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39T-15504/Z-8539
Nancy Pasato

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 2047790 ONTARIO LIMITED PORTION OF 530 SUNNINGDALE ROAD EAST (NORTH OF SUPERIOR DRIVE) POWELL PHASE 3 MEETING ON FEBRUARY 22, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the Draft Plan of Subdivision and Zoning By-law amendment applications relating to a portion of 530 Sunningdale Road East, north of Superior Drive (legally described as Part of Lot 14, Concession 6, Geographic Township of London):

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 1, 2016 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** a Holding Residential R6 Special Provision (h*h-39*R6-5(21)*D30) Zone **TO** a Holding Residential R1 (h*R1-5) Zone to permit single detached dwellings with a minimum lot area of 415 m² and a minimum lot frontage or 12 metres,

The following holding provision has also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement;
- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Holding Residential R6 Special Provision (h*h-39*R6-5(21)*D30) Zone **TO** a Residential R1 (R1-3) Zone to permit single detached dwellings with a minimum lot frontage of 10.0 m and a minimum lot area of 300 m² **BE REFUSED** for the following reasons:
 1. The requested zone would not appropriately implement the proposed lot structure submitted by the applicant, which shows lots with lot frontages greater than 15m. The recommended R1-5 Zone more appropriately reflects the proposed lot sizes;
 2. Approval of an R1-3 Zone could result in the consolidation of lots and additional lots in the future which would not be in keeping with the intended lotting pattern for this subdivision;
- (d) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft plan of subdivision of 2047790 Ontario Limited relating to a portion of the property located at 530 Sunningdale Road East;
- (e) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by 2047790 Ontario Limited (File No. 39T-15504), prepared by Stantec, Project No. 1614-01264, as red-line amended, which shows 95 single detached lots, two (2) walkways, one (1) park block and one (1) one open space

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block, all served by four (4) new local streets **SUBJECT TO** the conditions contained in the attached Appendix "B"; and

- (f) the applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in Appendix "C".

PREVIOUS REPORTS PERTINENT TO THIS MATTER

June 14, 2006 – 39T-05510 Draft Approval recommendation and Public Participation Meeting at Planning Committee.

July 14, 2008 – Report to Planning Committee for Subdivision Agreement – Erosion Remediation Reclamation Works along Stoney Creek.

December 7, 2009 - 39T-05510 Draft Approval extension recommendation at Planning Committee.

November 28, 2011 – Report to Planning Committee for Subdivision Agreement Phase 1.

May 7, 2013 - 39T-05510 Draft Approval extension recommendation at Planning Committee.

September 9, 2014 - Report to Planning Committee for Subdivision Agreement Phase 2.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended action is to consider a redlined draft plan of subdivision containing which shows 95 single detached lots, two (2) walkways, one (1) park block and one (1) one space block, all served by four (4) new local streets, with the appropriate zoning for these lands.

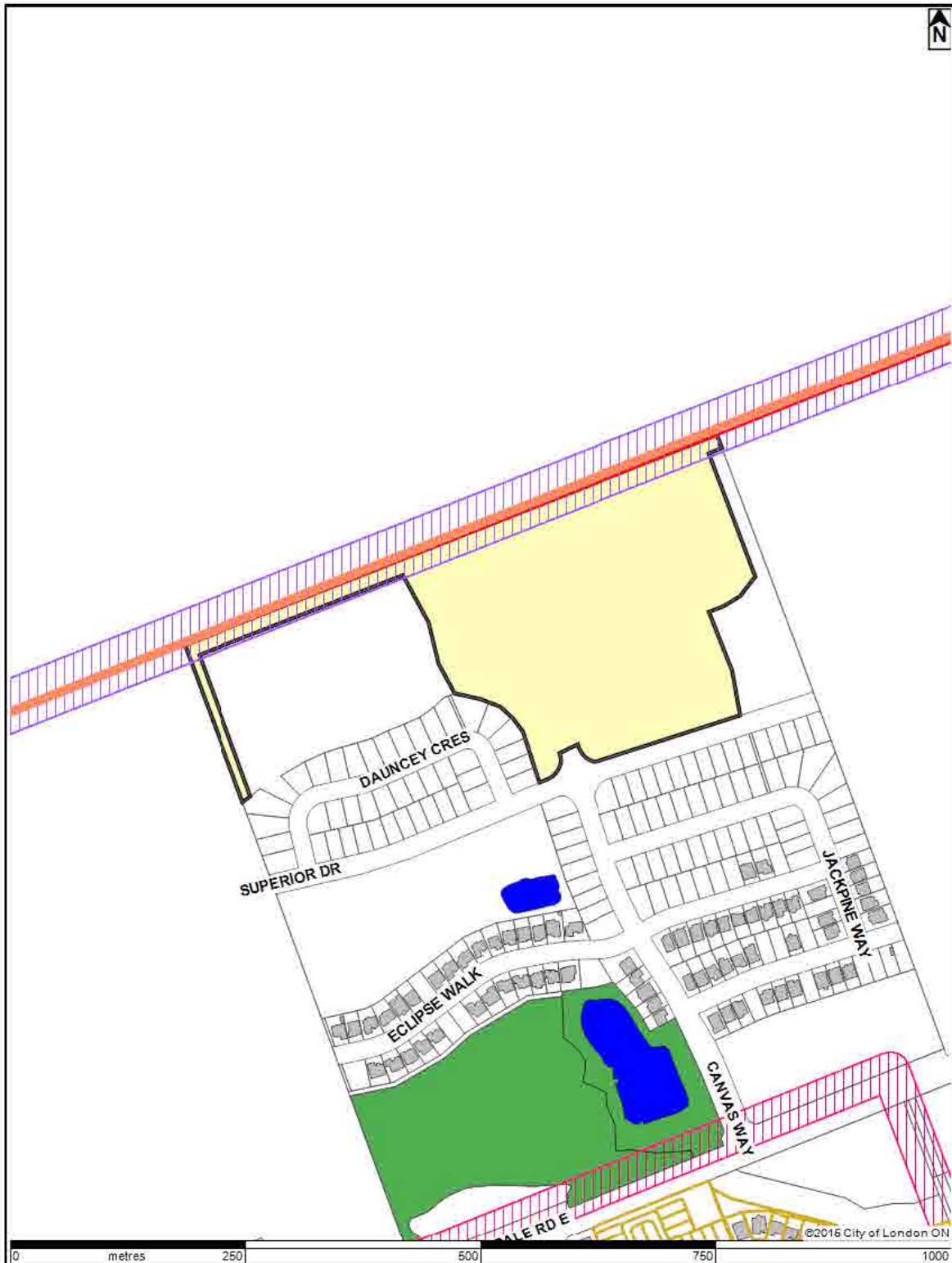
RATIONALE

The rationale for approval of the staff recommended Zoning By-law amendment and support for the redlined Draft Plan of Subdivision is as follows:

1. The proposed draft plan is consistent with the Provincial Policy Statement.
2. The proposed draft plan is consistent with the Planning Act.
3. The subject lands are located within the approved Uplands North Area Plan and the proposed revised residential plan of subdivision and zoning by-law amendment conforms to the Uplands North Area Plan and associated Official Plan policies.
4. The redlined plan of subdivision is consistent with the recommended zoning and recognizes future integration of the subject lands with adjacent surrounding lands.
5. The proposed redline plan of subdivision includes placemaking elements, and creates a pedestrian oriented development with parks and open space as key focal points.
6. The "h" holding provision will ensure that this development will proceed in an orderly manner with full municipal services.

