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File No: 39T-13502 / OZ-8147
 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: THAMES VILLAGE JOINT VENTURE CORPORATION 1691 HAMILTON ROAD APPLICATION FOR APPROVAL OF DRAFT PLAN OF SUBDIVISION OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS PUBLIC PARTICIPATION MEETING ON JUNE 20, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Thames Village Joint Venture Corporation relating to the lands located at 1691 Hamilton Road:

- (a) the Approval Authority **BE ADVISED** of the issues, if any, raised at the public meeting with respect to the application for draft plan of subdivision by Thames Village Joint Venture Corporation relating to lands located at 1691 Hamilton Road;
- (b) the Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by Thames Village Joint Venture Corporation, prepared by Archibald, Gray & McKay and certified by Bruce Baker, Ontario Land Surveyor dated March 23, 2016 (Project No. OVE WEST DPS), as red-lined revised, which shows 73 single detached lots, two (2) open space blocks, one (1) temporary road block, two (2) abutting land owner blocks, two (2) future road allowance blocks, five (5) reserve blocks, served by one (1) collector road and four (4) local streets, **SUBJECT TO** the conditions contained in the attached Appendix "C", and the adopted Official Plan amendment coming into effect;
- (c) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 23, 2016 to amend the Official Plan for a portion of the lands located at 1691 Hamilton Road to remove the "Aggregate Resource Area" delineation on Schedule 'B-2' – Natural Resources and Natural Hazards;
- (d) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 23, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in Part 'C' above, to change the zoning of the subject lands **FROM** an Urban Reserve Special Provision (UR4(6)) Zone **TO** a holding Residential R1 Special Provision (h•R1-3()) Zone to permit single detached dwellings, with a special provision for a maximum lot coverage of 45% for one (1) storey single detached dwellings, and minimum front and exterior yard depth for main dwelling of 4.5 metres to a primary collector road, and 6.0 metres for garages; an Open Space Special Provision (OS1(3)) Zone; a holding Open Space (h-2•OS4) Zone; and an Urban Reserve Special Provision (UR4()) Zone with a special provision for minimum lot area of 190 square metres and no minimum lot frontage requirement; together with a holding (h) provision to ensure adequate provision of municipal services and that a subdivision agreement or development agreement is entered into; and to amend Section 4.21 Road Allowance Requirements - Specific Roads to By-law No. Z.-1 by adding Street 'C' from the west limit of the plan to the east limit as a Primary Collector Road.
- (e) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands **FROM** an Urban Reserve (UR4(6)) Zone **TO** a Residential R1 Special Provision (R1-3()) Zone which would include a special provision for a minimum exterior side yard depth of 2.5 metres **BE REFUSED** for the following reason:
 - i) The requested special provision is not necessary as the Zoning By-law already provides for a reduced exterior side yard in certain situations. This provision applies to corner lots having rear yards abutting another rear yard, in accordance with Section 4.29.

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- (f) the Civic Administration **BE DIRECTED** to review opportunities for public road connections to lands to the west of the proposed draft plan of subdivision; and report back to a future meeting of the Planning and Environment Committee with an assessment of feasible alternatives, and recommended updates to the Old Victoria Area Plan and Official Plan, if required; and,
- (g) the applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in Appendix "D".

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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November 12, 2013 - Planning and Environment Committee – Application by Thames Village Joint Venture to Amend Zoning By-law - 1990 Commissioners Road East and 1697 Hamilton Road (File No. Z-8239) (*Agenda Item #10*)

August 20, 2012 - Planning and Environment Committee – Old Victoria East – 1697 Hamilton Road, 1742 Hamilton Road, 1990 Commissioners Road East - Thames Village Joint Venture Corporation (*Agenda Item #18*)

September 24, 2007 - Planning Committee – Old Victoria Area Plan – City of London (File No. O-7062) (*Agenda Item #6*)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect is to recommend that the Approval Authority for the City of London issue draft approval of the proposed plan of subdivision, subject to conditions and red-line revisions; and Municipal Council approve the recommended 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 redlined draft plan of subdivision is as follows:

- i) The recommended draft plan, Official Plan and Zoning amendments conform to the land use policies of the Official Plan, and are consistent with the Provincial Policy Statement;
- ii) The proposed subdivision draft plan is in keeping with the Council-adopted Old Victoria Area Plan;
- iii) The subject lands are located within the urban growth boundary where full municipal services are currently in place or are planned to service new development;
- iv) The proposal is compatible with surrounding land uses; contributes to compact urban form; and provides for integrated development with good connectivity and pedestrian accessibility.
- v) The recommended front and exterior yard depth is appropriate and consistent with the standards for a secondary collector or local street. The proposed 45% maximum lot coverage for one storey dwellings is also appropriate, and will provide flexibility for home builders and purchasers.
- vi) A review of opportunities for public road connections to lands to the west is appropriate to determine if the Old Victoria Area Plan and the Official Plan should be updated.

