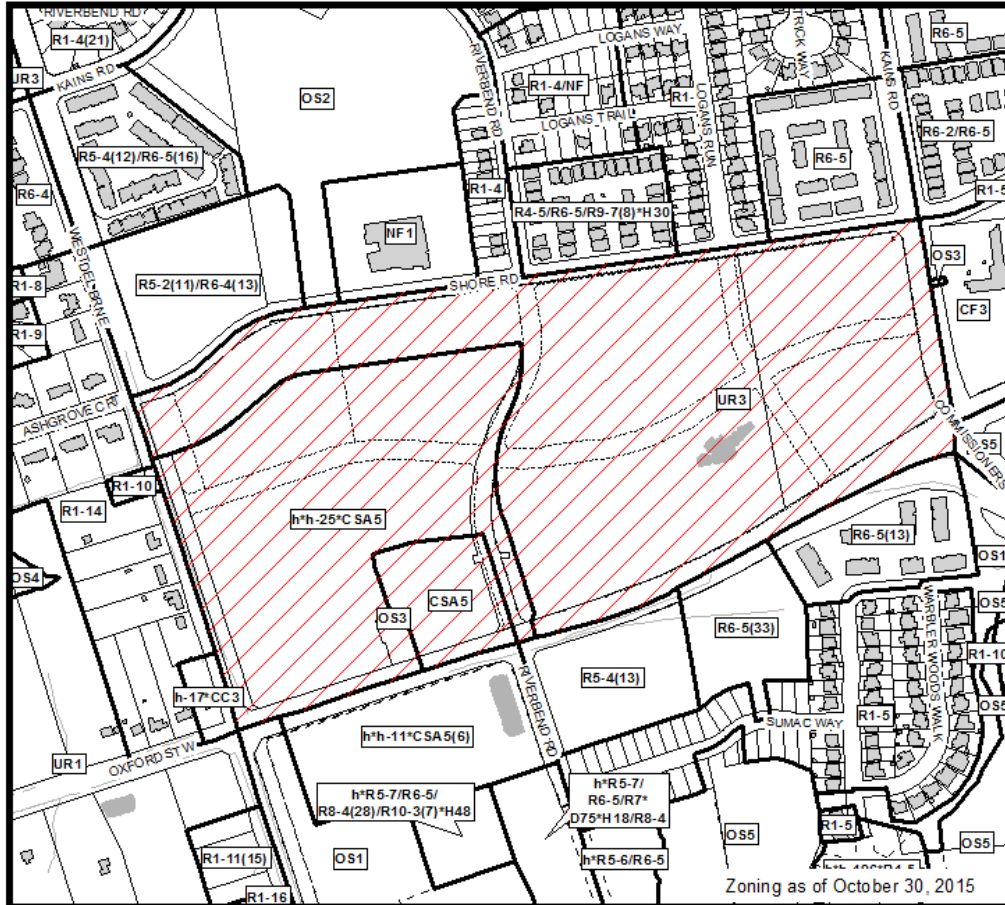
Location Map



LOCATION MAP	LEGEND
<p>Subject Site: 1080 Westdel Bourne & adjacent lands Applicant: Sifton Properties Limited File Number: 39T-14503 / OZ-8410 Planner: LM Created By: Im Date: 2015-11-10 Scale: 1:7500</p>	<ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers Proposed Limit of Draft Plan of Subdivision
<p>Corporation of the City of London Prepared By: Development and Compliance Services</p>	

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Zoning Map



Zoning as of October 30, 2015

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
39T-14503 / OZ-8410 LM

MAP PREPARED:
November 13, 2015 JTS

1:6,000
0 30 60 120 180 240 Meters

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

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Proposed Draft Plan of Subdivision



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PLANNING HISTORY

The lands which are the subject of this application are located in part of the former Town of Westminster that was annexed to the City of London in 1993. This was predominantly a rural agricultural area, and after annexation portions of the annexed lands were identified for future urban growth. Comprehensive community plans for those areas were prepared including this area, referred to as “Riverbend Community Planning Area”.

Riverbend Community Plan

The Riverbend Community Plan was initiated as a "developer-led community planning process in November of 1996. During 1997, the landowners' consultants prepared background studies and conducted a number of public open houses and workshops, and on June 22nd, 1998, City Council adopted Official Plan Amendments which implemented the land use concepts and guidelines from the community plan process.

As a result of appeals that were received from several landowners within the area, modifications to the Official Plan designations and policies for the Riverbend area were recommended by City Council and these modifications were approved by the Ontario Municipal Board in June 2000. Further modifications to the land use designations and road network were endorsed by City Council in June of 2001 and were subsequently endorsed by an Order of the Ontario Municipal Board issued on November 29, 2001. In April 2004, Council approved further amendments to the proposed land uses in order to accommodate boundary adjustments for the district park, relocation of the public elementary school, and removal of the secondary school site.

The land uses proposed for the subject lands were not affected by the modifications and subsequent amendments. The lands that are the subject of the current draft plan application have been identified in the Riverbend Community Plan and designated in the Official Plan as "Multi-Family, Medium Density Residential", "Multi-Family, High Density Residential", and "Community Shopping Area" (this designation was later changed to "Community Commercial Node").

Commercial Shopping Area and Pioneer Cemetery

On May 2, 2005, Municipal Council approved a zoning by-law amendment application by Sifton Properties Limited relating to a portion of the property located at 1080 Westdel Bourne. The area consisted of approximately 11 hectares of land in the northeast quadrant bounded by Westdel Bourne, Oxford Street West, and the future southerly extension of Riverbend Road. The lands were rezoned from a Rural Holding (A2) Zone to a holding Community Shopping Area (h-h-25-CSA5) Zone to permit a broad range of retail and service commercial uses at a maximum gross floor area of 30,000 square metres; and to an Open Space (OS3) Zone to recognize the site of an existing pioneer cemetery. The Council Resolution also noted a number of issues which were to be addressed at the site plan approval stage, including road widening dedications, compatibility with adjacent uses, high quality urban design, integration of the pioneer cemetery, and associated traffic considerations.

Full services were not available at that time to service the site and capacity at the Oxford Pollution Control Plant was limited pending a planned expansion of the facility. Therefore, the “h” holding provision was applied to the zoning in order to ensure that full services are in place, sufficient capacity is available at the Oxford Pollution Control Plant, and an agreement is reached to construct Riverbend Road from Shore Road to Oxford Street West for the purposes of public road access. As this location was also considered to represent an important “gateway” into the City from the west, a second holding (h-25) provision was applied in order to encourage high quality urban design for new format retail developments containing buildings over 6000 square metres, and requiring an assessment for compliance with the City of London Commercial Urban Design Guidelines at the site plan approval stage.

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An archaeological investigation was carried out during the Riverbend Community Planning Area process for the Sifton-owned lands including the lands which are the subject of the current draft plan of subdivision application. A letter of clearance was issued by the Ontario Ministry of Culture on September 5, 2003 indicating that with the exception of the Kilbourne pioneer cemetery all archaeological concerns within the above-noted areas have been satisfactorily addressed. The pioneer cemetery was discovered during the original archaeological assessment on a small portion of 1080 Westdel Bourne, fronting onto Oxford Street West. The site was registered under the *Cemeteries Act* and was zoned Open Space (OS3) to officially recognize the presence of the cemetery use. It was understood that the pioneer cemetery lands would continue in private ownership, and not be the responsibility of the municipality. Based on concept plans prepared by Siftons which integrated the feature into future commercial development, Municipal Council was satisfied that the zoning should not have any impact on the commercial development plans for the remainder of the site.

The Final Proposal Report accompanying the subdivision application indicates that this area is being preserved with the intent that it be incorporated in some manner into the overall development concept, perhaps for interpretive / cultural heritage purposes. It is also intended that this space will become the starting point for a “green” linkage through the site to provide pedestrian connectivity in a north south direction from Oxford Street and the cemetery to the district park north of Shore Road. A portion of the block is already zoned Open Space (OS3), however, the remaining area around it is also proposed to be zoned OS3.

Tributary “C” Class EA

The Tributary “C” Municipal Class Environmental Assessment was completed by the City and approved in the later part of 2013. The purpose of the Municipal Class EA was to determine municipal infrastructure requirements including storm/drainage and stormwater management, transportation and sanitary trunk servicing works to service future undeveloped lands in the Riverbend and Riverbend South planning areas. The EA process focused much attention to minimizing the impacts on the cold water tributary in the selection of the preferred alternative solution for stormwater management, including identification and location of SWM facilities. An important component of the stormwater management system includes a conveyance and infiltration channel (identified in the Class EA as SWM Facility “G” and shown on the draft plan as “Future Stormwater Management Facility”) to be constructed on an approximately 0.8 hectare (2 acres) strip of land along the east side of Westdel Bourne, between Oxford Street West and Shore Road. The functional and detailed designs for the SWM facility are being undertaken by the City of London, and these works are scheduled for completion in 2016 in accordance with the City’s Growth Management Implementation Strategy.

Riverbend South Secondary Plan

On March 31, 2015, Municipal Council approved an application by Sifton Properties Limited for approval of a Draft Plan of Subdivision, Official Plan Amendment, Zoning by-law Amendment and the adoption of a Secondary Plan on an approximately 60 hectare parcel south of Oxford Street West, bounded by Oxford Street West, Westdel Bourne, Warbler Woods and the City’s Urban Growth Boundary. Official Plan land use designations in this area were changed from “Urban Reserve - Community Growth” and “Environmental Review” to “Low Density Residential”, “Multi-family, Medium Density Residential”, “Multi-family, High Density Residential”, “Community Commercial Node”, and “Open Space”.

Riverbend Road is planned to continue south of Oxford Street West to service the Riverbend South area. There will also be commercial development on the south side immediately adjacent to Oxford Street between Westdel Bourne and Riverbend Road. These lands were previously designated as commercial in the Official Plan. The zoning amendment included special provisions for reduced front and exterior side yard setbacks to provide the site with additional flexibility to accommodate some larger format retail as well as provide for a continuation of the main-street theme being proposed along Riverbend Road to the north to allow building positioning that is close to the street and pedestrian-oriented.

The City of London Approval Authority approved the Phase 1 draft plan of subdivision on May 6, 2015. Red-line revisions include adjustments to the limits of the plan to include future SWM Facilities identified in the Tributary ‘C’ Municipal Class EA, and road widening blocks abutting

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Westdel Bourne, south of Oxford Street West. Phase 1 is currently advancing through the Design Studies stage of the subdivision approval process. The draft plan submitted showed the Future SWM Facilities (SWM 'F' and portion of SWM 'G') outside the boundaries of the draft plan. City staff recommended that these facilities be included within this phase and identified as blocks within a plan of subdivision to be conveyed to the City.

Sifton Commercial/Office Building

On June 11, 2015, Sifton Properties Limited received Site Plan Approval and entered into a Development Agreement to build a new 3 storey, mixed-use building with office, restaurant and retail at the northwest corner of Oxford Street West and future Riverbend Road. The total gross floor area is 6488 m², with approximately 3770 m² of office floor space. As mentioned above, this portion of the site is commercially zoned (CSA5) as result of a previous rezoning which occurred in 2005. In conjunction with the site plan application, an application to the Committee of Adjustment for minor variances to the zone regulations for front yard depth, building height, parking, and to permit a shopping centre with uses that are not predominantly retail was approved on April 20, 2015. An application to remove the holding ("h" and "h-25") provisions was also approved by City Council on June 10, 2015. The current application includes these lands within the requested Mixed Use (MU) Zone.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Thames Valley District School Board

The proposed subdivision is presently within the boundaries of the Byron Holding Zone and students will be accommodated at Byron Somerset PS for Grades JK to 8. The current boundary for Secondary is not within a holding zone and students will be accommodated at Saunders SS for Grades 9-12. Due to increased enrolment the TVDSB is requesting that the following clause be included as a condition of Draft Plan Approval for the subject plan:"

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

Staff response: A public elementary school site for the Thames Valley District School Board has been identified within the Riverbend South Secondary Plan lands to the south of Oxford Street West. The school board's requested standard holding zone warning clause will be captured in the subdivision agreement for this development.

Bell Canada / Canada Post

Staff response: Bell and Canada Post provided comments in response to this application which reflected their standard requirements for new subdivisions. These requirements will be captured in the conditions of draft approval, engineering servicing drawings, and subdivision agreement.

Union Gas

It is Union Gas Limited's request that as a condition of final approval that the owner/developer provide to Union Gas the necessary easements and/or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Union Gas.

Union Gas was consulted previously during the preparation of the Riverbend South Secondary Plan and provided a formal response. The following comments are repeated from the staff report to Planning and Environment Committee meeting on July 23, 2013:

"Union has an NPS 12 high-pressure pipeline, located on easement, which runs on the east side of Westdel Bourne from the south side of the Thames River to the south side of Byron Baseline Rd. This pipeline continues on the south side of Baseline Rd to Wickerson Rd and is one of the major feeds into the City of London."