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<p>LOCATION MAP</p> <p>Subject Site: Portions of 530 Sunningdale Rd E File Number: 39T-15504 Planner: Nancy Pasato Created By: Nancy Pasato Date: 2015-10-21 Scale: 1:5000</p> <p>Corporation of the City of London Prepared By: Development and Compliance Services</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
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BACKGROUND

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| SITE CHARACTERISTICS: |
| <ul style="list-style-type: none"> • Current Land Use – vacant • Frontage – approx.. 225 m (738.1 ft) along Superior Drive • Area - 7.7 ha (19 ac) • Shape - irregular |

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| SURROUNDING LAND USES: |
| <ul style="list-style-type: none"> • North – agriculture (Township of Middlesex Centre) • South – single detached lots • East – vacant park and pathway • West – open space/single detached lots |

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| OFFICIAL PLAN DESIGNATION: |
| <ul style="list-style-type: none"> • Schedule “A” - Low Density Residential • Schedule “B2” – Big Picture Meta Corridors |

- | |
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| EXISTING ZONING: |
| <ul style="list-style-type: none"> • Holding Residential R6 Special Provision (h*h-39*R6-5(21)*D30) |

Date Application Accepted: October 19, 2015	Agent: Corri Marr, Stantec
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<p>APPLICANT’S REQUESTED ACTION:</p> <p>The purpose and effect of this application is to permit the development of 91 single detached dwelling lots on the subject site.</p> <p>Consideration of a residential Plan of Subdivision with 91 single detached lots and 1 open space block, served by 2 new local roads.</p> <p>Possible Amendment to Zoning By-law Z.-1 to change the zoning from a Holding Residential R6 Special Provision (h*h-39*R6-5(21)*D30) Zone to a Residential R1 (R1-3) Zone to permit single detached dwellings with a minimum lot area of 300 m² and a minimum lot frontage or 10 metres.</p>

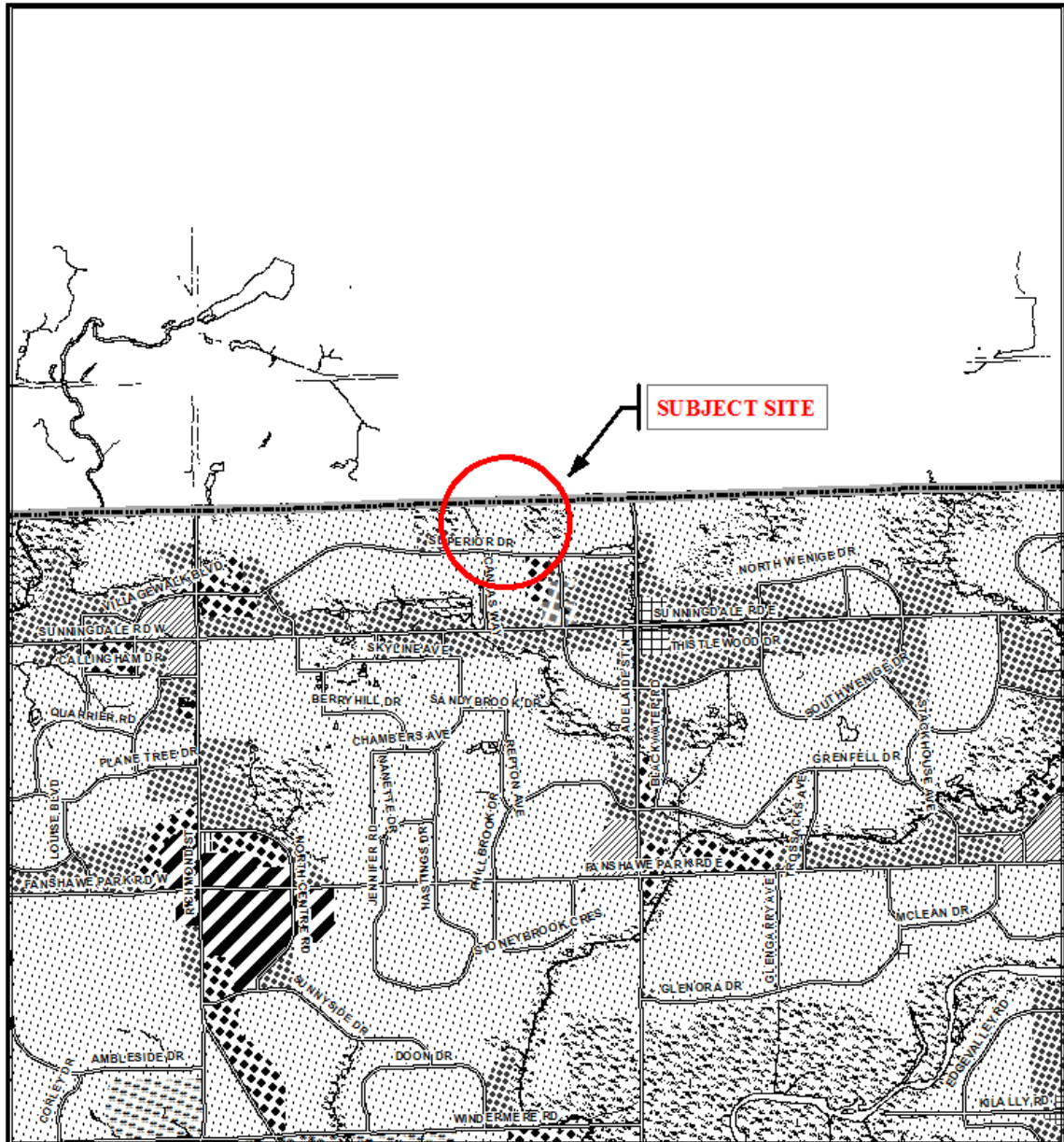
PLANNING HISTORY

Uplands North Area Plan

In March 2002, the City initiated an Area Study for the lands north of Sunningdale Road East between Adelaide Street North and Richmond Street (file O-6284). The Uplands North Area Study included an extensive consultation process with area property owners, affected departments, commenting agencies and the abutting municipality. The Study identified existing features, future needs and recommended both a mix of land uses and a transportation network to serve the community while protecting significant environmental features. The Area Study was adopted by Council on June 16, 2003 and resulted in amendments to Schedules “A”, “B”, and “C” of the Official Plan. The Township of Middlesex Centre and the County of Middlesex

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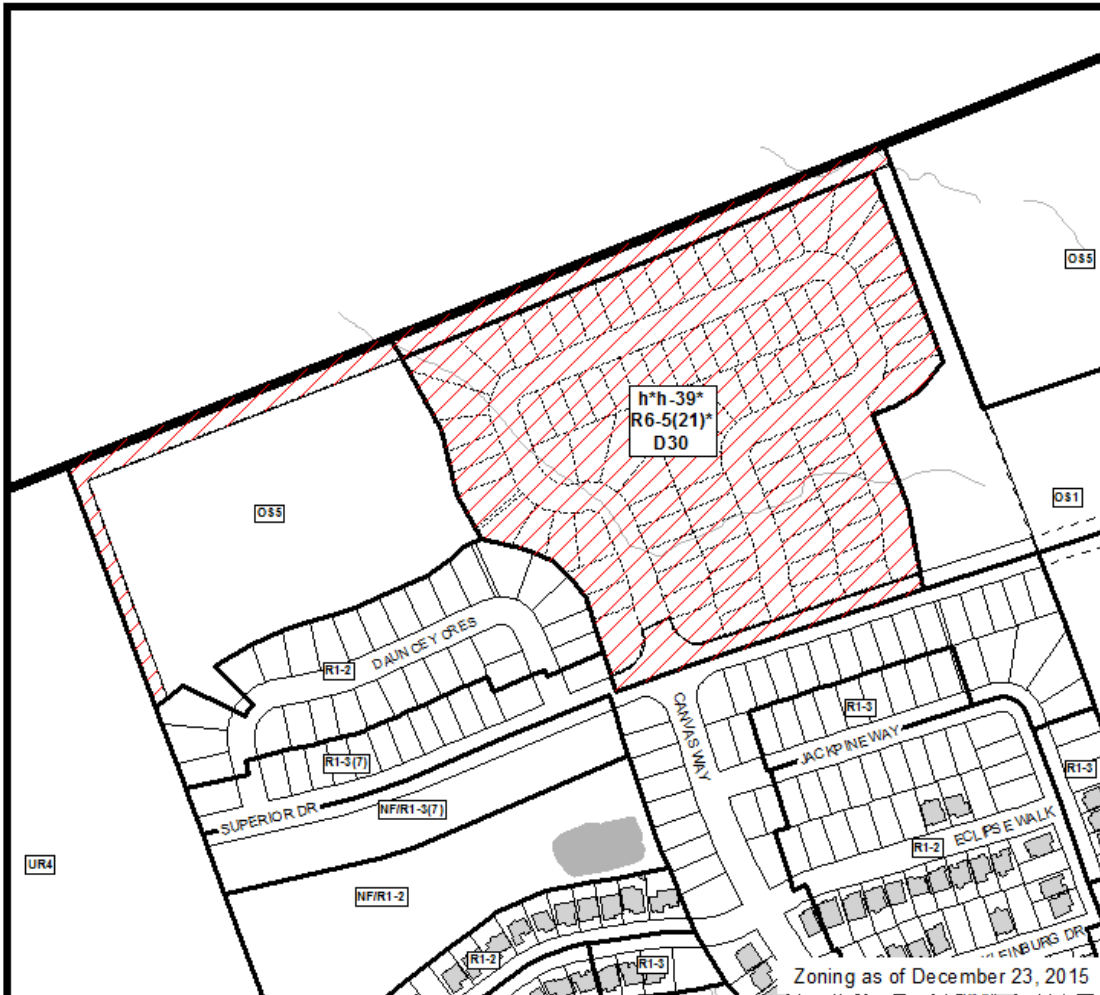
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<p>Legend</p> <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area 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 		
<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8539</p> <p>PLANNER: NP</p> <p>TECHNICIAN: JS</p> <p>DATE: 2016/01/25</p>