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BACKGROUND

Date Application Accepted: January 24, 2013	Agent: n/a
<p>REQUESTED ACTIONS:</p> <p><u>Draft Plan of Subdivision</u> A draft plan of subdivision consisting of 73 single detached lots (Lots 1-73), 3 open space blocks (Blocks 75-77), 1 temporary road block (Block 78), 1 residential part block (Block 74), 2 abutting land owner blocks (Blocks 84-85), 1 future road allowance (Block 86), 5 reserve blocks (Blocks 79-83), served by 1 collector road (Street 'C') and 4 local streets (Streets 'A', 'B', 'D', & 'E').</p> <p><u>Official Plan Amendment</u> Amendment to the City of London Official Plan to remove the "Aggregate Resource Area" delineation on Schedule 'B2' - Natural Resources and Natural Hazards map.</p> <p><u>Zoning By-law Amendment</u> Amendment to Zoning By-law Z.-1 to change the zoning from an Urban Reserve (UR4(6)) Zone and a holding Open Space (h-2•OS4) Zone to a Residential R1 Special Provision (R1-3()) to permit single detached dwellings with special provisions for a minimum exterior side yard depth of 2.5 metres, a maximum lot coverage of 45% for one (1) storey single detached dwellings, and minimum front yard depth of 4.5 metres fronting a primary collector road; a Holding Open Space Special Provision (h-2•OS4()) Zone with a special provision for reduced minimum lot frontage and area; and an Urban Reserve Special Provision (UR4()) Zone with a special provision for minimum lot area of 190 square metres and no minimum lot frontage requirement.</p> <p>NOTE: The original request was for approval of a residential subdivision which included lands on both the east and west sides of Hamilton Road. The draft plan consisted of 144 single detached lots, 2 low density residential cluster housing blocks, 1 medium density residential street townhouse block, 1 medium density residential/office block, 1 stormwater management facility, 5 open space blocks, 4 park blocks, served by 1 collector road and 8 local streets.</p> <p>The application was later revised in order to accommodate refinements to the configuration and design of the stormwater management block, re-configuration of the primary collector road, and adjustments to the limits of the draft plan. The revised draft plan consisted of 131 single detached lots, 2 low density residential cluster housing blocks, 1 medium density residential street townhouse/cluster townhouse block, 1 stormwater management facility, 10 open space blocks, 4 renaturalization area blocks, 5 abutting landowner parcel blocks, 1 temporary road block, 2 residential part blocks, 1 future road allowance, 2 road widening blocks, 6 reserve blocks, and 8 public streets.</p> <p>The requested action at this time is to proceed with the draft plan of subdivision, Official Plan and Zoning By-law Amendments for lands on the west side, known municipally as 1691 Hamilton Road.</p>	

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<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – vacant agricultural field; hydro corridor easement • Frontage – 20.5 metres (67.3 ft.) on Hamilton Road • Depth – approx. 280 metres (919 ft.) • Area – 5.46 hectares (13.5 acres) • Shape – Irregular
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<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North – estate residential dwellings • South – rural residential and agriculture • East – agriculture • West – agriculture and open space

<p>OFFICIAL PLAN DESIGNATIONS: (refer to map on page 6)</p> <p>“Low Density Residential” , “Multi-family, Medium Density Residential”, and “Open Space”</p>
<p>EXISTING ZONING: (refer to map on page 7)</p> <p>Urban Reserve Special Provision (UR4(6)) and holding Open Space (h-2•OS4)</p>

<p>PLANNING HISTORY</p>

The subject lands were included within the Urban Growth Boundary and designated Urban Reserve - Community Growth through the “Vision London” planning process, which was implemented through the adoption of Official Plan Amendment No. 88 in 1996. The Planning Area was originally identified as “Summerside East” but later changed to become known as “Old Victoria” based on the proximity of Old Victoria Road.






The Old Victoria Area Planning Study was initiated in December 2005. The Area Plan was subsequently brought forward for consideration and recommended for approval at a public participation meeting of Planning Committee on September 24th, 2007. At its meeting on October 1, 2007, London City Council adopted the Old Victoria Area Plan pursuant to Section 19.2.1. of the Official Plan as a guideline document for the review of planning applications, and the development of public facilities and services within the Old Victoria Community.