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The easement that is in place between Union and the land owner states that: “without the prior written consent of the Grantee [Union Gas Limited], the Grantor [landowner] shall not excavate, drill, install, erect, or permit to be excavated, drilled, installed or erected in, on, over or through the said lands any pit, well foundation, pavement, building or other structure or installation.

*Furthermore, the Technical Standards and Safety Authority (TSSA) have created guidelines for development in the vicinity of oil and gas pipelines. A copy of the TSSA guideline is attached for your review. Depending upon the operating characteristics of a particular pipeline, these guidelines require an additional setback of 20 m to dwellings intended for human occupancy and an additional setback of 200 m to institutions where rapid evacuation may be difficult; these institutions include hospitals, nursing homes, penal institutions, and institutions for the physically and mentally handicapped. Although schools are not specifically mentioned in the TSSA guideline, consideration should be given to increasing the setback to 200 m for these structures as well. The NPS 12 high-pressure pipeline that is located along the east side of Westdel Bourne **does require** these additional setbacks to comply with the TSSA guideline.”*

Staff response: Conditions of draft plan approval have captured the above requirements (Condition #11).

Servicing Related City Comments

The following comments represent the consolidated feedback from Development Services Engineering Review Staff and the various Engineering Services Divisions of the City of London. The recommended red-line revisions, holding provisions, and conditions of draft plan approval have captured those requirements for wastewater, stormwater, water and transportation (Conditions #14 to #103).

Wastewater

- The construction of sanitary sewers to serve this plan are to connect to the existing municipal sewer system, namely, the 450 mm (18”) diameter sanitary sewer located on Riverbend Road, the 300 mm (12”) diameter sanitary sewer located on Shore Road at Logans Run and the 250 mm (10”) diameter sanitary sewer located on Shore Road, west of Riverbend Road. The proponents will be requested to provide a conceptual sanitary layout of the sanitary sewer crossing the commercial block at the southwest corner of this plan and identify any required easements. The proponents will also be required to demonstrate the ultimate density for the Mixed Use zone to ensure appropriate sewer sizing.

Stormwater

- The construction of storm sewers to serve this plan, located within the Downstream Thames Subwatershed, are to outlet to the proposed SWM Facility ‘G’ within the Tributary ‘C’ Functional design area, the existing Mews SWM Facility and the existing Riverbend Golf Course SWM Facilities via the internal storm sewer servicing for the plan of subdivision and the existing external storm sewer outlets on Shore Road.
- The proponent will be required to demonstrate that a proposed road connection to Westdel Bourne can be accommodated without negatively impacting the operation of the proposed SWM Facility ‘G’.
- The proponent will be required to verify that the proposed sanitary trunk sewers, proposed to traverse the SWM Facility blocks, shall not have any negative impacts on the configuration of the SWM Facilities.
- The Owner will be required to dedicate sufficient lands to the City to enable completion of the proposed SWM facility and all related servicing, and shall ensure that the land for the SWM Block(s) is sized in accordance with the final accepted Municipal Class

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Environmental Assessment (EA) Study Storm/Drainage and Stormwater Management, Transportation & Sanitary Trunk Servicing Works for Tributary 'C', Downstream Thames Subwatershed for the Tributary 'C' SWM Facilities 'G' and 'A'; and in accordance with the final accepted Functional SWM Report for the Tributary 'C' study area. The Owner shall also ensure the SWM Block(s) are located outside of any road widening requirements along Westdel Bourne Road and Oxford Street West.

Water

- Watermains constructed to serve this plan are to connect to the existing municipal system, namely, the existing 600 mm diameter low level watermain on Westdel Bourne, the 600 mm diameter low level watermain on Shore Road and the 600 mm diameter low level watermain on Kains Road. It is noted there is no municipal watermain on Oxford Street West. All blocks are to be serviced from the internal subdivision watermain system.

Transportation

- The Engineering Division does not support multi-use paths within street right-of-ways as sidewalks and on-street bike lanes provide the same services and are maintained during winter months unlike multi-use paths. These trails should be constructed on private property, not the public right-of-way.
- A Transportation Impact Assessment (TIA) study recommended installation of traffic signals along Oxford Street West at Riverbend Road and at "Logans Run". Traffic signals shall not be installed until traffic and pedestrian activity meet the traffic signal warrant threshold identified in the Ontario Traffic Manual Book 12 Traffic Signals. Engineering staff have concerns that the spacing between these traffic signals and existing signals at Westdel Bourne and Kains Road/Commissioners Road is insufficient to permit traffic progression between signals. Traffic signals should be spaced at 400 metre intervals to achieve optimal vehicle progression. The Traffic Impact Assessment did not include analysis as to whether progression could be achieved with the spacing being proposed. If progression is not achievable, traffic signals shall not be recommended. Additionally, the TIA only spoke to traffic conditions when Oxford Street West is to be widened in 2030 and did not discuss anything in the interim; a 10 year planning horizon should be discussed in addition to the 20 year.
- The Urban Design Brief submitted with the application has typical road cross-sections for Riverbend Road and "The Linkway" and "Logans Run". The streets typically include parking, bike lanes and wider sidewalks. The engineering staff generally agrees with the concepts but modifications will be required. The concepts do not show the proposed cycle track and bike lanes and should be updated accordingly. The concepts also do not include left turn lanes on "The Linkway" at either Westdel Bourne or Kains Road nor on "Logans Run" at Oxford Street West. These streets will need to accommodate left turn lanes. As a result "Logans Run" will need to be widened near Oxford Street West to accommodate the left turn lane. These issues can be fully discussed through the subdivision process and modifications undertaken as necessary.
- Traffic calming measures will be required along Riverbend Road and "The Linkway". It is recommended that raised intersections be constructed along "The Linkway" at Riverbend Road and "Logans Run". A raised crosswalk is also being recommended for the open space/park path crossing "The Linkway". Curb extensions will also be required at public street intersections and private accesses to delineate on-street parking.
- Garage setbacks from public streets should be a minimum of 6 metres from the street line to provide sufficient distance for parking between the building and the sidewalk.
- The Transportation Division does not support the proposed private Plaza Road.

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Planning Services / Environmental and Parks Planning (E&PP)

Planning and Parks Planning comments were provided in response to the circulation of the original notice of application. Most of the salient points relating to the requested amount of office floor area and the urban design objectives were addressed by the applicant through the submission and re-circulation of a revised draft plan, Official Plan, and zoning by-law amendment application which included a reduction in the amount of total gross floor area of office space from 14,000 m² to 9,500 m², revisions to the concept plans and design guidelines, and changes to the draft plan of subdivision. Parkland dedication has previously been provided for these lands through the acquisition of Riverbend District Park.

Upper Thames River Conservation Authority (UTRCA)

These lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. With respect to Drinking Water Source Protection, the UTRCA advises that these lands are located in a Significant Groundwater Recharge Area that has Highly Vulnerable Aquifers (HVA). At this time, certain activities on this property may be considered *Moderate or Low* threats to drinking water. The UTRCA reports they have no objection to this application.

PUBLIC COMMENTS

PUBLIC LIAISON:	<p>On September 15, 2014 a Notice of Application for approval of draft plan of subdivision, Official Plan and zoning by-law amendments was sent to 145 surrounding property owners. Notice was published in "The Londoner" on September 25, 2014.</p> <p>On July 31, 2015 a Notice of <u>Revised</u> Application for approval of draft plan of subdivision, Official Plan and zoning by-law amendments was sent to 158 surrounding property owners. Notice was published in "The Londoner" on August 13, 2015.</p>	<p>10 replies received.</p> <p>11 replies received</p>
Nature of Liaison:		
Consideration of draft plan of subdivision, Official Plan and Zoning By-law amendments to permit development of a mixed use community consisting of commercial, office, medium and high density residential uses (see "Requested Action" page 5).		
Responses: Development Services received three written responses and eight telephone calls (see page 28). The main comments and concerns are summarized as follows:		
<ul style="list-style-type: none"> • Building Height - Building heights were to range from two to twelve storeys. Now we see buildings exceeding twelve storeys may be permitted at key locations • The amended plan discusses buildings potentially exceeding 12 stories or a height of 38 m compared to the originally proposed 24 m • Access – There should be limited direct driveway access to Shore Road • With potential additional townhouse driveways on Shore Road, and impact of on-street parking and potential for traffic accidents, we request private service roads for townhouses similar to Riverbend Place • Primary access to commercial uses should be from Oxford Street and Westdel Bourne • Streets/Traffic - Streetscape appearance, traffic, parking, noise and safety concerns • Concerns about increased traffic volume on Shore Road, congestion and safety for school children with addition of 2000 residential units. • Other - Apartment buildings should be located on the south portion of Block 4 • The Mixed Use area gives too broad a range of options and should be narrowed and involve resident stakeholders input in the final decision • Consider more privately owned homes and less rental residential 		

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ANALYSIS

Existing Situation

The total area of the site is approximately 30 hectares, and the subdivision draft plan applies to approximately 22 hectares of the overall area. This site located in the northwest part of the City, bounded by Oxford Street, Shore Road, Westdel Bourne and Kains Road. Under the City street hierarchy, Oxford Street West is classified as an “Arterial”, Westdel Bourne and Kains Road are “Primary Collector”, and Shore Road and Riverbend Road are “Secondary Collector”. Future Riverbend Road south of Shore Road is classified as a “Primary Collector”.

The site is vacant and historically been used for agricultural purposes (field crops). The grade naturally slopes from southeast to the northwest. The topography is gently to moderately rolling with the high point located at Oxford Street West and Kains Road. Elevations on the site range from 279.0 m in the southeast area of the site to 266.0 m in the central portion and 260.0 m in the northwest. Steeper slopes are found along the southerly portion of the site adjacent Oxford Street, with the north half of the site being relatively flat. The topography provides excellent views as you enter and leave the City along Oxford Street looking north across the site and towards the Thames River.

A high pressure natural gas pipeline exists within an easement along the east side of Westdel Bourne. The future SWM Facility block is located immediately adjacent to the gas pipeline easement. The SWM block is proposed to be zoned Open Space providing a green space corridor where there are normally setback restrictions on the placement of buildings and certain uses. There is no natural vegetation with the exception of small patch of trees in the southeast corner of the site, near the intersection of Oxford Street and Kains Road. Retention of any trees in good condition at this corner will be reviewed at the Design Study and site plan approval stages.

The Riverbend Community Plan identified these lands for commercial, medium and high density residential uses. The proposed subdivision plan and associated Official Plan and Zoning amendments generally meet the intent of the Community Plan by their inclusion of these uses; however, the application seeks to reconfigure them to some extent to create a more integrated, mixed-use development as envisioned by the proponent. Sifton’s “West Five” development is intended to be a unique community that embraces the principles of smart, connected, active, and healthy living. The Riverbend South Secondary Plan approved by Municipal Council earlier this year has been taken into consideration with this development concept. The long term intention is that this area will form a major activity node for the existing Riverbend Community, the future Riverbend South area, as well as the broader area of west London.

Limits of Draft Plan of Subdivision

The draft plan as submitted excluded lands identified for future SWM Facility ‘G’ on the east side of Westdel Bourne, and other commercial lands owned by the applicant northeast of Oxford Street West and Westdel Bourne. SWM Facility ‘G’ infiltration and conveyance channel serves lands within this plan of subdivision, a road widening is required along Westdel Bourne, and a trunk sanitary sewer is required to cross the commercial lands in the northeast quadrant. A comprehensive draft plan which includes all of the affected lands will provide for the implementation of municipal servicing requirements through a single process and subdivision agreement. Based on comments received during the circulation of the plan, Staff advised the applicant that this block of land should be considered within the context of the draft plan of subdivision. Therefore, the recommended approach is to consider the application comprehensively through a red-line revision which includes all of the lands bounded by Oxford Street, Westdel Bourne, Shore Road and Kains Road. It is recommended that the limits of the draft plan be adjusted in accordance with red-line revised plan as shown on Page 23.

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Official Plan Amendment Request

These lands are currently designated as “Multi-family, Medium Density Residential”, “Multi-family, High Density Residential”, and “Community Commercial Node” in the Official Plan. The Multi-family, Medium Density designation permits primarily multiple-attached dwellings, such as row houses or cluster houses, low-rise apartment buildings, rooming and boarding houses, and small scale nursing homes, rest homes and homes for the aged up to a density of 75 units per hectare and height normally not exceeding four storeys. Single detached, semi-detached, and duplex dwellings may also be permitted. The Multi-family, High Density designation permits low-rise and high-rise apartment buildings, multiple-attached dwellings, emergency care establishment, nursing homes, rest homes and homes for the aged at densities of up to 150 units per hectare outside of Central London. Height and density limits are specified in the zoning by-law. The Community Commercial Node designation is intended to provide for a wide range of goods and services, and limited amounts of office and entertainment uses, either within an enclosed shopping centre, strip plaza, or in free-standing structures fronting the street.