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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| <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 |
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CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



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

FILE NO:
Z-8539 NP

MAP PREPARED:
2016/01/25 JS

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Meters

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appealed the Official Plan Amendment to the Ontario Municipal Board primarily because they were not satisfied with the Rural/Urban Interface policies. Based on a settlement of the parties, the OMB Decision/Order 0954 (dated May 27, 2004) amended Schedules “A”, “B” and “C” of the Official Plan together with area specific text to Section 3.5.

Powell Subdivision

The subject site is located within the former Powell subdivision (39T-05510, Block 24). The Powell Subdivision was a 42.91 hectare (108 ac.) parcel of land located at 530 Sunningdale Road East. The original application for Draft Plan of Subdivision was granted draft approval on July 13, 2006 and consisted of 12 single detached dwelling blocks, one (1) medium density residential block, one (1) possible school block, two (2) open space blocks, one (1) park block, two (2) walkway blocks and several road widening and reserve blocks, all served by two (2) new secondary collector roads and two (2) new local streets.

A Subdivision Agreement was registered on September 29, 2011 between the City and the applicant. This Phase consisted of the Stormwater Management Pond and the Open Space Block (also known as the Powell Wetland). Since that time, the construction of the stormwater management pond has been completed by the City and is now operational.

Phase 1 of the subdivision was registered on May 8, 2012 as 33M-643. This Phase consisted of 92 single detached lots, two (2) medium density blocks, several walkways, road widening and reserve blocks and the creation of Canvas Way (a secondary collector) and three (3) local streets.

Phase 2 consisted of 102 single detached dwelling blocks, one (1) future school block, two (2) park blocks, one (1) walkway block and several reserve blocks, all served by the extension of one (1) secondary collector (Canvas Way), one (1) new secondary collector (Superior Drive), one (1) extension of a local street (Jackpine Way) and one (1) new local street (Dauncey Crescent).

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

This section presents the key issues raised by significant department/agencies affecting the proposed subdivision. Italics indicate a direct quotation from the Department/Agency providing comments.

Servicing Related City Comments

These comments and conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Wastewater and Drainage Engineering Division and the Water Engineering Division.

Sanitary/Stormwater/Water

Sanitary sewers must be constructed and connected to the existing 200mm sanitary sewer along Superior Drive and Canvas Way. A new storm sewer must be constructed and connected to the existing 750mm storm sewer located on Canvas Way, and the 525mm storm sewer located on Superior Drive which outlets to the Uplands SWM Facility B2. Watermains must be constructed and connected them to the existing 300mm watermain along Canvas Way and Superior Drive.

Transportation

All streets must have a minimum road allowance of 20 metres, except for Street “A”, 30 metres north of Superior Drive, which will have a minimum road allowance of 21.5 metres and be tapered. Sidewalks are required on the outside boulevard of Street “A”/Canvas Way, and the east boulevard of Street “B”/Zenia Green. Street lighting must be installed within the subdivision

Zoning By-law

The ‘h’ holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.

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Staff response: The above noted items have been added as conditions to draft approval and/or are reflected on the redlined draft plan.

Environmental & Parks Planning

Natural Heritage and Urban Forestry

The owner shall, as part of the design studies, prepare a tree preservation report and plan for lands within the proposed draft plan of subdivision. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.

The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots.

Parks

As part of the design study submissions, the owner will be required to provide a conceptual pathway plan for the multi-use pathway through all the open space/park blocks, to the satisfaction of the City Planner.

The Owner shall construct 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks.

The Owner shall not grade into any open space or park areas. Where lots or blocks abut an open space or park area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City Planner.

Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the open space and park blocks.

Staff Response: These items have been added as conditions of draft approval. As well, Blocks 96 and 97 will be dedicated to the City for walkway, Block 98 will be dedicated to the City for park and Block 99 will be dedicated to the City for open space (pathway). Further discussion on Parks is found in the report.

Urban Design – Planning

In order to provide a direct pedestrian connection to the adjacent lands to the west, re-establish the east-west street through the center of the development that provides access to the pedestrian walkway in between lots 7 and 8. Consider making the midblock walkway a wider, enhanced connection. The City may consider this as a portion of the parkland dedication required.

Staff response: the establishment of an east-west street connection is recommended as part of the redline draft plan. Parks Planning has indicated that additional lands for a wider walkway block (97) would need to be purchased from the developer, and resources are not available to purchase these additional lands at this time. Therefore, no change has been made to walkway Block 97.

Upper Thames River Conservation Authority (UTRCA)

The UTRCA has no objections to this application or any permit requirements.

Canada Post

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

- The owner shall complete to the satisfaction of the Director of Engineering of the City of*

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London and Canada Post:

- a) *include on all offers of purchase and sale, a statement that advises the prospective purchaser:*
 - i. *that the home/business mail delivery will be from a designated Centralized Mail Box.*
 - ii. *that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.*

- b) *the owner further agrees to:*
 - i. *work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.*
 - ii. *install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes*
 - iii. *identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.*
 - iv. *determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.*

Staff response: The proper placement and treatment for the installation of community mail-box will be determined at engineering drawing review. This condition is included in the standard subdivision agreement.

Hydro One

No comments or concerns at this time.

Union Gas

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

Staff response: Easements will be addressed at the time of registration of the plan.

PUBLIC COMMENTS

PUBLIC LIAISON:	On October 26, 2015, Notice of Application was sent to 5 property owners in the surrounding area. Notice of Application was also published in the Londoner on November 5, 2015.	No replies received.
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Nature of Liaison:
The purpose and effect of this application is to permit the development of 91 single detached dwelling lots on the subject site.

Consideration of a residential Plan of Subdivision with 91 single detached lots and 1 open space block, served by 2 new local roads.

*For the lands under consideration, a Zoning By-law amendment application Z-8539 has also been received.

Possible Amendment to Zoning By-law Z.-1 to change the zoning from a Holding Residential R6 Special Provision (h*h-39*R6-5(21)*D30) Zone to a Residential R1 (R1-3) Zone to permit single detached dwellings with a minimum lot area of 300 m2 and a minimum lot frontage or 10 metres.

The City is also considering adding a special provision for habitable building setback from the centre of an oil pipeline, and holding provisions for adequate services, urban design, and water looping.