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Location Map

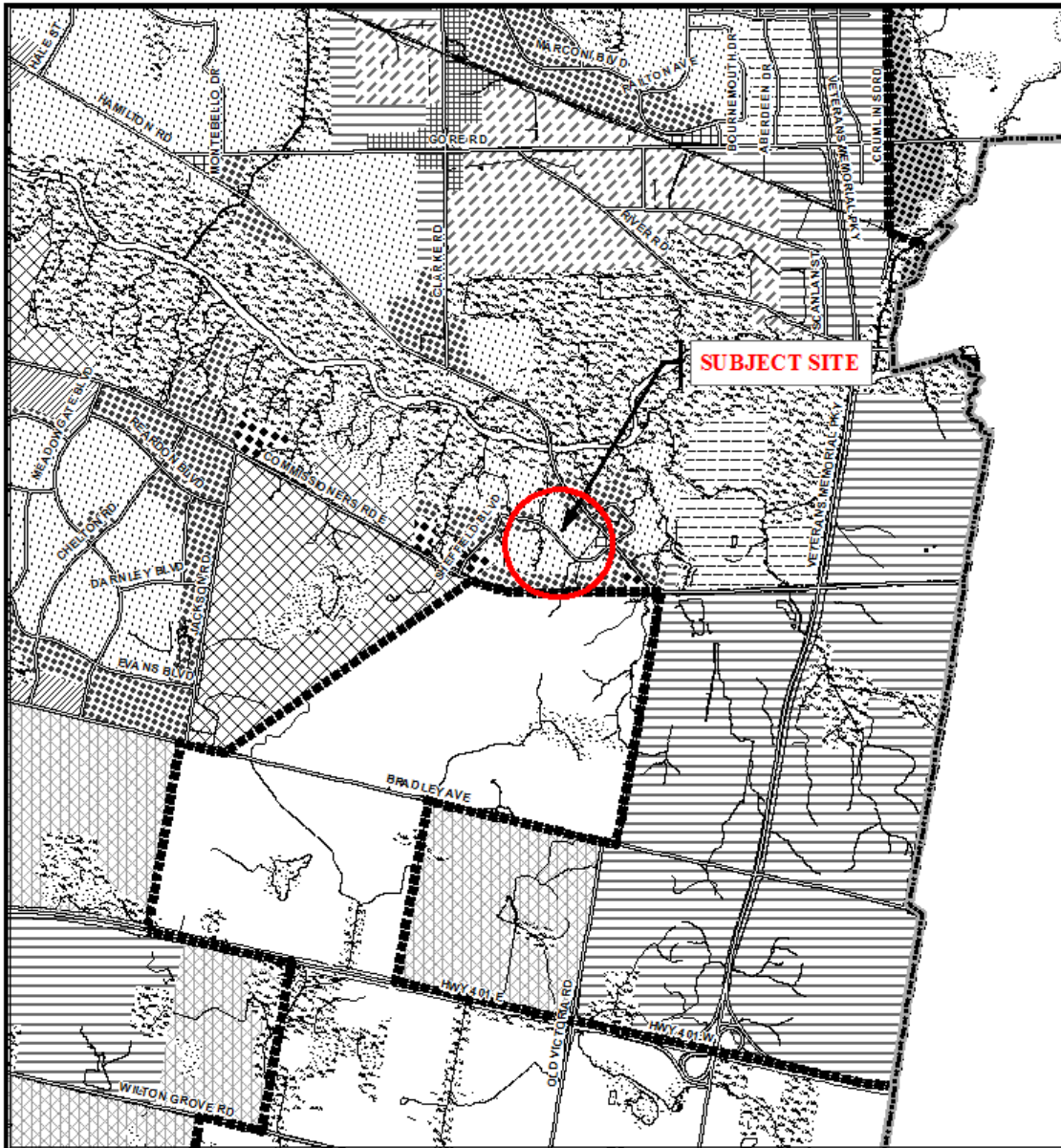


LOCATION MAP	LEGEND
<p>Subject Site: 1691 Hamilton Road Applicant: Thames Village Joint Venture File Number: 39T-13502 / OZ-8147 Planner: LM Created By: Im Date: 2016-06-06 Scale: 1:2500</p>	<ul style="list-style-type: none">  Subject Site  Parks  Assessment Parcels  Buildings  Address Numbers
<p>Corporation of the City of London Prepared By: Development and Compliance Services</p>	