The request is to amend the Official Plan to add a policy under Section 10.1.3 – Policies for Specific Areas. The rationale for making this request is that the existing land use designations do not fully lend themselves to the proposed development, nor is there an appropriate designation that reflects the applicant’s intent for a unique, mixed-use, and sustainable community. The proposed policy is intended to provide flexibility over the long term to allow for a mix of commercial, residential and office uses within the same block and/or within the same building. The mixed-use area applies to the central portion of the site. With reference to the draft plan, this area includes all of Block 1, the southerly halves of Blocks 4 and 5 north of The Linkway, and lands on the west side of Riverbend Road, between Oxford Street West and The Linkway.

The proposed policy provides for a mix of low-, mid-, and high-rise apartment buildings, and allows a broad range of retail, service, institutional and community facilities, recreation, entertainment and related activities as the primary permitted uses. Within the overall special policy area, the total retail gross floor area permitted will be 30,000 square metres. In addition, a maximum of 9,500 square metres of office space would be permitted. Residential densities will not exceed 100 units per hectare on an overall basis for the mixed use area. Building heights will typically range from two to twelve storeys. Buildings exceeding twelve storeys may be permitted at key locations such as gateways and focal points provided they meet the intent of the policies and associated design guidelines, and may be permitted subject to bonusing provisions.

The following description taken from the Final Proposal Report summarizes the proposed Mixed Use designation and policy to be included in Section 10.1.3, as follows:

“The Mixed Use land use designation provides for a mix of housing and compatible commercial and office land uses that support a vibrant, compact, walkable and mixed use neighbourhood. Housing in this designation is permitted in live-work form, as well as in mid to high rise apartment form. Buildings within this designation may be built as single purpose (e.g. residential apartments or office buildings). Mixed use buildings are encouraged; with commercial uses along the ground floor with residential units or office space located in upper floors. A variety of community-scale, neighbourhood based and convenience based commercial and personal service uses are permitted. They are intended to accommodate the needs of the surrounding residential neighbourhoods located within convenient walking and/or driving distance. High quality urban design is an important consideration for the successful integration of different uses in the Mixed Use land use designation and is implemented through the urban design policies of the Official Plan, the site plan approval process, and West 5 Urban Design Guidelines.”

Permitted uses would include appropriately scaled commercial, small to medium scale offices, entertainment, institutional, recreational and residential uses within mixed-use buildings or complexes. This may include: restaurants; financial institutions; retail stores (including convenience stores); personal services; day care centres; pharmacies; laboratories; clinics; studios; theatres; community recreation centres; and mid to high rise apartments and office uses in either purpose built or mixed use buildings.

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Other policies included within the proposed amendment to Section 10 are intended to apply to the whole of the “West Five” site, to recognize and support the intent to incorporate alternative development standards, a range of sustainability initiatives including renewable and/or district energy systems, low impact development, green infrastructure, and the need for unique and innovative implementation tools.

Is the requested Official Plan Amendment appropriate?

The recommended specific-area policy amendment is considered appropriate to provide direction for future development within this area. Section 10 of the Official Plan states “Notwithstanding the other land use policies contained in Section II of this Plan, policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land. The adoption of policies for Specific Areas may be considered where one or more of the following conditions apply:”

iii) The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.

It is recognized that while this is a presently a “green field” site, a significant part of the applicant’s proposal for future development of these lands is intended to incorporate a mix of land uses not reflected by the current use designations. The above-noted condition is considered applicable to the nature of the application and a specific policy is justified in order to provide guidance and direction for that development.

The mixed use policy would apply to the central portion of the site focusing on Riverend Road and The Linkway as future main streets. The existing land use designations around the inside perimeter of the site would not change in order to provide for a transition in use, form and intensity with surrounding lands, and with the lower density residential neighbourhood to the north. A band of Multi-Family, Medium Density Residential designation will continue to be maintained along the south side of Shore Road, Multi-Family, High Density Residential at the northwest quadrant of Oxford Street West and Kains Road, and Community Commercial Node at the northeast quadrant of Oxford Street West and Westdel Bourne.

One of the planning issues staff had concerns with is the amount of office space as the original application requested a maximum of 14,000 square metres gross floor area of office use. Large office developments are encouraged to be located in the Downtown to ensure that it continues to be the dominant office employment area in the City. The Official Plan does, however, permit office development in suburban locations in small to medium scale format to provide alternative locations outside the Downtown and to increase employment opportunities in different parts of the City. The policies of the Official Plan define office development of less than 2,000 square metres gross floor area as “small scale”, and office development between 2,000 square metres and 5,000 square metres gross floor area as “medium scale”.

This location would meet the policy objectives for an Office Area designation permitting medium scale office development. Recognizing that there is already significant development potential for office use, the maximum amount of office space should be limited to 9,500 square metres of gross floor area (5,000 square metres medium-scale office plus up to 15% of the 30,000 square metres commercial gross floor area, or 4,500 square metres, presently permitted under the existing commercial designation and zoning). The applicant’s proposed policy amendment includes wording that additional office space, up to 14,000 square metres for the overall West Five area, be permitted in the future without an Official Plan Amendment, subject to supporting market demand and transportation impact studies. However, this wording was not included in the recommended amendment as the staff position is that there is significant development potential for office use and that an increase for additional office space beyond the defined parameters should only be considered through an amendment to the Official Plan.

In addition to the specific-area policy, the land use map (Schedule “A”) should be amended in order to adjust the land use designations to correspond with blocks in the subdivision draft plan. This changes the designation on the northerly portion of Block 2 from “Multi-family, Medium Density Residential” to “Multi-family, High Density Residential”, and the southerly portion of

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medium density residential Block 6 from “Community Commercial Node” to “Multi-family, Medium Density Residential”.

Recommended Zoning

The request for a Mixed Use (MU) Zone introduces a new zone category to the Z.-1 Zoning By-law. This is found to be unnecessary since the requested range of uses and zone regulations are similar to the standard range of uses and regulations found within the Business District Commercial Zone (Section 25). The zone provides for and regulates a mix of retail, office, residential and neighbourhood facility uses, with buildings intended to be close to the street line. Variations of the BDC Zone have been applied in other areas of the City where a mixed use or main street approach was being proposed. For this draft plan of subdivision, the applicant’s request can be accommodated through a special provision BDC Zone. The following provides a synopsis of the recommended zones, permitted uses, regulations, and holding provisions to be applied to blocks within the draft plan. Reference should be made to the zoning amendment map found on Page 40 of this report.

All of Block 1 and southerly portion of Blocks 4 & 5 – Holding Business District Commercial Special Provision (h•h- •BDC()) Zone to permit a range of uses such as animal clinics, apartment buildings, assembly halls, bake shops, cinemas, clinics, commercial recreation establishments, convenience service establishments, financial institutions, hotels, medical/dental offices, nursing homes, offices, places of entertainment, private clubs, private schools, restaurants, retail stores, service and repair establishments, supermarkets, taverns, cluster townhouses, cluster stacked townhouses, and street townhouses together with special zone regulations for a front and exterior side yard depth maximum of 8.0 metres; interior side and rear yard depth minimum abutting a residential zone of 6.0 metres; interior side and rear yard depth minimum abutting a non-residential zone of 3.0 metres from any other zone boundary and 0.0 metres within the same BDC() zone; building height minimum of 8.0 metres; building height maximum of 38.0 metres; gross floor area for retail uses maximum 30,000 square metres; total gross floor area for office uses maximum 9,500 square metres; gross floor area for offices per building maximum 5,000 square metres; landscaped open space minimum 10%; lot coverage maximum 60%; off-street parking minimum for commercial - 1 space per 30 square metres; off-street parking minimum for office - 1 space per 40 square metres; off-street parking minimum for residential - 1 space per unit; distance of surface parking areas from a public road allowance minimum 3.0 metres; residential density maximum 100 units per hectare. Uses shall be permitted in a shopping centre building, a stand-alone building, or a mixed use multi-storey building (including live-work format).

This zone implements the recommended special policy amendment to the Official Plan and is appropriate. The range of uses, building regulations, site development and parking standards have all been included as reflected in the applicant’s proposed Mixed Use (MU) Zone. Staff have also included in the special provision that the Total Gross Floor Area for Office Uses (Maximum) within this zone and the adjacent CSA5() Zone combined shall not exceed 9,500 m².

Block 2 – Holding Residential R10 (h•h-54•h-___•R10-3•H55) Zone to permit such uses as apartment buildings, senior citizens apartment buildings, and continuum-of-care facilities up to a maximum density of 250 units per hectare and maximum height of 55 metres. These lands are designated Multi-Family, High Density Residential and the zoning is appropriate to implement the Official Plan designation. Under Section 3.4.4, appropriate height and density limitations for individual sites may be based on a concept plan showing how the area will be developed and integrated with surrounding uses. Urban design guidelines and concept plans have been prepared with specific design goals for the high-rise towers, including guidelines for establishing building scale, height and transition to the adjacent neighbourhood.

Block 3 - Holding Residential R5/R6 Special Provision (h•h-__•R5-6()/R6-5()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, apartment buildings, townhouse, and stacked townhouses up to a maximum density of 50 units per hectare, with a special provision for a maximum lot coverage of 50%, maximum height of 15 metres, and minimum front and exterior side yard depth to main building of 3.0 metres. Consideration has been given to reduced front and exterior yards based on City of London Placemaking Guidelines, which suggest a minimum of 3.0 metres and maximum of 4.5 metres building setback. The goal is to ensure streets are well framed by buildings that front the street

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encouraging a stronger relationship between the public and private realm.

Northerly portion of Block 4 - Holding Residential R5/R6/R8 Special Provision (h•h-•R5-6()/R6-5()/R8-3()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, and stacked townhouses up to a maximum density of 50 units per hectare with a special provision for a maximum lot coverage of 50%, maximum height of 15 metres, and minimum front and exterior side yard depth to main building of 3.0 metres; and to permit such uses as apartment buildings, senior citizens apartment buildings, continuum-of-care facilities, and emergency care establishments up to a maximum density of 65 units per hectare with a special provision for maximum height of 15 metres.

Northerly portion of Block 5 - Holding Residential R5/R6/R7/R8 Special Provision (h•h-•R5-6()/R6-5()/R7•D75•H18/R8-4()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, and stacked townhouses up to a maximum density of 50 units per hectare with a special provision for a maximum lot coverage of 50%, maximum height of 18 metres, and minimum front and exterior side yard depth to main building of 3.0 metres; and to permit such uses as apartment buildings, senior citizens apartment buildings, nursing homes, continuum-of-care facilities, and emergency care establishments up to a maximum density of 75 units per hectare and maximum height of 18 metres.

Northerly portion of Block 6 – Holding Residential Special Provision (h•h-•R5-3()/R6-5()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare with a special provision for maximum lot coverage of 50%, and minimum front and exterior side yard depth to main building of 3.0 metres.

Southerly portion of Block 6 – Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-•R5-3()/R6-5()/CF1()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare with a special provision for maximum lot coverage of 50%, minimum front and exterior side yard depth to main building of 3.0 metres; and to permit a limited range of Community Facility uses such as community centres and libraries. A special provision is recommended to restrict the range of uses within the CF1 zone. Elementary schools, secondary schools, and day care centres which would normally be permitted are not recommended as this area lies within the 200 metre setback from the Union Gas pipeline along Westdel Bourne. In accordance TSSA guidelines for development in the vicinity of oil and gas pipelines, this setback applies to institutions where rapid evacuation may be difficult.

Future SWM Facility - Open Space (OS1) Zone to permit such uses as public parks, conservation lands, golf courses, and recreational buildings associated with conservation lands and public parks. This is the standard OS zone applied to public open space lands, including public parks and stormwater management ponds.

Pioneer Cemetery - Open Space (OS3) to permit cemeteries. This expands the area of the site already zoned OS3, and extends this zone to provide frontage on Oxford Street West.

Northeast quadrant Oxford Street West and Westdel Bourne – Holding Community Shopping Area Special Provision (h•h-25•CSA5()) Zone as currently exists; however, with a special provision that Total Gross Floor Area for Office Uses (Maximum) within this zone and the adjacent BDC() Zone combined shall not exceed 9,500 square metres.