Responses : none

ANALYSIS

The Analysis section of this report assesses the proposed plan with regards to conformity with the Provincial Policy Statement, the Planning Act, the City’s Official Plan, the Uplands North Area Plan, and the City’s Placemaking Guidelines.

Subject Site & Application

The subject site is approximately 7.7 ha in size. The proposed subdivision is on a portion of 530 Sunningdale Road East, located north of Superior Drive and Canvas Way. This would have been the final phase of the Powell Subdivision (39T-05510) and was previously identified on that plan as Block 24 (a residential block) and Block 28 (an open space block). The subject site is adjacent to the municipal boundary (Township of Middlesex Centre) and the City’s Urban Growth Boundary. Land uses to the north consist of the Sun Canadian pipelines, a woodlot and cash crop agricultural uses. There are no livestock facilities or barns with the potential to accommodate livestock within 500 m (1640 ft) of the property line. The subject site is surrounded by Phase 2 of the Powell Subdivision (which consists of residential single detached lots, and a proposed) to the south, a woodlot owned by the City immediately to the west, with vacant agricultural lands further to the west, a City Park to the east and as noted above the Township of Middlesex Centre to the north. There is also an active draft plan of subdivision (39T-09501 – Sergautis Applewood) located to the east of the City Park. The property is relatively flat. There are no buildings on the subject lands.

The application consisted of a plan of subdivision which showed 91 single detached lots, one (1) walkway block, one (1) park block, one (1) open space block and two (2) new local streets (see page 6 for the original layout), with an implementing R1-3 Zone. Staff are recommending a redline to the draft plan which connects Street A to create an oval, adds an additional walkway into the open space/pathway along the northern edge of the property, and creates an additional lot from Lot 1. Staff are also recommending an R1-5 Zone which more closely implements the shown lotting pattern. Discussion on the redline changes and proposed zoning are provided later in the report.

Does the Plan conform to the Provincial Policy Statement?

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

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The revised redline plan creates a more efficient subdivision pattern that allows for pedestrian walkability and efficiency in services. The subject lands are within the Urban Growth Boundary (settlement area) as identified in the Official Plan and are designated to permit residential uses. The proposed development will be serviced by full municipal services. The plan provides for on street pedestrian linkages to schools and parks to the east and south, and a possible school site to the south of Superior Drive. The subdivision is also near planned commercial uses to the southeast at Adelaide Street and Sunningdale Road.

The subject site is adjacent to significant woodland. Through the previous subdivision an Environmental Impact Study (EIS) was completed and an appropriate buffer was added to the woodlot. The buffer and woodlot are now owned by the City.

The subject lands also abut active agricultural lands. No potential livestock facilities are located within 500 m of the property and as a result there should be no impact on future residential uses in the area. The recommended draft plan provides an intervening land use (a 15 m open space corridor) between proposed residential uses and agricultural operations in the Township of Middlesex Centre. As well, this open space corridor will provide a buffer for the Sun Canadian Pipeline which is also located within the Township lands. With the addition of the open space pathway, the 20 metre setback from the centerline of the oil pipeline will be located within the open space corridor and will not have an impact on adjacent lots and buildings.

It is staff's position that the draft plan of subdivision will provide for a healthy, livable and safe community. It will provide for a walkable community and provides for on street pedestrian linkages to commercial, open space and parkland. The planned infrastructure will allow for the development of these lands. Overall, the plan has been reviewed and it has been determined to be "consistent with" the 2014 Provincial Policy Statement.

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

Planning Staff have reviewed the requirements under Section 2 of the Planning Act and regard has been given to matters of provincial interest. The subject lands are bordered by existing and planned development to the east and south. The adjacent natural area had previously been assessed and the appropriate buffers and mitigation have been proposed and incorporated into the block, which is now owned by the City. Municipal services are available for the site. The site will utilize the existing stormwater management pond. Other municipal services such as roads and transportation infrastructure will be provided and constructed as part of the conditions of draft plan approval. The proposed draft plan is located in a municipality which actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities. As part of the draft plan, the open space corridor will be dedicated to the City, as well as several walkways for ease of pedestrian movement. A City park is located just to the east of the subdivision which will serve the residents of the area. There is also access to nearby parks and recreational facilities, medical facilities, and emergency and protective services. The surrounding area is predominantly single family residential, with some higher density recently approved to the southeast of the subject site. There is adequate provision of employment areas throughout the City. The proposed draft plan implements the land use policies in accordance with the City's Official Plan, and the Uplands North Area Plan. The proposed draft plan supports public transit and promotes pedestrian movement through the adjacent subdivisions.

The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services will be addressed through drawing review and in the subdivision agreement.

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

Does the Plan conform to the Official Plan?

The existing Official Plan designations were applied through the Uplands North Area Planning process, which was conducted in 2001/2002. The subject site is within the Low Density

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Residential designation on Schedule A of the Official Plan. The proposed subdivision shows single detached dwellings within the low density residential designation, which meets the intent of the Official Plan. No changes are proposed to Official Plan land use designations.

Section 3.5.16.

Section 3.5.16 of the Official Plan applies specifically to the northern municipal boundary between Adelaide Street North and Richmond Street. The policy requires an upland corridor to be established along the municipal boundary which will meet the following functions:

- Serve as a natural heritage corridor linking natural heritage features.
- Allow a minimum 15 m wide landscaped recreational pathway; and
- Help mitigate potential conflicts at the rural/urban interface.

The area specific policy states that securement of the Sun-Canadian Pipeline easement may assist in fulfilling these functions.

The proposed draft plan includes a 15 m wide open space block along the northern boundary. This block will serve as a natural heritage corridor, a recreational pathway and separate future urban and rural uses minimizing potential conflicts. The proposed block satisfies Section 3.5.16. of the Official Plan. In this particular location, the Sun-Canadian Pipeline is located entirely in the Township of Middlesex Centre. Therefore, acquisition of this block by the City as an upland corridor will be through the parkland dedication calculations.

Section 3.6.13

Subsequent to the adoption of the Uplands North Official Plan Amendment (OPA No. 289), the City adopted another Official Plan Amendment to guide development along the Rural/Urban Interface. Section 3.6.13. applies where residentially designated lands abut both the City's Urban Growth Boundary and the City's municipal boundary. Section 3.6.13 applies to all development applications within 300 m of the Rural/Urban Interface and it sets out four (4) means to reduce conflict. They are the following:

- Incorporate existing natural features and man-made features to provide for separation and buffering;
- Development agreements shall include a provision advising property owners that agricultural operations exist in the area and they may result in noise, odour, dust, etc;
- Development proposals shall include design measures to mitigate impacts that agricultural operations may have on urban uses; and
- Development proposals shall include design measures to mitigate impacts that urban uses may have on agricultural operations.

The location of woodlots both within the City and the Township of Middlesex Centre will ensure that future urban and rural uses are separated a minimum of 70 metres from each other. Because of the checker-board nature of the woodlots, the separation distance is generally in excess of 100 m. This separation of uses is not expected to change as both the City of London and the Township of Middlesex Centre recognize these woodlots in their respective Official Plans.

In the northeast corner, proposed residential uses would be separated by the 15 m uplands corridor/path and the Sun-Canadian pipeline easement. The extent of exposure to agricultural activity in close proximity to future residential uses is minimal. For this reason, and because the proximity of woodlands will minimize visual and dust impacts, no additional setbacks are required. The recommended conditions of draft approval will require the Subdivision Agreement to contain warning clauses advising future residents of nearby agricultural operations and their potential impact.

The proposed plan has been evaluated against the Rural/Urban Interface policies of Section 3.6.1. The combination of an uplands corridor/path block, existing woodlots and recommended conditions of draft approval satisfy Section 3.6.13.

Summary

The proposed plan has been evaluated against the land use policies of the Official Plan and the area specific policies. The recommended plan and recommended conditions of draft approval will result in development which conforms to the Official Plan for the City of London.

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

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

Land Use

The land uses as determined through the Uplands North Area Plan have generally been provided through this subdivision.