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Official Plan Map

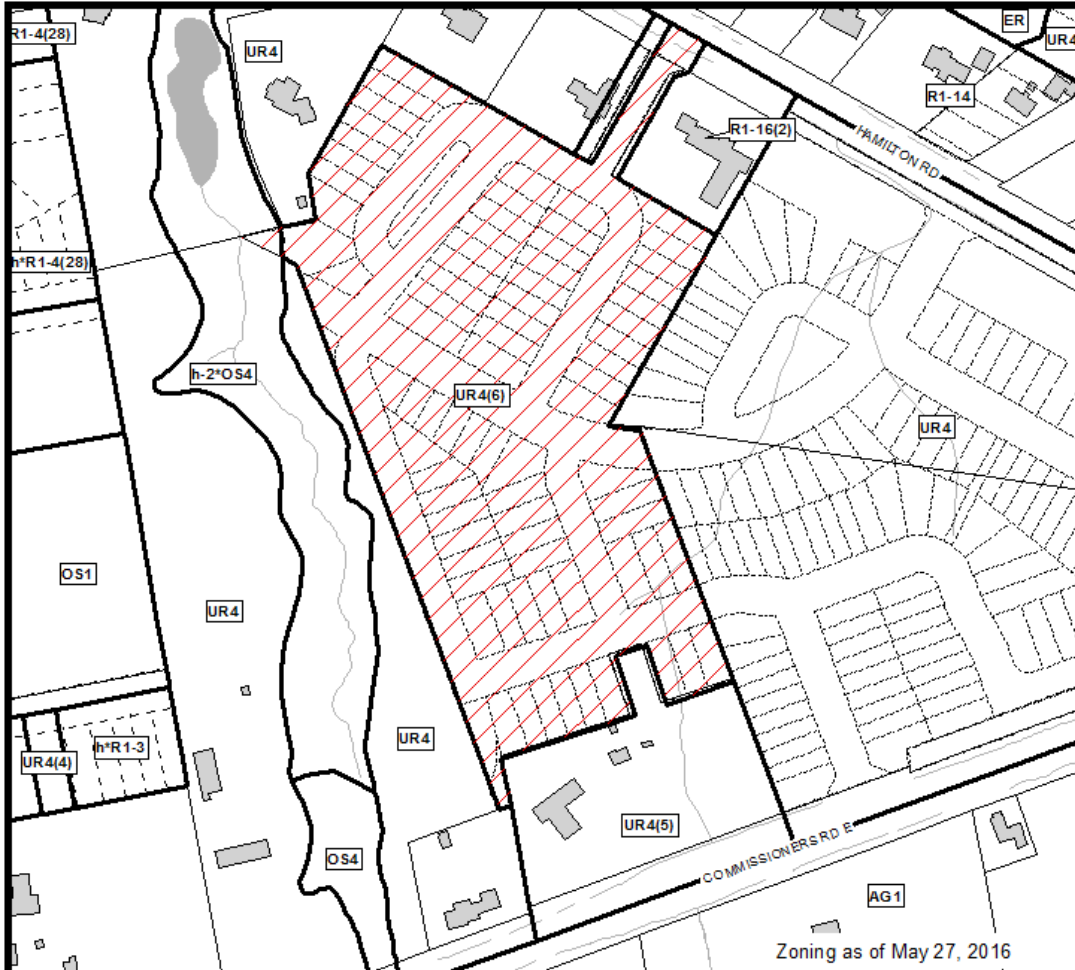


<p>Legend</p> <table border="0"> <tr> <td> Downtown</td> <td> Office/Residential</td> </tr> <tr> <td> Wonderland Road Community Enterprise Corridor</td> <td> Office Business Park</td> </tr> <tr> <td> Enclosed Regional Commercial Node</td> <td> General Industrial</td> </tr> <tr> <td> New Format Regional Commercial Node</td> <td> Light Industrial</td> </tr> <tr> <td> Community Commercial Node</td> <td> Regional Facility</td> </tr> <tr> <td> Neighbourhood Commercial Node</td> <td> Community Facility</td> </tr> <tr> <td> Main Street Commercial Corridor</td> <td> Open Space</td> </tr> <tr> <td> Auto-Oriented Commercial Corridor</td> <td> Urban Reserve - Community Growth</td> </tr> <tr> <td> Multi-Family, High Density Residential</td> <td> Urban Reserve - Industrial Growth</td> </tr> <tr> <td> Multi-Family, Medium Density Residential</td> <td> Rural Settlement</td> </tr> <tr> <td> Low Density Residential</td> <td> Environmental Review</td> </tr> <tr> <td> Office Area</td> <td> Agriculture</td> </tr> <tr> <td></td> <td> Urban Growth Boundary</td> </tr> </table>		Downtown	Office/Residential	Wonderland Road Community Enterprise Corridor	Office Business Park	Enclosed Regional Commercial Node	General Industrial	New Format Regional Commercial Node	Light Industrial	Community Commercial Node	Regional Facility	Neighbourhood Commercial Node	Community Facility	Main Street Commercial Corridor	Open Space	Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Multi-Family, Medium Density Residential	Rural Settlement	Low Density Residential	Environmental Review	Office Area	Agriculture		Urban Growth Boundary
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Office Area	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 style="text-align: center;"></p> <p style="text-align: center;">Scale 1:30,000</p> <p style="text-align: center;"></p>	<p>FILE NUMBER: OZ-8147</p> <p>PLANNER: LM</p> <p>TECHNICIAN: JTS</p> <p>DATE: June 3, 2016</p>																									

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Zoning Map



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

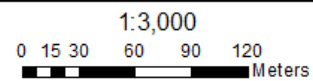
**ZONING
 BY-LAW NO. Z-1
 SCHEDULE A**



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

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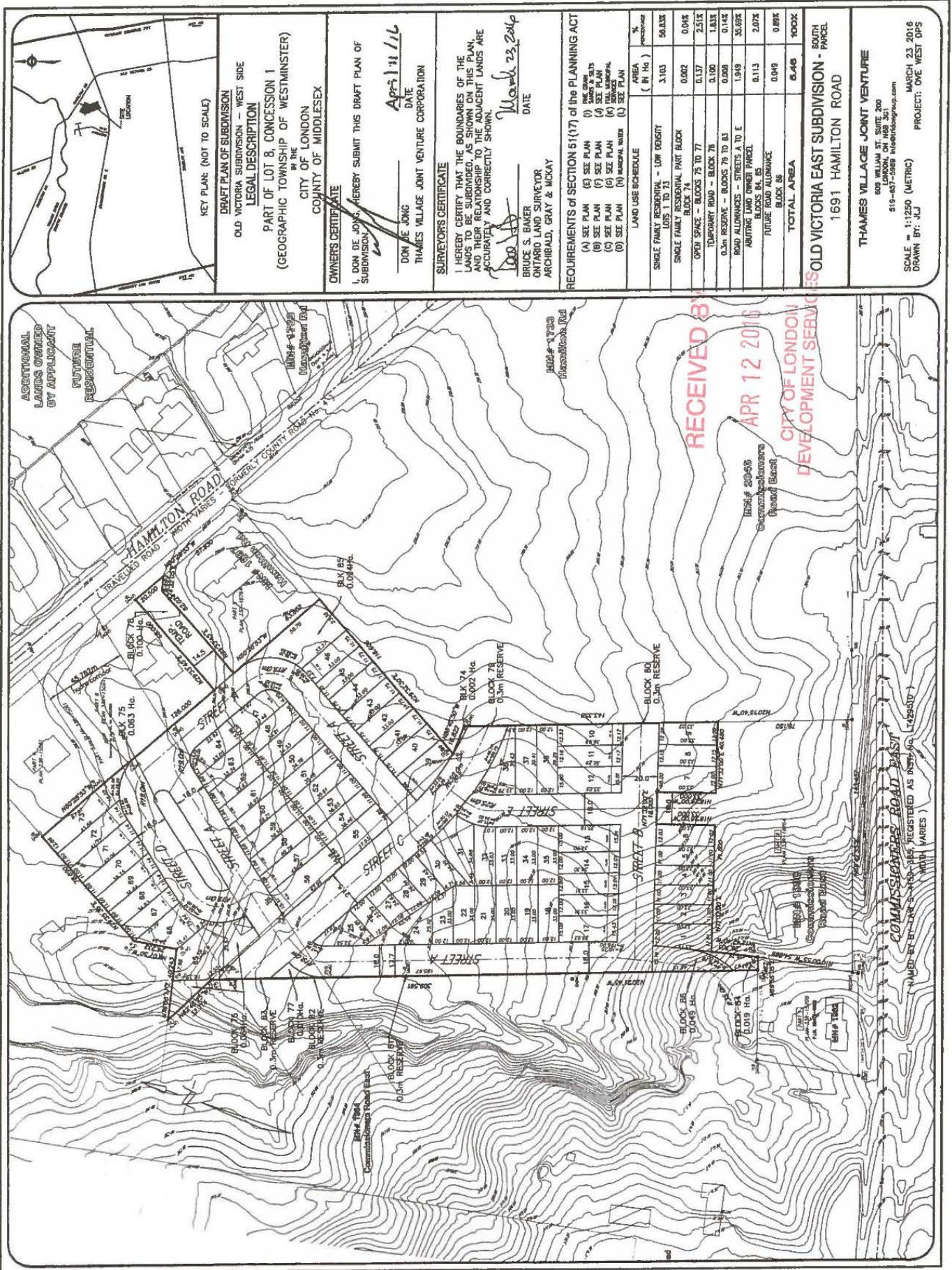
MAP PREPARED:
 June 3, 2016 JTS