Holding Provisions

It is recommended that the standard “h” holding provision be applied to the zoning for all development blocks within the draft plan of subdivision, as follows:

(h) - to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of

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the approval of the draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed prior to development;

The following holding provision be applied to zoning for the high density residential block (Block 1) in the draft plan to ensure completion of a noise assessment report and implementation of mitigation measures for development adjacent arterial roads:

(h-54) – to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the “h-54” shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London;

The following holding provision be applied to zoning for all blocks within the draft plan to ensure the West Five Urban Design Guidelines are implemented at the site plan approval stage:

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

Recommended Red-Line Revisions - Draft Plan of Subdivision

The draft plan as proposed by the applicant will consist of a number of multi-family residential and mixed use blocks, including one Medium Density Residential block (Block 6), three Medium Density Residential / Mixed Use blocks (Blocks 3, 4 & 5), one Mixed Use block (Block 1), one High Density Residential / Mixed Use block (Block 2), one Primary Collector (Riverbend Road), two local streets (The Linkway and Logan’s Run), one road widening block (Block 7), and several 0.3 metre reserve blocks (Blocks 8-12).

The road layout provides very good north/south and east/west connectivity to the surrounding street network, and there is good integration with the existing neighbourhoods to the north and south with the continuation of Riverbend Road and Logan’s Run, and Riverbend Road to the south of Oxford Street West. A gap on the west side of Westdel Bourne opposite the Linkway provides an opportunity for possible future road connection to lands to the west. The subdivision layout enables an efficient integration for pedestrian and cycling paths, connectivity with the Riverbend District Park north of Shore Road, and access to the City’s multi-use trail along the east side of Kains Road.

Based on the comments received during the circulation of the draft plan, a number of red-line revisions to the proposed subdivision plan are recommended, as follows:

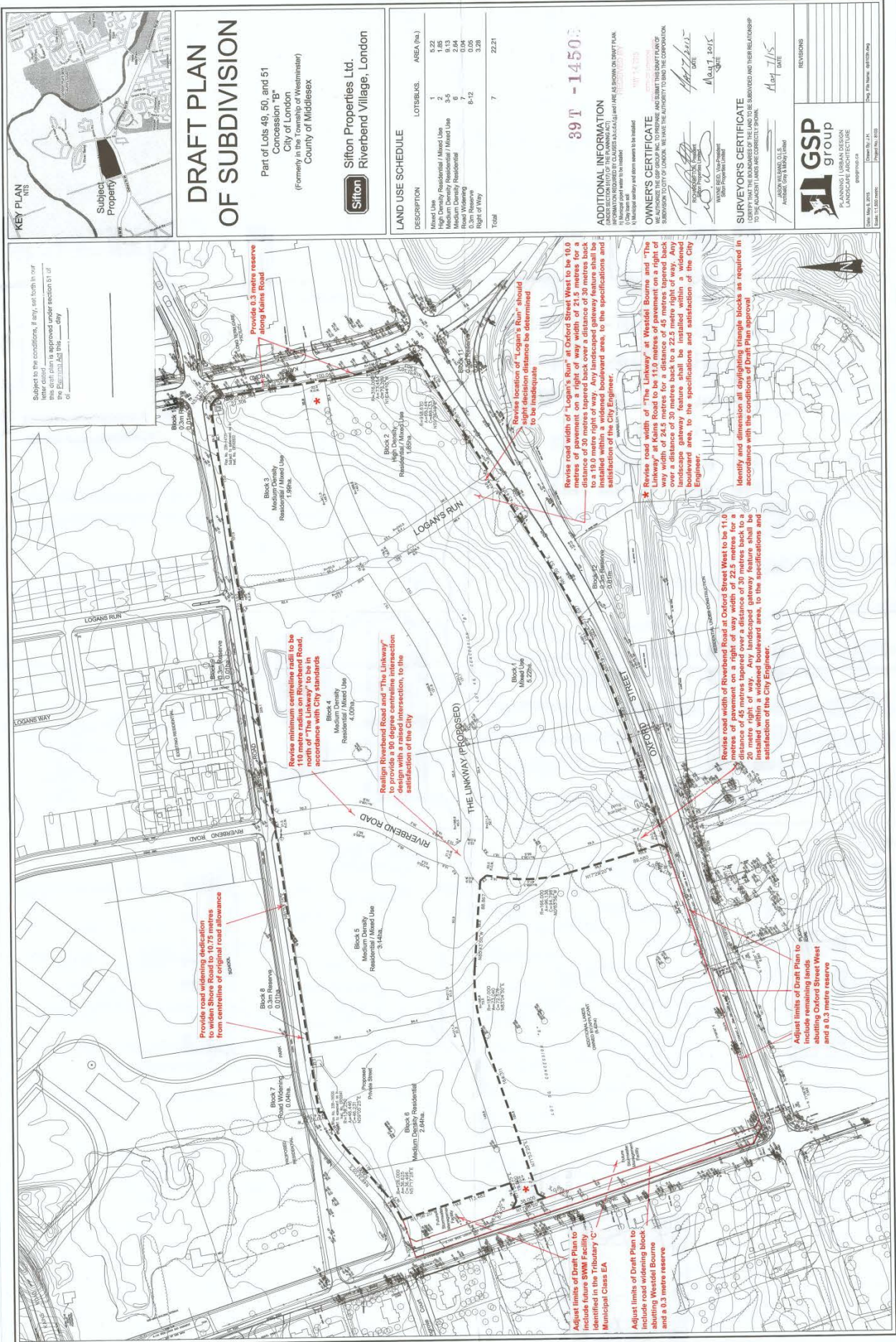
- Adjust limits of Draft Plan to include future SWM Facility identified in the Tributary ‘C’ Municipal Class EA.
- Adjust limits of Draft Plan to include road widening block abutting Westdel Bourne and a 0.3 metre reserve.
- Adjust limits of Draft Plan to include remaining lands abutting Oxford Street West and a 0.3 metre reserve.
- Provide road widening dedication to widen Shore Road to 10.75 metres from centreline of original road allowance.
- Provide 0.3 metre reserve along Kains Road.
- Revise location of “Logan’s Run” should sight decision distance be determined to be inadequate at Oxford Street West.

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- Revise minimum centreline radii to be 110 metre radius on Riverbend Road, north of “The Linkway” to be in accordance with City standards.
- Realign Riverbend Road and “The Linkway” to provide a 90 degree centreline intersection design with a raised intersection, to the satisfaction of the City.
- Revise road width of Riverbend Road at Oxford Street West to be 11.0 metres of pavement on a right of way width of 22.5 metres for a distance of 45 metres tapered over a distance of 30 metres back to a 20 metre right of way. Any landscaped gateway feature shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer.
- Revise road width of “The Linkway” at Westdel Bourne and “The Linkway” at Kains Road to be 11.0 metres of pavement on a right of way width of 24.5 metres for a distance of 45 metres tapered back over a distance of 30 metres back to a 22.5 metre right of way. Any landscape gateway feature shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer.
- Revise road width of “Logan’s Run” at Oxford Street West to be 10.0 metres of pavement on a right of way width of 21.5 metres for a distance of 30 metres tapered back over a distance of 30 metres back to a 19.0 metre right of way. Any landscaped gateway feature shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer.
- Identify and dimension all daylighting triangle blocks as required in accordance with the conditions of Draft Plan approval.

Recommended Red-Line Revisions



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Provincial Policy Statement 2014

The recommended Official Plan amendment, Zoning By-law amendment, and red-line revised draft plan of subdivision are consistent with the PPS, as summarized as follows:

1. Building Strong Healthy Communities

The subject lands are located within the City's Urban Growth Boundary and adjacent existing and proposed built-up areas to the north, south, east, and west. The proposed development meets objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns, and by accommodating an appropriate range of medium and high density residential, commercial, employment, recreational, and institutional uses to meet long-term needs. The proponents are seeking to create a very compact, mixed-use form of development. A range of residential accommodation (including live/work), commercial and office uses will provide employment opportunities, satisfy shopping needs, reduce length and number of vehicular trips, and provide a range of services for current residents and future users. Development will utilize full municipal services which are available at the property boundary.

Connectivity among transportation modes is provided by the proximity to trail linkages, access to public streets and existing/anticipated future public transit routes. In addition consideration is being given to providing opportunities for car-share programs, cycling infrastructure, and electric vehicle charging stations. Investment in energy conservation and the use of renewable and alternative energy systems, in particular solar-powered electricity technology, is being promoted as a central objective of this development.

Urban Design Guidelines have been prepared and will be used to encourage a well-designed built form. A sense of place is a key component with emphasis on high standards of architectural design, integration of public spaces for gatherings and events, incorporation of unique landscaped corridors and linkages to public parks and/or heritage resources, including a pioneer cemetery.

2. Wise Use and Management of Resources

The proposed development will apply appropriate stormwater management practices to protect water resources by utilizing existing municipal SWM facilities, as well as incorporating components (conveyance and infiltration channel) of a new SWM facility system which has been approved in accordance with the Tributary 'C' Environmental Assessment. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources. An archaeological investigation was previously carried out during the preparation of the Riverbend Community Plan. A letter of clearance was issued by the Ontario Ministry of Culture in 2003 indicating that with the exception of the Kilbourne pioneer cemetery, all archaeological concerns have been satisfactorily addressed.

A small pioneer cemetery was discovered during the original archaeological assessment on a portion of the subject lands fronting onto Oxford Street West. The site was registered under the *Cemeteries Act* and was zoned Open Space (OS3) to officially recognize the presence of the cemetery use and to ensure that it was not disturbed. It was also understood that the pioneer cemetery lands would continue in private ownership, and not be the responsibility of the municipality. The owners have indicated their intent that the area will be preserved within their overall development plans.

3. Protecting Public Health and Safety

The proposed development is outside of any natural hazards and there are no known human-made hazards.

Based on our review overall the proposed development is consistent with the 2014 Provincial Policy Statement.

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Planning Act - Section 51(24)

Development Services staff have reviewed the requirements under Section 2 of the Planning Act and regard has been given to matters of Provincial interest. Adequate municipal services are available to service development. The subdivision will be required to connect to existing and planned municipal sanitary, stormwater, and water services prior to development. Other municipal services such as roads and transportation infrastructure will be provided and constructed as conditions of draft plan approval. The proposed draft plan of subdivision promotes energy efficiency and conservation. It is anticipated that innovative design, development and building techniques to achieve “net zero” annual energy usage will be employed, such as solar energy, district energy/heating, energy storage systems and other technologies that are or may become available over the span of its development.

Ecologically efficient transportation systems are proposed to be integrated within the development, including opportunities for electric vehicles and charging facilities. Other sustainability initiatives are being pursued, and may include low impact stormwater management systems including rainwater capture and re-use for irrigation, and permeable pavement surfaces. 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 have other municipal waste recycling facilities nearby. As part of the draft plan, an in-road and off-road system of multi-use trails will contribute to a well-connected system of pedestrian and cycling paths to serve the community. This draft plan proposes a range of housing types from medium density cluster townhouses and low to mid-rise apartments to high density apartment buildings. Opportunities for housing in the form of live/work within a mixed use development will be encouraged and permitted.

School facilities include a catholic elementary school on the north side of Shore Road and a public elementary school site planned to the south, within the Riverbend South Secondary Planning area. There is adequate provision of employment areas and distribution of educational, health, social, cultural and recreation facilities throughout the City, in close proximity to this site, and within the proposed development itself to nurture employment opportunities, social/cultural programs, and recreation activities. The proposed draft plan supports public transit and promotes active transportation throughout the area and to the adjacent subdivisions. The requirements of London Hydro, Union Gas, Bell, and the City of London to adequately provide utilities and services are normally addressed in the subdivision agreement.

Based on Development Services staff’s review of the criteria in the Planning Act under Section 51(24), the recommended 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.

Financing for SWM Facility Lands

The proponent developer has contested the value being offered for the storm water management land block. SWM land acquisition cost is based on estimated land area to be acquired and price for SWM lands as contained in the approved DC by-law. DC SWM land values were discussed with stakeholder groups during the course of completing the 2014 DC rate setting process and used in the rate calculation part of the study. No distinction between commercial land value (which the proponent seeks) and "Developable" land value was provided for in either the rate calculations, or the DC by-law. Appendix “D” of this draft approval report summarizes anticipated DC eligible claims and revenues for this subdivision along with explanatory notes for information purposes. Estimates for eligible claims will be finalized when the subdivision agreement is prepared.

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Response to Public Comments

Building Height - Concept plans provided as part of the West Five Urban Design Guidelines indicate the tallest buildings within the mixed use area will be approximately 11-12 storeys centered around the future intersection of Riverbend Road and The Linkway. The intent is to provide a transition to lower building heights as you move away from the centre toward the perimeter (3-4 stories) where a low-rise building profile is appropriate and in keeping with the height and scale of adjacent residential development.

Access – The issue of individual access driveways from townhouse development blocks will be reviewed in more detail as part of the site plan approval process.