Environmental/Open Space

The Uplands North Area Plan and Environmental Management Plan recognized and identified the significant components of the natural heritage system. As part of the previous application several EIS's and addendums were provided to address the components and provide recommendations for buffers and preservation. These were incorporated into the Woodlot Block now owned by the City. Redlined Block 95 (Open Space) will serve as a natural heritage corridor and will include a recreational pathway.

Parks

The *Planning Act* permits the municipality to require the Applicant to dedicate 5% of the land to the City for park or other public recreational purposes.

As part of the previous application, Block 99 (the open space/pathway along the municipal boundary) was to be dedicated to the City in partial fulfillment of parkland dedication. As such, it is understood that Block 99 will be dedicated to the City and no further parkland dedication is required for this subdivision. The dedication of Block 99 completes the parkland dedication required through the previous file (39T-05510) and is consistent with the Uplands North Area Plan.

As part of the drafting of the plan of subdivision, the realignment of Street C/Zenia Green along the eastern edge of the subdivision resulted in a small adjustment to the City's park block. The Applicant indicated that Block 98 (0.003 ha) will be dedicated to the City to be added to the park block.

Servicing

There is currently water, stormwater and sanitary services available along Superior Drive. There was no capacity issues identified through the review of this draft plan. Sanitary outlets are available on Superior Drive, a sanitary stub is available at the intersection of Canvas Way and a second stub is available approximately 145m east of Canvas Way. Water service is available all along Superior Drive. A second water main connection will be required to provide looping since more than 80 lots are proposed. Stormwater management is provided by an existing facility located south west of the subject site on the west side of Canvas Way. A storm stub is located at the intersection of Superior Drive and Canvas way and a second storm stub is located on Superior Drive approximately 145m east of Canvas Way. These services are in keeping with the Uplands North Area Plan.

Built Heritage & Archaeology

An archaeological study was completed as part of the previous Powell subdivision (39T-05510) and no further work was required. There is no built heritage on the site.

Rural/Urban Interface, Sun Canadian Pipeline & Municipal Walkway

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

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

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

In determining the amount of land required south of the municipal boundary needed to meet

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these functions, consideration will be given to the Uplands North Area Plan, the securement of required easement agreements north of the municipal boundary along the Sun-Canadian Pipeline easement, and the extent to which such agreements may assist in fulfilling these functions.”

Block 99 which is to be dedicated to the City, is a 15m walkway corridor. As contemplated through the original Powell application and through the Uplands North Area Plan, the 15m upland corridor will serve as a natural heritage corridor linking natural heritage features on both sides of the municipal boundary, and will help mitigate potential conflicts at the rural/urban interface. The 15m pathway also includes the 20m setback from the Sun Canadian Oil Pipeline that exists in the Township of Middlesex Centre, just north of the subject site. As per the Fuel Safety Board (Technical Standards & Safety Authority) guidelines, buildings intended for human occupancy are to be setback 20 m from the centreline of pipeline. The pipeline has been surveyed on the adjacent Township lands and is approximately 7.62 m from the municipal boundary (as per 33R-5740). Therefore, with the additional 15m walkway, the edge of the lots are 22.62 m from the centerline of the pipeline. This distance satisfies the TSSA guidelines and Official Plan policy.

Not only will this pathway provide an ideal recreational feature for the residents of London, it will also provide a permanent separation and buffer for the rural/urban interface. This recreational trail will provide a clearly defined boundary that will limit intrusion into agricultural lands to the north.

SUBDIVISION DESIGN & PLACEMAKING

The proposed redlined draft plan of subdivision contains which shows 95 single detached lots, two (2) walkways, one (1) park block and one (1) one space block, all served by four (4) new local streets. Access to the proposed development is provided off of the roundabout at Superior Drive and Canvas Way, as well as two more access points further east along Superior Drive.

The original draft plan showed a large crescent (Street A) and three street intersections with Superior Drive, and a window street adjacent to the City’s park block. This draft plan showed a total of 91 lots.

Community Planning and Urban Design suggested a redline to the plan to establish an east-west street through the center of the development. This revised road pattern would allow a direct pedestrian connection to the adjacent lands to the west and Block 96 (walkway). Staff agree with this proposed redline and are recommending the addition of a walkway block (Block 97) between Lots 20 and 21. This additional walkway would not only provide a greater pedestrian connection to the proposed open pace pathway along the municipal boundary, but from a Crime Prevention Through Environmental Design (CPTED) perspective, provides a mid-block walkway connection to the subdivision and shortens the amount of uninterrupted/isolated open space corridor. The revised plan creates three (3) additional lots. An additional lot was created by splitting Lot 1 into 2 lots, creating a total of 95 lots from this redlined plan. The revised plan provides a grid-based street pattern that helps to facilitate pedestrian and vehicle connectivity and also increases the space available in the front yard and boulevards for tree planting. The revised plan has no lots less than 15m in frontage. Although the end result is 70 m of additional roadway, Staff feel the improved connectivity and additional lot creation is a reasonable trade off.

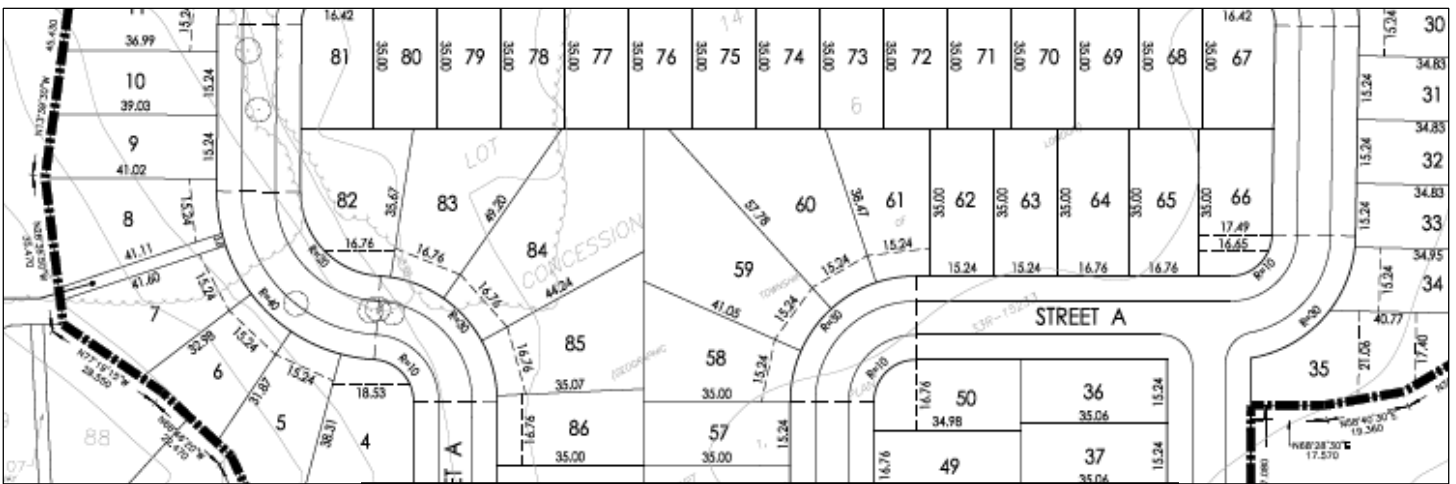
The Applicant has reviewed these proposed redline changes and is in agreement.

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The Placemaking Guidelines were adopted by the City to ensure livable communities and provide an identifiable character, sense of place, and a high quality of life for new subdivision development.

The proposed subdivision has many placemaking features. Placemaking guidelines encourage visually integrating features into the subdivision, such as parks and open spaces. From a physical context, the redlined road pattern allows good visibility to the park feature along the east side of the subdivision. The window street adjacent to the park will create a focal point for the subdivision, with homes looking onto these features rather than backing onto them. The subdivision does not rear lot onto Superior Drive, a secondary collector, thus allowing multiple views into the subdivision. The addition of multiple walkways and the open space



Redline amendment to plan – revised street pattern



corridor/pathway to the north provides for increased pedestrian connectivity, pleasant walking environments, and creates access to planned and existing services and facilities. Although the subdivision has many lots which rear lot onto natural heritage features, the developer should be commended for making a considerable effort to incorporate some principles of Placemaking as part of this subdivision design. Given the constraints related to the small size of the proposed development, and natural heritage features, the redlined plan is in keeping with placemaking principles.