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Proposed Draft Plan of Subdivision



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City Council also adopted Official Plan Amendment No. 427, which confirmed land use designations, road alignments and environmental features on Map Schedules “A”, “B” and “C” of the Official Plan. In addition to mapping modifications, OPA 427 also included the adoption of area specific policies in Section 3.5.18 of the Official Plan, which provide further guidance with respect to the form of development, public infrastructure facilities and environmental protection measures to be supported within the planning area.

A parallel Municipal Class Environmental Assessment for Stormwater Management was carried out for the Old Victoria Planning Area, concurrent with the preparation of the Area Plan, to determine the appropriate facilities required to address stormwater flows. The SWM strategy provided for the creation of two off-line wet ponds to service future development lands within the area. The construction of one pond has been completed and it is located north of the Victoria on the River subdivision. The pond serves the post development catchment area for much of the westerly portion of the Old Victoria Planning Area. The second SWM pond is approved for construction under the 2016 Growth Management Implementation Strategy (GMIS) Update and will be located on lands on the east side of Hamilton Road serving the easterly portion of the planning area.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Servicing Related City Comments

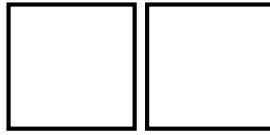
The following comments represent the consolidated feedback from Development Services Engineering Review Staff and the various Engineering Services Divisions of the City of London. The recommended red-line revisions, holding provisions, and conditions of draft plan approval have captured those requirements for wastewater, stormwater, water and transportation (Conditions #21 to #96).

Wastewater

- The developer will be required to provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced; and to propose a suitable routing for the trunk sanitary sewer to be constructed through this plan.
- The construction of sanitary sewers to service this plan are to connect to the existing municipal sewer system, namely, the 750 mm diameter sanitary sewer located on Hamilton Road.
- Provisions will also need to be made for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan 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.

Stormwater

- In conjunction with the Design Studies, the City will be requiring from the Owner’s consulting engineer a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation which will identify the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled.
- In conjunction with the Design Studies, a geotechnical report or updated geotechnical report will be required to address 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 associated with the ravine and proposed lots and blocks are adequately addressed, to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.
- The developer will be required to construct storm sewers to serve this plan and outlet them to the Thames River via the proposed regional Stormwater Management (SWM)



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Facility (Old Victoria SWM # 1) and all related stormwater/drainage servicing infrastructure in and related to, this plan of subdivision.

- Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, all storm/drainage works, the SWM Facility to be constructed by the City (Old Victoria SWMF #1), and all SWM related works to serve this plan, must be constructed and operational in accordance with the approved design criteria and accepted drawings.

Water

- A water servicing report will be required to be submitted for acceptance by the City at the Design Studies stage to address water service distribution and system design.
- Watermains constructed to serve this plan are to connect to the existing 250 mm diameter low level watermain on Hamilton Road via a temporary watermain connection along the temporary road corridor.
- Once the primary collector road is constructed up to Hamilton Road and the ultimate watermain tie-ins are completed with the adjacent subdivision, the Owner will be required to cut and cap the temporary watermain along the temporary road from the 250 mm watermain on Hamilton Road and the watermain on Street 'A', to the satisfaction of the City.

Transportation

- Transportation matters to be reviewed in more detail at the Design Studies stage include the preparation and submission of a conceptual design and location of the temporary access road to Hamilton Road. Draft plan conditions will require the Owner to construct the temporary access road to Hamilton Road in a location satisfactory to the City, provide any necessary easements for servicing and include a temporary left turn lane on Hamilton Road. Once the primary collector road connection (Street 'C') is available to Hamilton Road, the Owner shall remove the temporary access and all associated works. Sufficient security for the removal of the temporary access road shall be provided to the City. The Owner will be required to deed the temporary access road block (Block 78) to the City as ultimate servicing will remain over this block.
- At the west end of the primary collector road Street 'C' (west of Street 'A') draft plan conditions require the provision of a separate block to be conveyed to the City and cash-in-lieu to construct a fully-serviced road to provide servicing and access for lands to the west, at such time as they develop.

Thames Valley District School Board

At this time the proposed subdivision is presently within the boundaries of Westminster Central PS for Grades JK to 8 and Lord Dorchester SS for Grades 9-12. The area is also within the approved attendance area of the New Southeast PS. Ministry funding has not been received and therefore the timeline of the construction of the new school is unknown at this time. 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 developer agrees to include in all of its agreement of purchase and sale with purchasers of residential lots and blocks, a provision advising such purchasers that the construction of additional public school accommodation is dependent upon funding approval from the Ontario Ministry of Education and, as a result, the property may be designated as part of a “Holding Zone” by Thames Valley District School Board and that any students residing in such holding zone may be designated to attend a “Holding School” until a long-term accommodation solution is in place. There can be no assurance that a new elementary or secondary school may be built to accommodate students residing within the Holding Zone.”