Streets/Traffic – Conditions of draft plan approval require additional review of the Traffic Impact Assessment (TIA) prepared by Paradigm Transportation Solutions through the Design Studies approval stage. Still, the traffic study did not indicate any capacity concerns with future traffic volumes along Shore Road and existing Riverbend Road. The study does identify a number of potential upgrades to the boundary roads at various phases of development. These upgrades include turning lanes, traffic signalization, center medians, etc. and affect all external boundary roads, including Oxford Street, Westdel Bourne, Shore Road, and Kains Road. As part of this subdivision draft approval, the construction of a left-turn lane on Riverbend Road at Shore Road will be required. The traffic study also recommends all way stop sign controls at this intersection will be warranted in the future.

Parking – Parking is permitted on the City street unless there are posted signs and enforced parking restrictions. Currently there are parking bays and bump-outs along the north side of Shore Road. The recommended red-line revisions to the draft plan of subdivision include provision for a road widening dedication to widen Shore Road to 10.75 metres from centreline of the original road allowance. At the time of site plan approval the City will be in better position to identify and resolve any conflicts between on-street parking, traffic flow, and location of pedestrian/vehicular accesses to future development.

Streetscape Appearance – Neighbourhood residents prefer to see private access roads or “window streets” for the development blocks along Shore Road and emphasis placed on appearance and landscaping along the street. Window streets are typically used in the design of residential developments that have exposure to “Arterial” roads in order to meet Ministry of Environment noise level criteria. It is not expected that it would be a requirement here, except for perhaps along the Oxford Street West frontage. The issue of access driveways, fencing and landscaping along the street are again related to site design issues that will be addressed at the site plan stage.

Rental vs. Owner Occupied – Generally there are concerns about a proliferation of rental units, and preference for privately owned units in order to foster pride of ownership. Within the Mixed Use area it is anticipated that there will be a mix of dwelling types, including opportunities for rental accommodation in the form of townhouses, apartments, and live-work dwellings. The tenure of future residential uses of lands fronting Shore Road and Kains Road is not known as this time; however, these lands could be developed as condominium corporations, or could be developed as private rental complexes, or specialized accommodation such as seniors housing or long term care. In any case the City does not have the power to restrict the use of residential dwelling units on the basis of tenure.

Other – The lands on the south side of Shore Road are currently designated in the City’s Official Plan as Multi-Family, Medium Density Residential, so low-rise apartment buildings are already a permitted use, as well as multiple attached dwellings such as townhouses, stacked townhouses, and various forms of cluster housing. Zoning over the southerly portion of Block 4 is expected to transition to a mixed use area where residential apartment buildings and mixed use buildings will be permitted. The West Five Urban Design Guidelines and concept plans indicate buildings heights increasing to a mid-rise scale (approx. 3-5 storeys and up to 11 storeys at the northeast intersection of Riverbend Road and “The Linkway”).

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CONCLUSION

The proposed draft plan of subdivision (as red-line revised), Official Plan amendment, and zoning by-law amendments are consistent with the PPS, The Planning Act, and the City's Official Plan. A specific area policy is considered to be an appropriate mechanism to provide guidance and direction for future development of this unique mixed use community. A comprehensive draft plan which includes all of the affected lands will provide for the implementation of municipal servicing requirements through a single process and subdivision agreement. The approach recommended here considers the application comprehensively through a red-line revision which includes all of the lands bounded by Oxford Street, Westdel Bourne, Shore Road and Kains Road. The proposed plan represents good land use planning and is considered an appropriate form of development.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER	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

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

TELEPHONE

Ann Bowers 1450 Riverbend Road

- Concerns about building height for the multi-family blocks on the south side of Shore Road.
- Prefers to see low-rise residential uses rather than buildings (ie. nursing homes/retirement apartments) towering over the existing homes on the north side of Shore Road.

Chris Allen 2 - 1900 Shore Road

- Inquiry as to how the process works and will residents be given the opportunity to attend a public meeting before a decision is made.

Charles Barry 1610 Riverbend Road

- Inquiry for further information with respect to building heights; form and number of buildings; policies and bonusing provisions to allow for excesses in building heights; special policies for renewable energy, green infrastructure, and alternative development standards; and traffic impact on Riverbend Road.

Greg Willson

- Inquiry for further information

Brennon D’Souza 1574 Logan’s Trail

- Inquiry for further information

Betty Baillie 2379 Gatenby Street

- Concern about any high-rise buildings in proximity to existing low density neighbourhoods.

Eric Miles, R.G. Richards & Associates

- Inquiry as to application status

Resident 12 - 1630 Shore Road

- Not concerned about increase in density; but, need to improve the traffic carrying capacity of the roads.
- Oxford Street should be widened to 4 lanes from the bridge to Westdel Bourne.

WRITTEN

**Bob Morton 8 - 1900 Shore Road
On behalf of the Owners and Board of Directors
“Courtyards of Riverbend” condo corporation
VLCC No.668**

- With ownership comes pride of appearance, therefore, the percentage of rented residences should be minimized.
- Fitness centre should meet the growing and aging population in Riverbend and should include pool and indoor track.

WRITTEN

- Request that there be no access driveways from Shore Road to Block 4, and from Shore Road to Block 5 opposite St. Nicholas elementary school.
- Streetscape appearance, traffic, parking, noise and safety concerns.
- Apartment buildings and care facilities should be located on the southerly portion of Block 4.
- the Mixed Use area gives too broad a range of options and should be narrowed and involve resident stakeholders input in the final decision.
- Primary access to commercial uses should be from Oxford Street and Westdel Bourne.
- With potential additional townhouse driveways on Shore Road, and impact of on-street parking and traffic accidents, we request private service roads for townhouses similar to Riverbend Place.

**Susan and John Reid
2 - 1454 Riverbend Road**

- Very disappointed with the revised application.
- The information does not resemble at all what Sifton publicized to residents and the community.
- Where are the bike trails, splash pad, dog parks, skating rink, community gardens, and electric charging stations in the new proposal?
- Building heights were to range from two to twelve storeys. Now we see buildings exceeding twelve storeys may be permitted at key locations.
- Shore Road is a narrow two lane road. There is an elementary school here and school buses, and parent drop-off / pick-up, is already making passage difficult. There are concerns about increased traffic volume, congestion and safety for school children with addition of 2000 residential units.

**Amanda McLarty
1445 Riverbend Road**

- Disappointment with the revised application.
- The amended plan discusses a mixed use space with buildings potentially exceeding 12 stories or a height of 38 m compared to the originally proposed 24 m.
- When we purchased our home we were excited about what Sifton West 5 had depicted – green spaces, walking paths, an outdoor amphitheatre, potential farmers market, specialty cafes, and boutique restaurants.
- Concerned about the future impact on the family friendliness and close-knit community.
- No desire for more tall buildings.
- Request to be notified of Decision of the City with respect of the proposed plan.

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Bibliography of Information and Materials
39T-14503 / OZ- 8410

Request for Approval:

- *City of London Subdivision Application Form, completed by Sifton Properties Ltd., July 22, 2014 – and Revised Application submitted May 14, 2015*
- *Draft Plan of Subdivision prepared by GSP Group, June 3, 2014 – and Revised Draft Plan of subdivision dated May 6, 2015*
- *City of London Combined Official Plan and Zoning By-law Amendment Application Form, completed by Sifton Properties Ltd., July 22, 2014 – and Revised Application submitted May 14, 2015*

Reference Documents:

- *Ontario Ministry of Municipal Affairs and Housing. Planning Act, R.S.O. 1990, CHAPTER P.13, as amended.*
- *Ontario Ministry of Municipal Affairs and Housing. Provincial Policy Statement, April 30, 2014.*
- *City of London Official Plan, June 19, 1989, as amended*
- *City of London Zoning By-law No. Z.-1, May 21, 1991, as amended*
- *Final Proposal Report – Village at Riverbend Subdivision, prepared by Sifton Properties Ltd. in association with AECOM, GSP Consulting, s2e, and Paradigm Transportation, June 2014*
- *Revised Final Proposal Report – West 5 Community Oxford Street West, prepared by Sifton Properties Ltd. in association with Stantec Consulting, GSP Consulting, s2e Technologies, and Paradigm Transportation, May 2015*

All Correspondence: (City of London File No. 39T-14503 and File OZ-8410)

- *City of London - Proposal Review Meeting Summary and Record of Consultation, December 19, 2013*
- *City of London - Development Services. Various correspondence with Sifton Properties Ltd.*
- *City of London - Development Services Departmental and Agency responses to Notice of Application, and Notice of Revised Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments.*
- *Public Responses. Various written and verbal correspondence with public in response to Notice of Application, Notice of Revised Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments.*

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Planner: L. Mottram**

**Appendix "A"
Official Plan Amendment**

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to lands bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road.

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 December 8, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2015
Second Reading – December 8, 2015
Third Reading – December 8, 2015

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Planner: L. Mottram

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

A. PURPOSE OF THIS AMENDMENT

1. The purpose of this Amendment is to add a policy in Section 10.1.3 – Policies for Specific Areas, of the Official Plan for the City of London to guide future development of lands in the Riverbend area referred to as “West Five”.
2. To change the land uses designations on Schedule “A” – Land Use of the Official Plan **FROM** “Community Commercial Node” **TO** “Multi-family, Medium Density Residential”, and **FROM** “Multi-family, Medium Density Residential” **TO** “Multi-family, High Density Residential”.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to the area of land bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road, in the City of London.

C. BASIS OF THE AMENDMENT

The specific-area policy is considered by Municipal Council to be appropriate for this area. It is recognized that while this is presently a “green fields” site designated in the Official Plan for medium and high density residential and commercial uses, a significant part of the applicant’s proposal for future development of these lands is intended to incorporate a mix of land uses not reflected by the current land use designations. The policy was developed in conjunction with an application for approval of draft plan of subdivision together with supporting documents, including revised urban design guidelines and a traffic impact study. A specific area policy is found to be appropriate in order to provide guidance and direction for future development.

The mixed use area policy would apply to the central portion of the site focused on Riverend Road and The Linkway as the main streets. The existing land use designations around the inside perimeter of the site would not change in order to provide a transition in use, form, and scale with the lower density residential uses in the surrounding area. A band of Multi-Family, Medium Density Residential designation will continue to be maintained along the south side of Shore Road, Multi-Family, High Density Residential at the northwest quadrant of Oxford Street West and Kains Road, and Community Commercial Node at the northeast quadrant of Oxford Street West and Westdel Bourne.

Minor adjustments to Schedule ‘A’ Land Use map are required in order that the land use designations correspond with the draft plan of subdivision. This changes the designation on the northerly portion of Block 2 on the draft-approved plan from “Multi-family, Medium Density Residential” to “Multi-family, High Density Residential”, and the southerly portion of Block 6 from “Community Commercial Node” to “Multi-family, Medium Density Residential”.

D. THE AMENDMENT

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

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

The following policies apply to the “West Five” lands bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road, and designated as Multi-family, High Density Residential, Multi-Family, Medium Density Residential, and Community Commercial Node.

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Vision – The West Five community will consist of a mixture of uses - office, retail, residential and public spaces. It is to be a model of “smart” community design incorporating significant energy saving and renewable initiatives, to promote a healthy and sustainable lifestyle. Its success will be achieved by establishing unique architecture, aesthetically pleasing public spaces and vistas, and identifiable landmarks and focal points.

Built Form - West Five will be compact in form, and contain a mix of low-, mid- and high-rise development. There will be transition of building height and mass with the tallest buildings located at the intersection of Oxford Street and Kains Road, and centred on Riverbend Road and The Linkway, gradually transitioning to lower heights to the north. The vision for West Five contemplates a variety of building typologies, including townhouses, apartments, several commercial formats, office buildings and multi-storey mixed use buildings. The scale and orientation of these built form typologies around a modified grid road network reflects a logical and traditional neighbourhood design pattern. Buildings will generally be oriented to the street to create a vibrant pedestrian-oriented atmosphere that supports transit services. Minimum and maximum setbacks, building heights and other regulations may be implemented in the Zoning By-law to achieve the desired built form.

Density - The overall residential density of the entire West Five area will not exceed an approximate density of 65 units per hectare, or a total of 2,000 residential units maximum. The appropriate density of individual developments within the area may be further defined in the Zoning By-law.

Scale and Form of Commercial Uses - The total retail gross floor area permitted in the West Five Special Policy Area will be 30,000 square metres. Gross floor area permitted for retail uses does not include office uses, commercial recreation establishments, institutions or day care centres. In addition, a maximum of 9,500 square metres of office space will be permitted. Office uses will be encouraged to locate on the upper storeys of buildings or in purpose built office buildings, while retail and service-oriented uses will be encouraged on the ground floor of multi-storey buildings or in live-work forms and oriented to the street to create a pedestrian-oriented environment in a “main street” format.