Overall, this subdivision meets the intent of the Placemaking principles.

Zoning

Staff have proposed the R1-5 zoning which permits single detached dwellings with a minimum lot area of 415 m² and minimum lot frontage of 12 m. The current setbacks in the zone allow for a staggered home/garage (with a minimum front yard setback of 4.5m to the main building and minimum 6.0 m to the garage). This zoning is similar to the zone proposed by the Applicant - the only major difference is the staff proposed zoning more closely meets the current lot areas and frontages reflected in the proposed redlined subdivision. The Applicant proposed zoning would allow for lot frontages of 10 m and lot areas of 300 m², which is much smaller than the minimum

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lot areas and frontages shown on the proposed plan. The staff proposed R1-5 would permit lots in keeping with the pattern of existing development in the area.

Planning Impact Analysis

Planning Impact Analysis under Section 3.7 in the Official Plan is used to evaluate applications for an Official Plan and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses.

- **Compatibility** - The requested zoning permits single detached dwellings on freehold lots developed in conjunction with a plan of subdivision. The surrounding land uses consist of single detached homes to the south. The proposed residential use is compatible with existing uses in the surrounding area which is predominantly single family residential.
- **Ability of Site to Accommodate Development** - The subject lands are approximately 7.7 ha in size and located within an existing, recently established subdivision. Four (4) new local streets and an existing collector road have been proposed to service the subdivision. The size, shape, and topography of the subject lands make it a suitable candidate for residential development.
- **Vacant Land in the Area** - The subject lands are located within a recently established community, and are designated for residential development. The lands immediately to the east are within a draft plan of subdivision and are zoned to permit various forms of housing. The lands to the west are zoned Urban Reserve and although slated for future residential uses, have not been the subject of a plan of subdivision application.
- **Building Siting** - Lots have been oriented in a manner which engages the existing and proposed streets. The requested zone, with variable minimum setbacks for garages and the main portion of the dwelling, allow for the siting of dwellings where the garage is not the dominate feature along the street-wall.
- **Vegetation and Natural Features** - The site is adjacent to several natural heritage features now owned by the City. The appropriate buffers and setbacks were included through the previous application for plan of subdivision and were included in the Open Space Zone applied to those features. The open space corridor (Block 99) will act as a natural heritage linkage as well as a pathway for the City. Street trees will be required as part of the subdivision.
- **Site Access** - The subject lands will be accessed by way of three (3) local streets connecting to an existing collector road (being Superior Drive). Additional pedestrian connectivity has been provided through the redline of the plan and the continuation of Street A, as well as the addition of a walkway (Block 96).
- **Exterior Design** – There are no Urban Design Guidelines that apply for the Uplands North Area.
- **Heritage Resources** – there are no built heritage resources on this site. Archaeological assessment was completed as part of the previous subdivision application. There are no issues with allowing development to proceed.
- **Environmental Constraints** – the Sun Canadian Oil Pipeline is located outside of the boundaries of this subdivision within the Township of Middlesex Centre, and the 25 foot (7.6m) easement for the pipeline is also within the Township of Middlesex Centre. With the addition of the 15m open space corridor at the northern municipal boundary, the lots are outside of the 20m setback from centerline of the oil pipeline. A warning clause will be added to the subdivision agreement to ensure prospective purchasers are aware of the pipeline.
- **Compliance with Official Plan, Zoning By-law, and Site Plan Control By-law** - The applications being considered as part of this review are evaluated against the policies of the Official Plan, and Zoning By-law to ensure compliance prior to approval by the

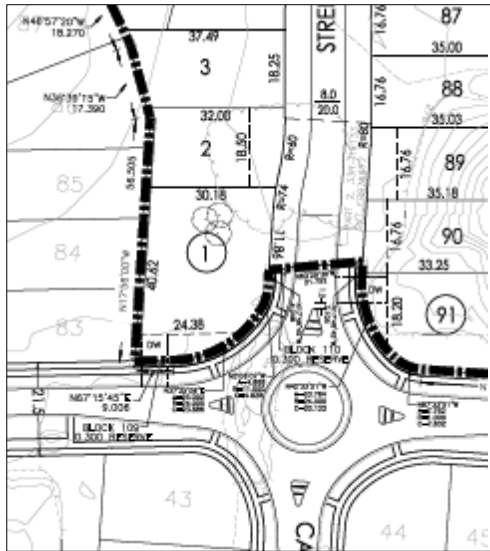
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City. The proposed zoning amendment is consistent with the policies of the Official Plan.

Overall, the proposed zoning is acceptable and will implement the draft plan of subdivision.

BLOCK 96 WALKWAY													
6	17	18	19	20	21	22	23	24					
35.29	35.31	35.32	35.34	35.35	35.36	35.38	35.39	35.41					
25	18.28	18.28	18.28	16.78	16.78	18.28	18.28	18.28					
STREET A													



Holding Provisions

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

- 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.

This holding provision will address the requirement for a subdivision agreement and securities related to the subdivision agreement, to the satisfaction of the City. This will ensure that these lands are developed in an orderly fashion.

CONCLUSION

The Staff recommended redlined Draft Plan of Subdivision and Zoning By-law amendments are consistent with the PPS, The Planning Act, the City's Official Plan and the Uplands North Area Plan. The recommended redline draft plan and conditions of draft approval will create a subdivision with strong placemaking features and pedestrian connectivity. The proposed plan represents good land use planning and is an appropriate form of development.

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PREPARED AND RECOMMENDED BY:	REVIEWED BY:
NANCY PASATO, MCIP, RPP SENIOR PLANNER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
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

February 10, 2016
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 Rd E\report Powell Phase 3.docx

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Bibliography

Request for Approval:

Application - City of London Draft Plan of Subdivision Application Form, and Zoning By-law Amendment Application Form, completed by Corri Marr, Stantec Consulting, submitted October 7, 2015.

Reference Documents:

City of London. Official Plan, June 19, 1989, as amended.
City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended.
MHBC Planning. Uplands North Area Plan, March, 2003.
City of London. Placemaking Guidelines, November, 2007.
Ministry of Municipal Affairs and Housing. Provincial Policy Statement, 2014.
Province of Ontario. The Planning Act. R.S.O 1990

Correspondence:

*all located in City of London File No. 39T-15504 unless otherwise stated.

Reports submitted with Applications:

*all located in City of London File No. 39T-15504 unless otherwise stated.

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**Appendix "A"
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 located on a portion of 530 Sunningdale Road East, north of Superior Drive.

WHEREAS 2047790 Ontario Limited has applied to rezone an area of land located on a portion of 530 Sunningdale Road East, north of Superior Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located on a portion of 530 Sunningdale Road East, north of Superior Drive, from a Holding Residential R6 Special Provision (h*h-39*R6-5(21)*D30) Zone to a Holding Residential R1 (h*R1-5) Zone.

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

This By-law shall come into force and be deemed to come into force in accordance with 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 March 1, 2016.