Staff response: *The school board’s requested standard holding zone warning clause will be captured in the subdivision agreement for this development.*

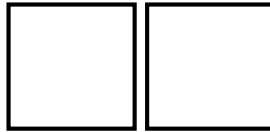
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Hydro One Networks Inc. (“HONI”)

Please be advised that Hydro One Networks Inc. (“HONI”) has no objection in principle to the proposed plan of subdivision, provided the following are included as conditions of draft approval:

1. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted in triplicate to HONI for review and approval.
2. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the right of way. During construction, there will be no storage of materials or mounding of earth, snow or other debris on the right-of-way.
3. Temporary fencing must be placed along the easement corridor during construction. Permanent fencing must be erected where subdivision lots directly abut the HONI easement at the developer’s expense.
4. The subdivider shall make arrangements satisfactory to HONI for the crossing of the hydro right-of-way by any proposed roads. Separate proposals including detailed lighting and site servicing plans shall be submitted in triplicate to HONI for future road crossings. The developer must contact **Jim Oriotis**, HONI Senior Real Estate Coordinator at **(905)946-6261** to begin the process of acquiring a Construction and Encroachment Agreement.
5. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer.
6. The easement rights of HONI and its legal predecessors are to be protected and maintained.
7. If the proposed development is within close proximity to a Transmission or Distribution station the following applies:
 - (a) The Developer hereby confirms and agrees that every agreement of purchase and sale heretofore and hereafter entered into by the Developer with any purchaser(s) of any unit or proposed unit in the Development contains the following notice/warning provisions (or clauses substantially similar thereto in all respects), namely: “Each unit purchaser and/or lessee specifically acknowledges and agrees that the development of the Lands upon which this Development is being (or has been) constructed, will be (or has been) undertaken and completed in accordance with any requirements that may be imposed from time to time by any Governmental Authorities, and that the proximity of this Development to facilities, installations and/or equipment owned and/or operated by HONI may result in noise, vibration, electro-magnetic interference and stray current transmissions (hereinafter collectively referred to as the **“Interferences”**) to this Development, and despite the inclusion of control features within this Development, Interferences from the aforementioned sources may, occasionally interfere with some activities of the occupants in this Development Notwithstanding the above, each unit purchaser and/or lessee agrees to indemnify and save HONI and harmless, from and against all claims, losses, judgments or actions arising or resulting from any and all of the Interferences. In addition, it is expressly acknowledged and agreed that HONI does not, and will not, accept any responsibility or liability for any of the Interferences in respect of this Development and/or its occupants. Furthermore, there may be alterations and/or expansions by HONI to its facilities and/or transformer station which may temporarily affect the living environment of the residents notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the Development. HONI will not be responsible for any complaints or claims or any kind howsoever arising from use, expansion and/or alterations of such facilities and/or operations on, over or under its transformer station. Furthermore, each unit purchaser and/or lessee acknowledges



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and agrees that an electro-magnetic, stray current and noise-warning/vibration clause similar to the foregoing shall be inserted into any succeeding or subsequent sales agreement, lease or sublease, and that this requirement shall be binding not only on the Purchaser hereunder but also upon the Purchaser’s respective heirs, estate trustees, successors and permitted assigns, and shall not cease or terminate on the closing of this purchase and sale transaction with the Vendor/Declarant.”

- (b) The Developer covenants and agrees that so long as the City does not object thereto, the language set out in Section 3.1(d) hereof (or language substantially similar thereto) shall also be included in the Site Plan Agreement entered into by the Developer with City of London to be registered on title to the Development.

In addition, it is requested that the following be added as a Note to the Conditions of Draft Approval.

- 8. The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 188 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

Staff response: *The recommended conditions of draft plan approval have captured the above requirements (Conditions #19, #53, #70 & #95). Item 8 above is for information purposes only. This information has been made available to the owner.*

Bell Canada / Canada Post

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.

Environmental and Ecological Planning Advisory Committee (EEPAC)

EEPAC provided combined comments on the Environmental Impact Studies prepared for both the City’s future SWM Facility #1 on the east side of Hamilton Road, and the Thames Village Joint Venture subdivision proposal for lands on the east and west sides of Hamilton Road. Comments that reflect their concerns with respect to development lands on the west side of Hamilton Road are summarized as follows:

EROSION

Erosion on the face of slopes could be caused by run off washing over the face and human disturbance during construction and post construction.

- 5) RECOMMENDATION: For any lots built adjacent to a slope or watercourse; runoff and sump pump, downspout and weeping tile discharges be directed away from slopes or watercourses. Where possible, such waters should be part of the solution for maintaining the water balance, tributary flows and seeps/wetland function.

ESA BOUNDARY/ BUFFERS / AND PROPOSED ENCROACHMENT INTO SAME

- 13) RECOMMENDATION: Lots 67, 103 and 104 not be built and the development setback and 30 m buffer from the wetland feature be maintained. If this recommendation is not accepted, slope stability sections must be done prior to a final decision on the inclusion of these lots in the subdivision plan.

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**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

ENVIRONMENTAL MANAGEMENT PLAN

It appears that there will be areas of the subject site post development that will be available for restoration (page 106, NRSI).

EEPAC appreciates the consideration of the proponent in considering restoration plantings behind the proposed rear lot line adjacent to Lot 67 (p. 91). However, success is unknown as stated on page 91:

“Provided that measures to mitigate indirect and induced impacts are implemented, the proposed encroachment is not expected to significantly impact the adjacent natural feature.”

EEPAC does not have confidence that measures will be successful over time.

- 29) RECOMMENDATION: EEPAC does not support the extension of lot 67 into the setback (Map 8B).