Larger retail formats will have a campus-oriented form to accommodate required parking; however, these larger stores will be designed to integrate with the “main street” areas and minimize visual impact of large open parking areas and will offer strong pedestrian connections.

Sustainability - West Five is intended to be a showcase of sustainable design and development. The goal is to achieve net zero annual energy usage to the extent feasible through various design considerations. West Five may be developed with alternative/renewable energy solutions such as solar energy, district energy/heating, energy storage systems and other technologies that are or may become available over the span of its development through public and private sector partnerships. Ecologically efficient transportation systems will be integrated where feasible, including electric vehicles and charging facilities. Other sustainability initiatives, including low impact development alternatives for stormwater management such as rainwater capture and reuse for irrigation, bioswales, permeable pavement, etc. may also be encouraged and supported. The City will encourage and facilitate opportunities for partnerships, incentives and funding opportunities that assist in implementing sustainability initiatives, and may consider alternative development standards for streets, utilities and infrastructure.

Urban Design - West Five will be developed with a high standard of urban design and architectural design. Creativity and individual architectural expression will be encouraged. The City’s Placemaking Guidelines and the Urban Design Guidelines for West Five, prepared in accordance with Section 11.1.3, will be used to provide guidance regarding building design, orientation, massing, height, public streets, public spaces, sustainable design, landscaping, and other related design matters.

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An emphasis will be placed on achieving an attractive and functional public realm that supports a diverse and vibrant community. The streets, sidewalks and buildings will be designed to collectively create comfortable, cohesive and vibrant public spaces. Private streets within the development will also adhere to the design principles with respect to creating pedestrian friendly, cohesive, comfortable and vibrant spaces. Continuity of the public and private space network within the West Five area and to the broader community will be a priority.

Street Network - Riverbend Road and The Linkway will serve as “main streets” and have a strong street-related built edge, wide sidewalks and other design features to support its role. Street design shall maximize on-street parking opportunities. Off street parking requirements in the Zoning By-law may be reduced if supported by a parking study to recognize the pedestrian oriented, mixed use nature of the development and the shared parking strategy along with the on street parking supply. Alternative street design standards which minimize right-of-way widths will be considered.

Mixed Use – The central portion of West Five bounded by Logans Run, Oxford Street West, a line drawn approximately 100 metres south of Shore Road, and a line drawn approximately 200 metres east of Westdel Bourne, represents the “Mixed Use” area. This area provides for a mix of housing and compatible commercial and office uses that support a vibrant, compact, walkable and mixed use neighbourhood. Housing is permitted in live-work form, as well as in mid to high rise apartment form. Buildings may be built as single purpose (e.g. residential apartments or office buildings). Mixed use buildings are encouraged; with commercial uses along the ground floor with residential units or office space located in upper floors. A variety of community-scale, neighbourhood based and convenience-based commercial and personal service uses are permitted. They are intended to accommodate the needs of the surrounding residential neighbourhoods located within convenient walking and/or driving distance. High quality urban design is an important consideration for the successful integration of different uses and is implemented through the urban design policies of the Official Plan, the Site Plan Control By-law, the City’s Placemaking Guidelines, and the West Five Urban Design Guidelines.

The primary permitted uses shall include low, mid- and high-rise apartment buildings and a broad range of retail, service, office, institutional and community facilities, recreation, entertainment and related activities. Both mixed use and single use buildings shall be permitted. Buildings may be purpose built or designed for future adaptability of use to respond to changing market conditions.

Net density within the Mixed Use area will not exceed 100 units per hectare, on an overall basis for the Mixed Use area. Building heights will typically range from two to twelve storeys. Buildings exceeding twelve storeys may be permitted through bonusing at key locations such as gateways and focal points so long as they meet the intent of these policies and associated Urban Design Guidelines.

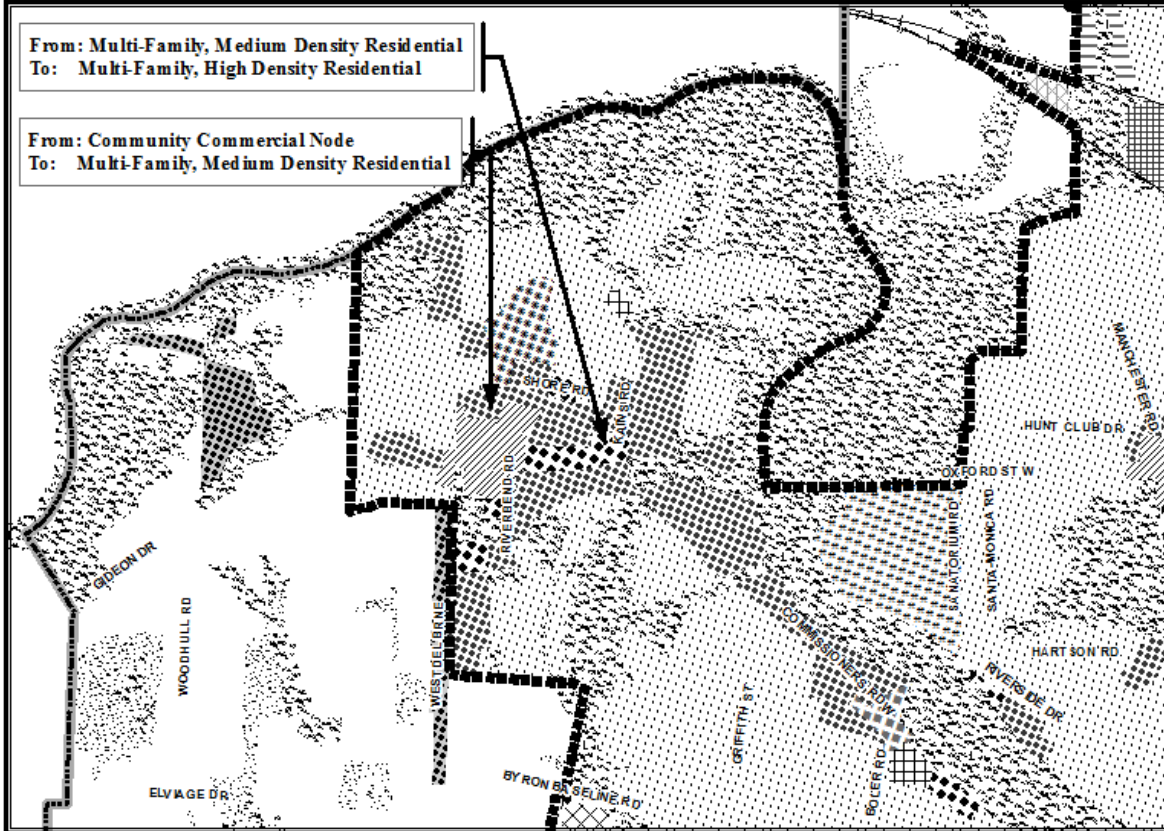
Implementation - The City will consider appropriate mechanisms to assist in innovation in sustainability. Public/private partnerships will be explored to ensure long-term maintenance with respect to any nonstandard design features in the public realm. Opportunities for public-private partnerships for park and civic spaces will also be encouraged.

- Schedule “A”, Land Use to the Official Plan for the City of London Planning Area is amended by designating portions of the lands bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road, as indicated on “Schedule 1” attached hereto, from “Community Commercial Node” to “Multi-family, Medium Density Residential”, and from “Multi-family, Medium Density Residential” to “Multi-family, High Density Residential”.

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File: 39T-14503/OZ-8410
Planner: L. Mottram

AMENDMENT NO.:



Legend	
	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
	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 1 TO OFFICIAL PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: 39T-14503 / OZ-8410</p> <p>PLANNER: LM</p> <p>TECHNICIAN: JTS</p> <p>DATE: November 19, 2015</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsolid\amendments\oz-8310\mxd\scheduleA_b&w_8x11_with_SWAP.mxd

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Appendix “B”
Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road.

WHEREAS Sifton Properties Limited has applied to rezone an area of land bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road, 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;

NOW 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 bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road **from** an Urban Reserve (UR3) Zone, a Community Shopping Area (CSA5) Zone, and a holding Community Shopping Area (h•h-25•CSA5) Zone **to** a holding Business District Commercial (h•h-__•BDC() Zone, a holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-__•R5-3()/R6-5()/CF1()) Zone, a holding Residential R5/R6 Special Provision (h•h-__•R5-3()/R6-5()) Zone, a holding Residential R5/R6/R7/R8 Special Provision (h•h-__•R5-6()/R6-5()/R7•D75•H18/R8-4()) Zone, a holding Residential R5/R6/R8 Special Provision (h•h-__•R5-6()/R6-5()/R8-3()) Zone, a holding Residential R5/R6 Special Provision (h•h-__•R5-6()/R6-5()) Zone, a holding Residential R10 (h•h-54•h-•R10-3•H55) Zone, Open Space (OS1 and OS3) Zones, and a holding Community Shopping Area Special Provision (h•h-25•CSA5()) 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 urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London prior to the removal of the h-__ symbol.

Permitted Interim Uses: Existing Uses

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

9.4 c) __ R5-3()

(a) Regulations

- | | | |
|-----|--|------------|
| i) | Front & Exterior Side Yard Depth to Main Building (Minimum): | 3.0 metres |
| ii) | Lot Coverage (Maximum) | 50% |

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9.4 f) ___ R5-6()

(a) Regulations

- | | | |
|------|--|-------------|
| i) | Front & Exterior Side Yard Depth to Main Building (Minimum): | 3.0 metres |
| ii) | Lot Coverage (Maximum) | 50% |
| iii) | Height (Maximum) | 15.0 metres |

- 3) 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 & Exterior Side Yard Depth to Main Building (Minimum): | 3.0 metres |
| ii) | Lot Coverage (Maximum) | 50% |

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

12.4 c) ___ R8-3()

(a) Regulations

- | | | |
|-----|--|-------------|
| i) | Front & Exterior Side Yard Depth to Main Building (Minimum): | 3.0 metres |
| ii) | Height (Maximum) | 15.0 metres |

12.4 d) ___ R8-4()

(a) Regulations

- | | | |
|-----|--|-------------|
| i) | Front & Exterior Side Yard Depth to Main Building (Minimum): | 3.0 metres |
| ii) | Height (Maximum) | 18.0 metres |

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

25.4 a) ___ BDC()

(a) Permitted Uses

- i) Animal clinics;
- ii) Apartment buildings;
- iii) Apartment hotels;
- iv) Assembly halls;

--	--

- v) Bake shops;
- vi) Brewing on premises establishments;
- vii) Cinemas;
- viii) Clinics;
- ix) Commercial Recreation Establishments;
- x) Commercial schools;
- xi) Convenience business service establishments;
- xii) Convenience service establishments;
- xiii) Day care centres;
- xiv) Dog or domestic cat grooming;
- xv) Duplicating shops;
- xvi) Financial institutions;
- xvii) Hotels;
- xviii) Institutions;
- xix) Laboratories;
- xx) Medical/dental offices;
- xxi) Nursing homes;
- xxii) Offices;
- xxiii) Personal service establishments;
- xxiv) Places of entertainment;
- xxv) Private clubs;
- xxvi) Private schools;
- xxvii) Restaurants;
- xxviii) Retail stores;
- xxix) Retirement lodge;
- xxx) Service and repair establishments;
- xxxii) Studios;
- xxxiii) Supermarkets;
- xxxiv) Taverns;
- xxxv) Cluster townhouses;
- xxxvi) Cluster stacked townhouses;
- xxxvii) Street townhouses;
- xxxviii) Video rental establishments

(b) Regulations

- | | | |
|-------|---|---|
| i) | Front & Exterior Side Yard Depth (Maximum): | 8.0 metres |
| ii) | Interior Side and Rear Yard Depth Minimum Abutting a Residential Zone | 6.0 metres |
| iii) | Interior Side and Rear Yard Depth Minimum Abutting a Non-Residential Zone | 3.0 metres from any other zone boundary and 0.0 metres within the same BDC zone |
| iv) | Height (Minimum) | 8.0 metres |
| v) | Height (Maximum) | 38.0 metres |
| vi) | Landscaped Open Space (Minimum) | 10% |
| vii) | Lot Coverage (Maximum) | 60% |
| viii) | Off-Street Parking, Commercial | 1 space per 30 m ² |
| ix) | Off-Street Parking, Office | 1 space per 40 m ² |

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- x) Off-Street Parking, Residential 1 space per unit
- xi) Distance of Surface Parking Area from a Public Road Allowance (Minimum) 3.0 metres
- xii) Residential Density (Maximum) 100 units per hectare
- xiii) Building Form - All uses shall be permitted in a shopping centre building, a stand-alone building or a mixed use multi-storey building (including live-work format)
- xiv) Gross Floor Area (Maximum) – Notwithstanding the provisions of Section 3.10, the application of the maximum residential density and gross floor area requirements of the BDC() Zone shall be to the zone and not to the individual properties contained within the zone. Total Gross Floor Area for Office Uses (Maximum) within this zone and the adjacent CSA5() Zone combined shall not exceed 9,500 m². Gross Floor Area for Office Uses per Building (Maximum) shall not exceed 5000 m². Total Gross Floor Area for retail uses (Maximum) within this zone and the adjacent CSA5() Zone combined shall not exceed 30,000 m².