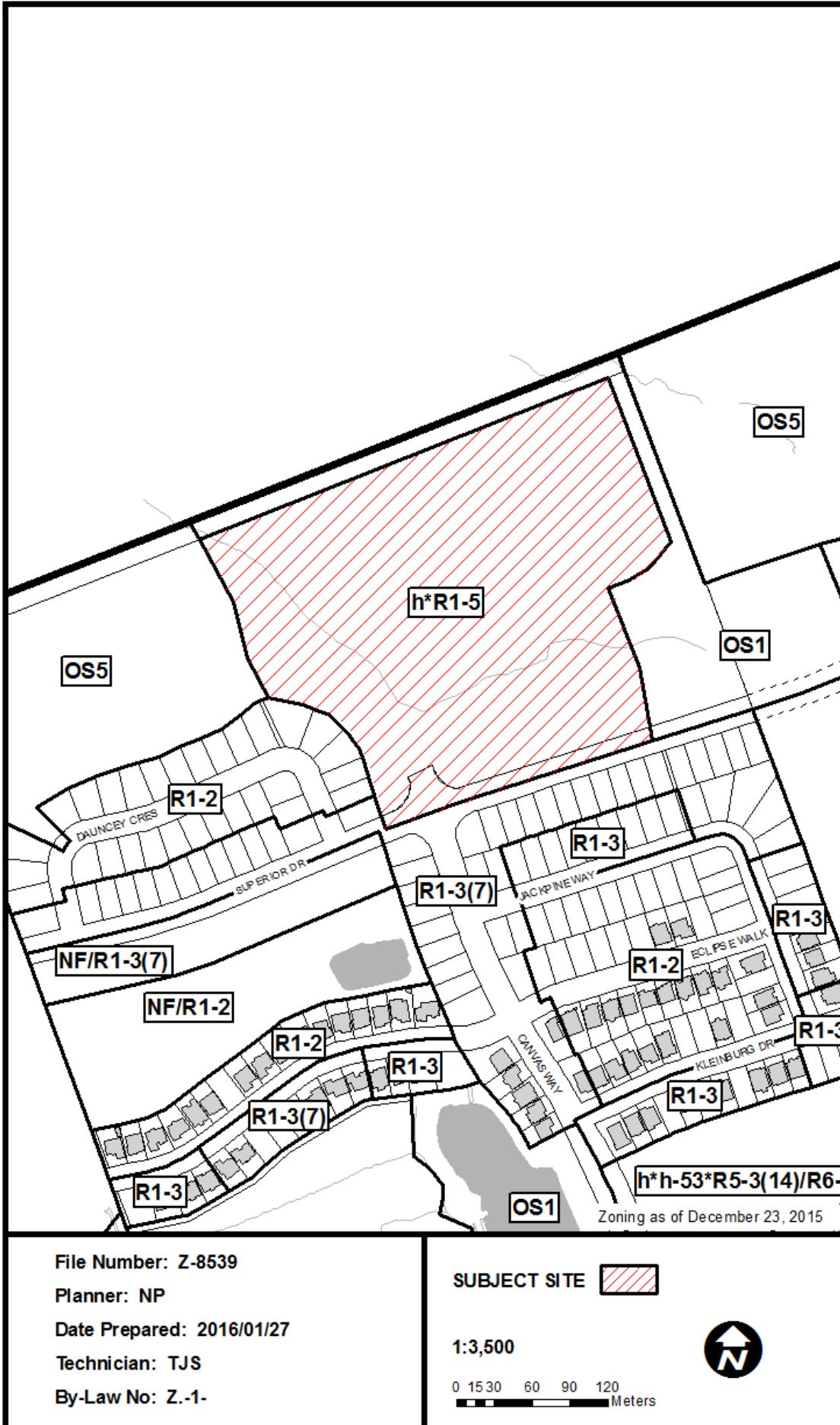
Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - March 1, 2016
Second Reading - March 1, 2016
Third Reading - March 1, 2016

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



File Number: Z-8539
Planner: NP
Date Prepared: 2016/01/27
Technician: TJS
By-Law No: Z.-1-

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Appendix “B”
Conditions of Draft Approval and Redline Plan

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-15504 ARE AS FOLLOWS:

NO. CONDITIONS

1. This draft approval applies to the draft plan as submitted by 2047790 Ontario Limited, prepared by Stantec Consulting and certified by Jeremy Matthews, Callon Dietz Inc. (Project No. 1614-01264, dated September 1, 2015), as red-lined, which shows 95 single detached lots, two (2) walkways, one (1) park block and one (1) open space block, all served by four (4) new local streets.
2. This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall request that street(s) shall be named to the satisfaction of the City.
5. The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. The Owner shall enter into the City’s standard subdivision agreement (including any added special provisions) which shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
9. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.

Planning

10. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.
11. The Owner shall include the following clause to be registered on title within the Subdivision Agreement:

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“Purchasers are advised that Lots (to be determined) are adjacent to the registered Easement Lands of Sun Canadian which contains within a high-pressure petroleum products transmission pipeline. Unauthorized use of the easement by others will not be permitted”.

Environmental & Parks Planning

12. The Owner shall dedicate Block 98 and Block 99 for the required parkland dedication. The dedication of Block 99 satisfies the parkland dedication for this plan and for the previous plan (39T-05510).
13. The Owner shall, as part of the Design Studies, prepare a Tree Preservation Report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the Manager of Environmental and Parks Planning as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.
14. Within one year of registration the Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be included with the Design Studies submission and shall be prepared to the satisfaction of the City.
15. The Owner shall implement the recommendations of the Uplands North Plan of Subdivision Environmental Impact Study/Environmental Management Plan prepared by EarthTech March 2005 as revised by letter dated October 21, 2005 to the satisfaction of City.
16. As part of the Design Study submissions, the owner will be required to provide a conceptual pathway plan for the multi-use pathway through all the open space/park blocks, to the satisfaction of the City.
17. Within one (1) year of registration the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City.
18. The Owner shall not grade into any open space or park areas. Where lots or blocks abut an open space or park area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
19. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the open space and park blocks.

Sanitary

20. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City; and

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- ii) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken.
21. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm diameter sanitary sewer located on Canvas Way and the existing 200 mm diameter sanitary sewer on Superior Drive;
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
22. 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) Install Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevards and the top lift of asphalt is complete, all to the satisfaction of the City Engineer;
 - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
 - v) Implementing any additional measures recommended through the Design Studies stage.
23. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide Wastewater Treatment 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.

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Storm and Stormwater Management

24. 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 ensuring that all existing upstream external flow traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design including the external major and minor flows from the external woodlot lands located to the east and adjacent to this plan has an appropriately designed outlet conveyance system through this draft plan of subdivision, all to the specifications and satisfaction of the City Engineer;
 - iii) Ensuring the new storm sewer connections to service this plan to accommodate the proposed street layout and that any new connections to Superior Drive may require an appropriately sized storm sewer connection and maintenance hole to the existing unassumed storm sewer on Superior Drive, all to the specifications and satisfaction of the City Engineer and at no cost to the City;
 - iv) 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
 - v) 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.
25. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Stoney Creek Subwatershed Study and any addendums/amendments;
 - ii) The approved Storm/Drainage and SWM Servicing Functional Report for the Uplands SWM Facility B2 and any addendums/amendments;
 - iii) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - 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 and Climate Change SWM Practices Planning and Design Manual, as revised; and
 - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
26. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to serve this plan, located within the Stoney Creek Subwatershed, and connect them to the existing storm sewer system, namely, the 750 mm diameter storm sewer located on Canvas Way, north of Superior Drive, and the 525 mm diameter storm sewer on Superior Drive outletting to the Uplands SWM Facility B2 located on Parts 1 and 4 of Reference Plan 33R-18069;
 - ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;

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- iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
 - iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

- 27. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
 - i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
 - iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City.

- 28. 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.

- 29. In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, or have a qualified consultant provide confirmation that the existing hydrogeological investigation is adequate, 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.

Water

- 30. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:
 - i) A water servicing report which addresses the following:
 - a. Identify external water servicing requirements;
 - b. Confirm capacity requirements are met;
 - c. Identify need to the construction of external works;
 - d. Identify the effect of development on existing water infrastructure – identify potential conflicts;
 - e. Water system area plan(s)
 - f. Water network analysis/hydraulic calculations for subdivision report;
 - g. Phasing report;
 - h. Oversizing of watermain, if necessary and any cost sharing agreements.
 - i. Water quality

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j. Identify location of valves and hydrants

31. 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.
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 Conditional Clearance. 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 automatic flushing devices 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 300 mm diameter watermain on Canvas Way, north of Superior Drive and the 300 mm diameter watermain on Superior Drive; and
 - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;

Roadworks

34. 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.
35. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 21.5 metre to 20.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.
36. In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City Engineer for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
37. The Owner shall align Canvas Way to the south with Street 'A', to the satisfaction of the City.
38. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

Road Allowance	S/L Radius
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m
39. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on Street 'A'.