INFORMATION FOR HOMEOWNERS IN THE AREA

- 32) RECOMMENDATION: As a condition of any development agreement, the developer/home builder be required (not just should as it states on page 105 of NRSI), to provide the homeowner with an information package that includes information on the natural features and their ecological functions, (terrestrial and aquatic), why they are important to protect and how they can be protected (e.g. keeping cats indoors). The material must also explain why fences with no gates have been installed and why no gates should be installed.

- 33) RECOMMENDATION: Roughly one year after a homeowner has moved in, a second mailing should be sent (by the builder) which will contain the City’s Living with Natural Areas brochure. This should be included as a condition of the development agreement and Development Services should be sent a mailed copy as confirmation that the condition has been met.

Other Recommendations

It appears that the Woodland Guideline has not been applied to Patch 09028 at this time. EEPAC is concerned that the future road pattern crosses this ravine at the wetland (SWT-2 - mineral thicket swamp).

- 35) RECOMMENDATION: The Woodland Evaluation Guidelines be applied to patch 09028 and the road pattern be revised to avoid crossing the patch and swamp thicket.
- 36) RECOMMENDATION: Geotechnical inspection and testing (pre and post construction) be required as a condition of approval once details of the proposed development, layout and site grading are known.
- 37) RECOMMENDATION: Hazard lands should be dedicated to the city outside of the required 5% parkland dedication under the Planning Act as the land is not developable.
- 38) RECOMMENDATION: A requirement of any restoration plan must include the planting of deep rooted native, non-invasive vegetation for slope stability.
- 39) RECOMMENDATION: Any trails be set at least 6 m away from the top of slope with signage indicating that slopes are to be avoided to reduce risk.

Staff response: Responses to the EEPAC comments are included in Table 3 of Appendix IV in the Old Victoria East Subdivision – 1691, 1738, 1742 Hamilton Road Environmental Impact Study Addendum report dated July 2015 prepared by Natural Resources Solutions Inc. Aquatic, Terrestrial and Wetland Biologists, and are summarized below. Note that Lot 67 is now Lot 65 as a result of subsequent renumbering on the most recent version of applicant’s draft plan.

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**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

EROSION Response: Recommendations were provided in Section 5.4 of the updated Exp. Slope Assessment report regarding the capture and redirection of water from downspouts and perimeter weeping tiles being directed away from the slope. The recommendation provided by EEPAC is consistent with the recommendation in the Exp. report.

ESA BOUNDARY/ BUFFERS/ AND PROPOSED ENCROACHMENT Response: The rear lot line of Lot 67 (now Lot 65) has been adjusted. The rear lot line follows an extension of the easterly subdivision property line, and is now outside the erosion hazard limit the entire width of the lot. The small area of encroachment within the 30 m buffer is considered minor and has been included in the EIS calculations for Proposed Buffer Encroachments and Compensation Areas. Requirements for implementation of all EIS recommendations is addressed in the conditions of draft plan approval (Conditions #17 & #18). Lots 103 and 104 are on the east side of Hamilton Road, and are not part of this revised draft plan.

ENVIRONMENTAL MANAGEMENT PLAN Response: See above response.

INFORMATION FOR HOMEOWNERS Response: Homeowner education package requirements have been addressed in the conditions of draft plan approval (Condition #14).

OTHER Response:

- Patch 09028 is on the adjacent lands to the west. A woodland evaluation and EIS will be required for any future road crossing of the wooded patch and swamp thicket.
- Geotechnical requirements are addressed in the conditions of draft plan approval (Condition #25).
- Block 76 which contains a portion of the hazard lands is to be conveyed to the City as public open space outside of the required parkland dedication requirements.
- The EIS includes an ecological restoration plan.
- There are no trails proposed in this draft plan.

Upper Thames River Conservation Authority (UTRCA)

The UTRCA is generally satisfied with the information that has been provided to support the Planning Act application for the proposed subdivision development and we are prepared to offer the following conditions of draft plan approval:

1. That a final Water Balance Report be prepared to the satisfaction of the UTRCA that addresses the outstanding concerns (i.e. catchment area, the loss of infiltration).
2. That the Plan of Subdivision be redlined -
 - a) To create a block at the terminus of Street C which is zoned with a holding provision that requires the preparation of an EIS and geotechnical study to the satisfaction of the UTRCA that addresses the impacts of Street C on the natural hazards and natural heritage features.
 - b) To consolidate Lot 67 with Blocks 146 & 147 which shall be designated and zoned Open Space.
3. That the applicant obtain the necessary approvals pursuant to Section 28 of the Conservation Authorities Act from the UTRCA prior to undertaking any site alteration or development within the regulated area.

Staff response: The recommended red-line revisions and conditions of draft plan approval have captured the above requirements (Conditions #15, #16, #25, #32, #70 & #87). Due to subsequent lot re-numbering, Lot 67 is now Lot 65 on the most recent version of applicant's draft plan. Blocks 146 & 147 have been combined as Block 76.