6) Section 22.4 of the Community Shopping Area CSA Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

22.4 e) ___ CSA5() 1080 Westdel Bourne, located at the northeast corner of Westdel Bourne and Oxford Street West

(a) Regulations

- i) Notwithstanding the provisions of Section 22.3 of this By-law, the Total Gross Floor Area for Office Uses (Maximum) within this zone and the adjacent BDC() Zone combined shall not exceed 9,500 m².
- ii) Notwithstanding the provisions of Section 22.3 of this By-law, the Total Gross Floor Area for retail uses (Maximum) within this zone and the adjacent BDC() Zone combined shall not exceed 30,000 m².

7) Section 32.4 of the Community Facility CF Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

32.4 a) ___ CF1()

(a) Permitted Uses

- i) Places of Worship
- ii) Community Centres
- iii) Libraries

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

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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.

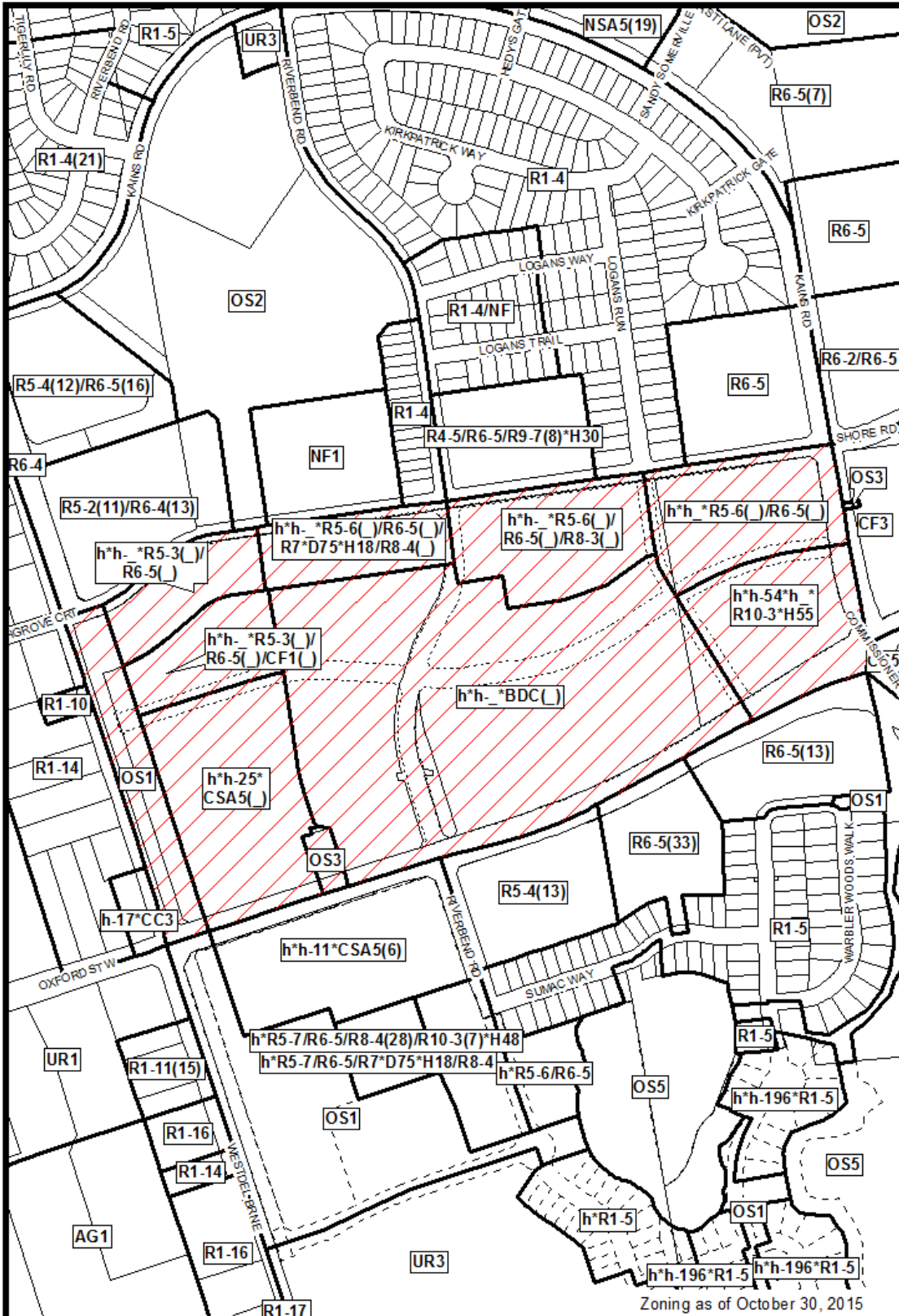
PASSED in Open Council on December 8, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - December 8, 2015.
Second Reading – December 8, 2015
Third Reading - December 8, 2015

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



<p>File Number: 39T-14503 / OZ-8410 Planner: LM Date Prepared: November 17, 2015 Technician: JTS By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,500</p> <p>0 25 50 100 150 200 Meters</p> <div style="text-align: center;"> </div>
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Planning

11. The Owner shall submit confirmation that they have complied with any requirements of Union Gas Limited with regards to buffers/setbacks from the high pressure gas pipeline easement over lands located along the east side of Westdel Bourne, to the satisfaction of the City. The Owner shall not excavate, drill, install, erect, or permit to be excavated, drilled, installed or erected in, on, over or through the said lands any pit, well foundation, pavement, building or other structure or installation without first obtaining prior written approval from Union Gas Limited.
12. In conjunction with the Design Studies submission which includes Block 6, the Owner shall submit a conceptual design for the “North-South Trail” together with pedestrian/cycling linkages and access from Shore Road and “The Linkway”, to the satisfaction of the City.
13. In conjunction with the Design Studies submission which includes Block 1, the Owner shall submit a conceptual design for the “Central Plaza” together with pedestrian linkages, appropriate vehicular access and on-site parking, to the satisfaction of the City.

Engineering – Sanitary

14. 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) A conceptual sanitary layout of the sanitary sewer crossing the commercial Block at the southwest corner of this plan and identify any required easements;
 - iii) Density calculations to demonstrate the ultimate density for the Mixed Use designated lands to ensure appropriate sewer sizing;
 - iv) A suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;
 - v) A hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which needs to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407;
 - vi) Demonstrate that the servicing to any proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements; and,
 - vii) Demonstrate that the temporary sanitary sewer designed and constructed as part of Plan 33M-638 is in a location acceptable to the City Engineer.
15. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
 - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 450 mm (18”) diameter sanitary sewer located on Riverbend Road, the 300 mm (12”) diameter sanitary sewer located on Shore Road at Logans Run and the 250 mm (10”) diameter sanitary sewer located on Shore Road, west of Riverbend Road;
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) Should the temporary sanitary sewer designed and constructed as part of Plan 33M-638 not be within the ultimate Riverbend Road right-of-way, the Owner may

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- need to remove it and relocate it to a location acceptable to the City Engineer, to the satisfaction of the City Engineer, at no cost to the City;
- iv) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - v) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
16. 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.
17. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Oxford 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.

Engineering – Storm and Stormwater Management (SWM)

18. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Confirming and demonstrating if a road connection can be accommodated from the proposed “The Linkway” to Westdel Bourne without negatively impacting the operation of the proposed SWM Facility ‘G’ identified in the Storm/Drainage and Stormwater Management, Transportation & Sanitary Trunk Servicing Works for Tributary ‘C’, Downstream Thames Subwatershed Municipal Class EA and the accepted Functional Design Report currently being prepared by Matrix Solutions;
 - iv) Verifying that the proposed sanitary trunk sewers proposed to traverse the SWM Facility Blocks shall not have any negative impacts on the configuration of the

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- SWM Facilities, all to the satisfaction of the City Engineer and the Ministry of the Environment;
- v) Demonstrating that the temporary storm sewer designed and constructed as part of Plan 33M-638 is in a location acceptable to the City Engineer;
 - vi) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility to be built by the City;
 - vii) Providing a geotechnical report to address all geotechnical issues with respect to construction, grading and drainage of this subdivision and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction of the City and Upper Thames River Conservation Authority for the final setback;
 - vii) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and
 - viii) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
19. 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 Downstream Thames Subwatershed Study and any addendums/amendments;
 - ii) The accepted Municipal Class Environmental Assessment (EA) Study Storm/Drainage and Stormwater Management, Transportation and Sanitary Trunk Servicing Works for Tributary 'C', Downstream Thames Subwatershed and any addendums/amendments;
 - iii) The approved Functional Stormwater Management Plan/Report for Tributary 'C' Study Area and any other applicable Storm/Drainage and SWM Servicing Functional Report(s) for the subject lands or any updated Functional Stormwater Management Plan;
 - iv) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
 - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
20. 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 Downstream Thames Subwatershed, and outlet them to the proposed SWM Facility 'G' within the

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- Tributary 'C' Functional design area, the existing Mews SWM Facility and the existing Riverbend Golf Course SWM Facilities via the internal storm sewer servicing for the plan of subdivision and the existing external storm sewer outlets on Shore Road;
- ii) Should the temporary storm sewer designed and constructed as part of Plan 33M-638 not be within the ultimate Riverbend Road right-of-way, the Owner may need to remove it and relocate it to a location acceptable to the City Engineer, to the satisfaction of the City Engineer, at no cost to the City;
 - iii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
 - iv) Grade and drain the west boundary of the westerly Blocks in this plan to blend in with the abutting SWM Facility 'G' in this Plan, at no cost to the City;
 - v) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
 - vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
21. 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 (both existing "Mews" and proposed Regional Tributary 'C' SWM Facility 'G' and 'A', by others) 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.
 22. Prior to the issuance of any Certificate of Conditional Approval for this plan, or as otherwise determined by the City Engineer, the Owner shall ensure that the splitter chamber located on Riverbend Road on the south side of Oxford Street West within the registered Plan 33M-638 and all associated outlet systems to the proposed SWM Facilities shall be constructed and be deemed functional and operational as per the Storm/Drainage and Stormwater Management, Transportation and Sanitary Trunk Servicing Works for Tributary 'C', Downstream Thames Subwatershed Municipal Class EA and the accepted Functional Design Report currently being prepared by Matrix Solutions, all to the satisfaction of the City Engineer, and at no cost to the City. Should the splitter chamber not be constructed on Riverbend Road as part of Plan 33M-638, the Owner shall make arrangements with the Developer of Plan 33M-638 to construct this splitter chamber, to the satisfaction of the City Engineer, at no cost to the City.
 23. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.
 24. The Owner shall dedicate sufficient lands to the City to enable completion of the proposed SWM facility and all related servicing in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process.
 25. The Owner shall ensure that the land for the SWM Block(s) is sized in accordance with the final accepted Municipal Class Environmental Assessment (EA) Study Storm/Drainage and Stormwater Management, Transportation & Sanitary Trunk Servicing

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Works for Tributary 'C', Downstream Thames Subwatershed for the Tributary 'C' SWM Facilities "G" and 'A' and in accordance with the final accepted Functional SWM Report for the Tributary 'C' study area. The Owner shall also ensure the SWM Block(s) are located outside of any road widening requirements along Westdel Bourne Road and Oxford Street West.

26. The Owner's professional engineer shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
27. The Owner shall ensure the post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event, where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems.
28. All temporary storm channels and servicing installed within the proposed draft plan of subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City Engineer, at no cost to the City.
29. 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.
30. 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.

Engineering – Water

31. 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;

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- g) Phasing report;
 - h) Oversizing of watermain, if necessary and any cost sharing agreements.
 - i) Water quality
 - j) Identify location of valves and hydrants
32. The Owner shall install temporary automatic flushing devices at all dead-ends to ensure that water quality is maintained during build out of the subdivision. They are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on the engineering drawings. The automatic flushing devices and meters are to be installed and commissioned prior to the issuance of any Certificate of Conditional Approval. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their removal. Any incidental and/or ongoing maintenance of the auto flushing device is/are the responsibility of the Owner.
33. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 600 mm diameter low level watermain on Westdel Bourne, the 600 mm diameter low level watermain on Shore Road and the 600 mm diameter low level watermain on Kains Road. It is noted there is no municipal watermain on Oxford Street West. All blocks are to be serviced from the internal subdivision watermain system;
 - ii) If shown to be necessary, construct watermains to serve portions of this plan by connecting to the existing municipal high level system, namely, the existing 200 mm diameter watermain south of this plan on Riverbend Road; and
 - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
34. 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.