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40. 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:”
38. The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
- i) Street ‘A’ have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres;
 - ii) Street ‘B’ and Zenia Green have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres; and
 - iii) Street ‘A’/Canvas Way from Canvas Way/Superior Drive to 30 metres north has a minimum road pavement width (excluding gutters) of 10.0 metres with a minimum road allowance of 21.5 metres. The widened road on Street ‘A’ shall be equally aligned from the centreline of the road and tapered back to the 8.0 metres of road pavement width (excluding gutters) and 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.

Sidewalks/Bikeways

41. The Owner shall construct a 1.5 (5’) sidewalk on one side of the following streets:
- i) Street ‘A’ – outside boulevard to Street ‘B’; and
 - ii) Street ‘B’ – east boulevard.
42. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

Street Lights

43. Within one year of registration of this plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of London Hydro for the City of London.

Traffic Calming

44. The Owner shall make any modifications, if necessary, with respect to the existing roundabout on Canvas Way in Plan 33M-680, external to this plan, including, but not limited to, extending of pavement, curbs and sidewalks, installing a splitter island and all associated works, all to the satisfaction of the City Engineer, at no cost to the City.
45. The Owner shall remove the parking bays on Superior Drive where the local streets intersect Superior Drive, all to the satisfaction of the City.

Construction Access/Temporary/Second Access Roads

46. The Owner shall maintain the temporary/emergency access adjacent to Sunningdale Road East until such time as full road connections are provided through an adjacent plan of subdivision.
47. 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, if necessary, for any construction activity that will occur on existing public roadways. The Owner shall have it’s contractor(s) undertake the work

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within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

Engineering – General

48. 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.
49. 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.
50. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
51. In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, construction, servicing, grading and drainage of this subdivision, any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability, if necessary, road pavement structure, dewatering, any required engineered fill, within this plan and any other requirements as needed by the City, all to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for any final setback, if necessary.
52. In the event that replotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.
53. 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.
54. 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.
55. 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.
56. 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.
57. Prior to connection being made to an unassumed service, the following will apply:
 - i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City; and

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- 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.

58. 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.

59. 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.

60. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City Engineer, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

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

62. 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.

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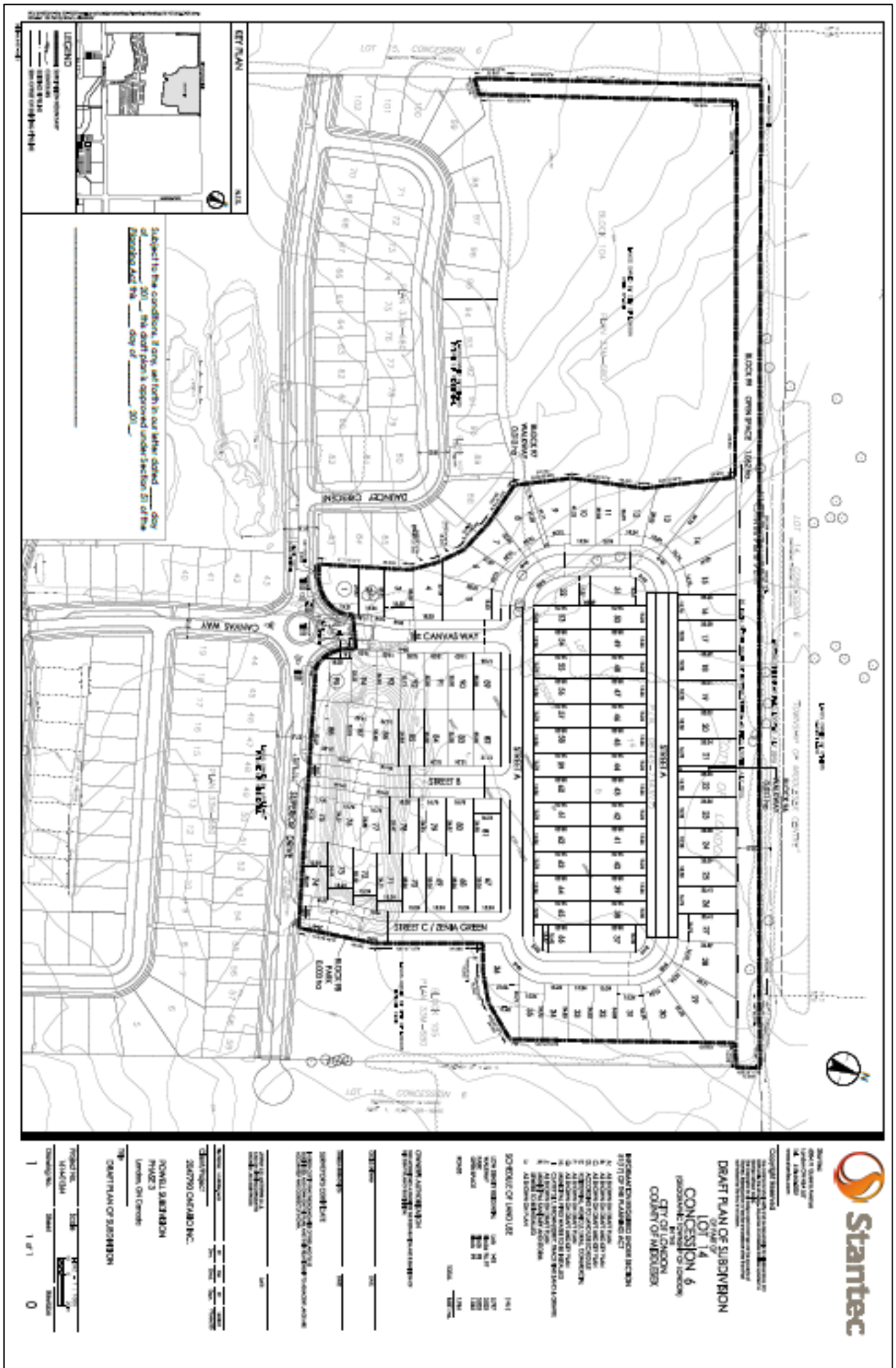
63. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
64. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
65. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.).
66. 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.
67. 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.
68. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
69. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
70. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including but not limited to, cutting the water service and capping it at the watermain, removal of the existing 200 mm diameter sanitary sewer/stub complete to the maintenance hole located on Superior Drive (connected to Maintenance Hole SB1518), removal of the existing 750 mm diameter storm sewer/stub approximately 145 metres east of Canvey Way complete to the maintenance hole, all to the specifications and satisfaction of the City.
71. 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.
72. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
73. Prior to the issuance of any Certificate of Conditional Approval in this plan, all temporary measures constructed as part of Powell Uplands North Phase 2 Subdivision, Plan 33M-680, shall be removed by the Owner when no longer required and all affected areas restored, to the satisfaction of the City, at no cost to the City.

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74. The Owner shall make any adjustments to existing services eg. street lights, fire hydrants, trees, pdcs, traffic calming (eg. parking bays to be removed where local streets intersect Superior Way, etc. to accommodate the proposed street connections on Superior Drive, to the satisfaction of the City Engineer, at no cost to the City.
75. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall remove the existing topsoil stockpile located adjacent to Superior Drive, all to the satisfaction of the City, at no cost to the City.

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Appendix "C"
Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs ^(Note 1)	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF: - None identified.	\$0
Claims for developer led construction from UWRF: - None identified.	\$0
Claims for City led construction: - None identified.	\$0
Total	\$0
Estimated Total DC Revenues ^(Note 2)	Estimated Revenue
CSRF	\$2,348,164
UWRF	\$211,029
TOTAL	\$2,559,193

- 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 2016 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.

Reviewed by:

Jan 27/16
Date

P. Christiaans
Peter Christiaans
Director, Development Finance