Engineering – Transportation

Roadworks

35. 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, pavement widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
36. In conjunction with the Design Studies submission, the Owner shall provide a conceptual plan for review and acceptance by the City, including but not limited to, road widths, street plantings, sidewalk locations, utility locations, etc. in accordance with the approved right of way cross-sections.
37. 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.
38. The Owner shall align the right-of-way of Riverbend Road in this plan with Riverbend Road to the south of this plan, to the satisfaction of the City Engineer.
39. The Owner shall align the right-of-way of Riverbend Road in this plan with Riverbend Road

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to the north of this plan, to the satisfaction of the City Engineer.

40. The Owner shall align the right-of-way of “Logans Run” in this plan with Logans Run to the north of this plan, to the satisfaction of the City Engineer.
41. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 21.5 metres to 20.0 – local road connected to primary collectors and arterial roads), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.
42. In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard “Minimum Centreline Radii of Curvature of Roads in Subdivisions.
43. In conjunction with Design Studies submission, the Owner shall ensure the centreline of Riverbend Road is aligned to “The Linkway”, to the satisfaction of the City Engineer.
44. In conjunction with Design Studies submission, the Owner shall have it’s professional engineer submit cross-sections for all non-standard roads in this plan showing all details eg. underground services, pavement widths, sidewalks, etc., to the satisfaction of the City.
45. The Owner shall have it’s professional engineer design the roadworks in accordance with the following road widths:
 - i) The Owner shall construct Riverbend Road from Oxford Street West to “The Linkway” as a non-standard primary collector road on a right of way width of 20 metres, to the specifications and satisfaction of the City Engineer.
 - ii) The Owner shall construct Riverbend Road from “The Linkway” to Shore Road as a non-standard primary collector road on a right of way width of 21.5 metres, to the specifications and satisfaction of the City Engineer.
 - iii) The Owner shall construct “The Linkway” as a non-standard primary collector road on a right of way width of 22.5 metres, to the specifications and satisfaction of the City Engineer.
 - iv) The Owner shall construct “Logans Run” to collector standards on a right of way width of 19.0 metres, to the specifications and satisfaction of the City Engineer.
 - v) The Owner shall construct Riverbend Road at Oxford Street West with 11.0 metres of pavement on a right of way width of 22.5 metres for a distance of 45 metres tapered over a distance of 30 metres back to a 20 metre right of way. Any landscaped gateway feature shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer.
 - vi) The Owner shall construct “The Linkway” at Westdel Bourne and “The Linkway” at Kains Road with 11.0 metres of pavement on a right of way width of 24.5 metres for a distance of 45 metres tapered back over a distance of 30 metres back to a 22.5 metre right of way. Any landscape gateway feature shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer. The Owner shall construct “Logans Run” at Oxford Street West with a 10.0 metres of pavement on a right of way width of 21.5 metres for a distance of 30 metres tapered back over a distance of 30 metres back to a 19.0 metre right of way. Any landscaped gateway feature shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer.
 - vii) The Owner shall construct all roads within this plan of subdivision with pavement widths in accordance with the approved Design Studies submission, to the specifications and satisfaction of the City Engineer.

Sidewalks/Bikeways

46. The Owner shall construct all sidewalks within this plan of subdivision in accordance with

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the approved Design Studies submission, to the specifications and satisfaction of the City Engineer.

Street and Walkway Lighting

- 47. Within one year of registration of this Plan, the Owner shall install street lighting on all streets and walkways in this plan and on adjacent streets where needed which match the style of street light poles and luminaires already existing or approved along the developed portion of the streets adjacent to this plan, all to the satisfaction of the City Engineer and at no cost to the City.

Boundary Road Works

- 48. In conjunction with Design Studies submission, the Owner shall update the West Five Traffic Impact Study to the satisfaction of the City Engineer.
- 49. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment to the satisfaction of the City Engineer.
- 50. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer submit a pavement marking plan, including all turn lanes, etc. for review and acceptance by the City.
- 51. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for any left turn and right turn lanes in this Plan for review and acceptance by the City.
- 52. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane and right turn lane on Oxford Street West at Riverbend Road and at "Logans Run", to the satisfaction of the City Engineer.
- 53. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on Kains Road at "The Linkway", to the satisfaction of the City Engineer.
- 54. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on Westdel Bourne at "The Linkway", to the satisfaction of the City Engineer.
- 55. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct left turn lanes on "The Linkway" at Kains Road, to the satisfaction of the City Engineer.
- 56. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on "The Linkway" at Westdel Bourne, to the satisfaction of the City Engineer.
- 57. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on Riverbend Road at Oxford Street West, to the satisfaction of the City Engineer.
- 58. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on Riverbend Road at Shore Road, to the satisfaction of the City Engineer.
- 59. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct right turn lanes on Oxford Street at Logans Run, Oxford Street at Riverbend Road and on Westdel Bourne at the "The Linkway", to the satisfaction of the City Engineer.
- 60. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on "Logans Run" at Oxford Street West, to the satisfaction of the City Engineer.

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61. In conjunction with Design Studies submission, the Owner shall verify the adequacy of the decision sight distance on Oxford Street West at “Logans Run”. If the sight lines are not adequate, this street is to be relocated and/or road work undertaken to establish adequate decision sight distance at this intersection, to the specifications of the City Engineer, at no cost to the City.

Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct these works to the satisfaction of the City, at no cost to the City.

62. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lights along the frontage of Oxford Street West, to the satisfaction of the City.
63. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lights along the frontage of Westdel Bourne, to the satisfaction of the City.
64. The Owner shall be required to make minor boulevard improvements on Westdel Bourne, Shore Road, Kains Road and Oxford Street West 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.
65. The Owner shall restrict access to Oxford Street West and Westdel Bourne from Blocks 1 & 2, and from lands at the northeast quadrant of Oxford Street West and Westdel Bourne to be included within the draft plan of subdivision, as red-line revised, by establishing 0.3 metre (1’) reserve blocks to be transferred to the City along the entire frontage of these lands, to the satisfaction of the City. All vehicular access is to be via the internal subdivision streets, or as otherwise determined through the site plan approval process and supporting traffic studies.

Road Widening

66. The Owner shall be required to dedicate sufficient land to widen Westdel Bourne to 26.0 metres from the centreline of the original road allowance.
67. The Owner shall be required to dedicate sufficient land to widen Shore Road to 10.75 metres from the centreline of the original road allowance.
68. The Owner shall provide sufficient right-of-way widening to dedicate 6.0 m x 6.0 m “daylighting triangles” at the intersections of Oxford Street West with Riverbend Road, Oxford Street West with Westdel Bourne, Kains Road with Oxford Street West, Oxford Street West at “Logans Run”, Westdel Bourne at “The Linkway”, Shore Road with Westdel Bourne, Kains Road with Shore Road, Kains Road with “The Linkway”, and Riverbend Road with Shore Road to accommodate 6.0 metre sight triangles in accordance with the Z-1 Zoning By-law, Section 4.24.
69. The Owner shall be required to dedicate 3.0 m x 3.0 m “daylighting triangles” to satisfy requirements necessary for servicing bus transit routes, as specified by the City Engineer.

Traffic Calming

70. In conjunction with the Design Studies submission, the Owner shall have it’s professional engineer provide a conceptual design of the proposed traffic calming measures along “The Linkway” and Riverbend Road, including raised intersections, parking bays, curb extensions and other measures, to the satisfaction of the City.
71. The Owner shall construct a raised intersection along “The Linkway” at the intersection with “Logans Run”, to the satisfaction of the City Engineer.
72. The Owner shall construct a raised intersection along “The Linkway” at the intersection

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with Riverbend Road, to the satisfaction of the City Engineer.

73. In conjunction with the Design Studies submission, the Owner shall confirm the raised intersections in this plan of subdivision will not affect the major overland flow route in this plan, to the satisfaction of the City Engineer.

Construction Access/Temporary/Second Access Roads

74. The Owner shall utilize construction access routes designated by the City.
75. 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.
76. In conjunction with the Design Studies submission, the Owner may be required to make a presentation to the Utilities Co-ordinating Committee for any works that are not in accordance with City standards, including but not limited to reduced boulevard widths, non-standard location of City services or other utilities, non-standard sidewalk, etc.

Engineering – Other

77. 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.
78. 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.
79. In conjunction with the Design Studies submission, the Owner shall provide to the City, for review and acceptance, a geotechnical report 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 and any other requirements as needed by the City.
80. 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.
81. 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.
82. 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.
83. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the Plan.

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84. The Owner shall have the common property line of Westdel Bourne and Oxford Street West 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 Westdel Bourne and Oxford Street West 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.

85. 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.

86. 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.

87. 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.

88. 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

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report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

89. 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.
90. 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.
91. 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.
92. 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".
93. No construction or installations of any services (eg. clearing or servicing of land) involved with this Plan shall commence 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.)
94. 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.
95. 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.
96. The Owner shall remove any temporary works when no longer required and restore the affected lands, at no cost to the City, to the specifications and satisfaction of the City.
97. 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.
98. 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.
99. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

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100. The Owner shall co-ordinate the work associated with this Plan of Subdivision with the City's proposed construction of the SWM Facility adjacent to the west boundary of this plan, to the satisfaction of the City, at no cost to the City.
101. Should the current or any future Owner come in with a revised development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process.
102. In conjunction with Design Studies submission, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/street townhouses indicated on any streets in this plan. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.
103. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on any streets in this plan, if necessary, to the satisfaction of the City Engineer.

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Appendix “D”

1080 Westdel Bourne - Sifton
Draft Plan
39T-14503

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs ^(Note 1)	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF ^{Note 4, 5, 6} - SWM Land - SWMF Trib. C 'G' - Area: 7,687 m ² ^{Note 8} - 300mm watermain (DC14-WD01001) - oversizing subsidy - 300mm sanitary (DC14-WW02001) - oversizing subsidy - 1200mm storm sewer (DC14-MS01001) - oversizing subsidy - Streetlights across frontage of development along Westdel Bourne and Oxford Street West (DC14-RS00070) - Sidewalk across frontage of development along Westdel Bourne and Oxford Street West (DC14-RS00069) - Channelization at Oxford and Riverbend (DC14-RS00067)	\$237,445 \$76,800 \$13,625 \$18,750 \$125,000 \$159,375 \$618,800
Claims for developer led construction from UWRF - None identified	\$0
Claims for City led construction from CSRF ^{Note 6} - Traffic signals (DC14-RS00071)	\$154,688
Total	\$1,404,483
Estimated Total DC Revenues ^(Note 2) (2015 Rates)	Estimated Revenue
CSRF	\$29,247,798
UWRF	\$3,740,694
TOTAL	\$32,988,492

- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 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. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
- 4 New requirements of developer constructed works were incorporated into the 2014 DC By-law. The developer led construction work above will require a work plan to be provided and approved by the City. The work plan should include summary of work completed and costs incurred prior to the passage of the 2014 DC study, as well as estimated costs of all Engineering and construction of the works in question.
- 5 Oversizing costs identified are based on preliminary estimates through the design study phase. The various pipe sizes and length of oversized sewers and watermain will be finalized through the detailed design process.
- 6 The extent of minor roadworks shall be confirmed through detailed design study submissions (e.g., Traffic Impact Assessment), but it is anticipated that the roadwork improvements will be required to support this development. A preliminary estimate has been included and will be refined through design review.
- 7 There are no eligible claims for non-standard road oversizing as part of this plan. If the developer requests the claimability of a component of the non-standard road, they shall submit a technical brief/memo to the City which clearly identifies how the proposed road exceeds the technical design standards of a secondary collector and provide a per item estimate of cost for review by EES and Development Finance prior to the subdivision agreement stage.

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8 The proponent developer has contested the value being offered for the storm water management land block. SWM Land acquisition cost is based on estimated land area to be acquired and price for SWM lands as contained in the approved DC by-law. The land value approved in the 2014 DC by-law CP1496-244 is \$125,000/ac (\$308,880/ha). These land values were discussed with stakeholder groups during the course of completing the 2014 DC rate setting process and used in the rate calculation part of the study. No distinction between Commercial land value (which proponent seeks) and "Developable" land value was provided for in either the rate calculations, or the DC by-law.

Reviewed by:

No. 18/15
Date

Peter Christiaans
Peter Christiaans
Director, Development Finance

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Appendix "E"

West Five Urban Design Guidelines
prepared by Stantec Consulting for Sifton Properties Ltd.