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File No: 39T-13502 / OZ-8147
Planner: L. Mottram

PUBLIC LIAISON:	<p>On January 31, 2013, a Notice of Application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments was sent to 45 surrounding property owners. Notice was published in the "Londoner" on February 14, 2013.</p> <p>On January 26, 2015, an <u>Updated</u> Notice of Application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments was sent to 47 surrounding property owners. Notice was published in the "Londoner" on February 5, 2015.</p> <p>On May 30, 2016, a Notice of Revised Application and Notice of Public Meeting for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment was sent to 32 surrounding property owners. Notice was published in the "Londoner" on June 2, 2016.</p>	9 replies received
Nature of Liaison: see "Requested Action" section.		
<p>Responses: Development Services received four telephone calls and five written responses from the public. Comments and concerns received are summarized as follows:</p> <ul style="list-style-type: none"> - Preservation of a row of mature spruce/fir trees along the northern property boundary - Concern about impact on well water supply - Will residents on septic systems be forced to connect to sanitary sewers? - Protection of environmentally significant areas to the west and south <p>General concerns - development in the hydro corridor; loss of wooded areas and wildlife habitat; lack of transit service; impact of future road widening; temporary road connection impact on existing trees; alteration of drainage patterns.</p>		

ANALYSIS

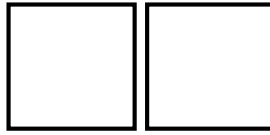
Existing Situation

These lands comprise a total area of 5.46 hectares (13.5 acres) and have frontage on Hamilton Road. The property consists of cultivated fields in agricultural use (cash crops). The northerly half of the site is traversed by a hydro corridor easement. There is a slight variation in topography over most of the site with elevations ranging from approximately 256 metres along the northerly extremity and gradually rising to a high point of 273 metres in the southwest corner. The site slopes from the southwest to the northeast at approximately 2% to 4%.

Land uses surrounding the subdivision include existing large lot residential dwellings fronting on Hamilton Road to the north, a vacant agricultural parcel adjacent to the east, a rural residential dwelling and agricultural uses to the south, and agricultural lands and open space corridor to the west.

Existing services to the subdivision include a 250 mm low pressure watermain on Hamilton Road. There is an existing 750 mm gravity trunk sanitary sewer flowing north to a pumping station on the north side of the Thames River. There are currently no piped municipal storm sewers; however, plans for a new stormwater management facility (Old Victoria SWM Facility No. 1) to serve future development in this area are proceeding. This project is identified in the 2016 GMIS Update and the functional design for the facility was completed and approved in April 2015.

The subdivision has public road frontage on Hamilton Road, which is classified as an Arterial Road in the Official Plan. Average annual daily traffic volumes are approximately 6,000 vehicles per day. Provision has been made for a temporary road connection to Hamilton Road to serve



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the proposed subdivision until such time as the Primary Collector (Street 'C') is completed through the lands to the east to provide permanent public road access. The lands to the east are part of a draft plan of subdivision application by Sifton Properties Ltd. (File No. 39T-15505).

The original application request by Thames Village Joint Venture was for approval of a residential subdivision which included lands on both the east and west sides of Hamilton Road. The application was later revised in order to accommodate refinements to the configuration and design of the stormwater management block, re-configuration of the primary collector road, and adjustments to the limits of the draft plan which resulted from a severance and conveyance of two residential dwellings from the land holdings on the west side of Hamilton Road, one at 1697 Hamilton Road and the other at 1990 Commissioners Road East. The requested action at this time is to proceed with the draft plan of subdivision, Official Plan and Zoning By-law Amendments for lands on the west side only, known municipally as 1691 Hamilton Road.

Old Victoria Area Plan

At its meeting on October 1, 2007, City Council adopted the Old Victoria Area Plan as a guideline document pursuant to Section 19.2.1. of the Official Plan, for the review of planning applications and the development of public facilities and services within the Old Victoria Community. This planning area includes the lands bounded by the Thames River on the north, Commissioners Road East on the south, the Old Victoria Road alignment on the east and the lands that include the Victoria on the River subdivision on the west. The same area was also the subject of Official Plan Amendment No. 427 which applied land use designations, environmental mapping delineations, transportation corridors and area specific policies in section 3.5.18 of the Plan.

Several background studies were prepared as integral components of the area study including:

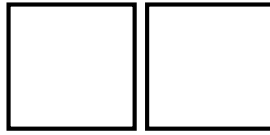
- a Natural Heritage Study (Biologic);
- Geotechnical and Hydrological Condition Study (Trow Engineering Inc.);
- Water Resources Assessment & Management Report (Development Engineering London);
- Archaeological & Built Heritage Assessment (Archaeologix Inc.);
- Transportation Assessment (F.R. Berry & Associates);
- Municipal Servicing Report (Development Engineering London Limited);
- Development Constraints and Opportunities (Kirkness Consulting Inc.); and
- Community Planning/Land Needs Study (Kirkness Consulting Inc.).

The Area Plan provided supporting documentation for OPA 427, including detailed information that is intended to assist in interpreting and implementing the more generalized Official Plan policies that apply to the Old Victoria area. While the Area Plan should be considered as a guide in evaluating the subdivision application, it does not have Official Plan status and there is flexibility to interpret or modify provisions of the Area Plan within the context of overriding Official Plan policies.

The Area Plan concept supports a significant open space component along the Thames River and tributary ravines, a mix of housing forms and densities, and a community focal point, to be developed in the form of a pedestrian-oriented town centre. Elements of this proposed draft plan that accurately reflect and implement the Council-approved Area Plan include the Low Density Residential lots and blocks, and the Street 'C' collector roadway alignment.

Community Design Guidelines were adopted with the Area Plan to assist in implementing a common vision for the Old Victoria Planning Area by providing specific guidelines that can be applied through the subdivision design, recommended zoning, public infrastructure works and site plan approval process. The Community Design Guidelines are referenced in policy 3.5.18.xii) of the Official Plan and outlined in Section 4 of the Area Plan. Specific design guidelines have been added to address placemaking, public realm components, parks & open spaces, and private realm components. The implementation of specific guidelines is discussed in the sections below on recommended zoning and subdivision design.

The draft plan of subdivision as recommended by staff is found to be in keeping with the Old Victoria Area Plan.



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Official Plan

At its meeting on October 1, 2007, City Council adopted Official Plan Amendment No. 427, which confirmed land use designations, road alignments and environmental features on Map Schedules “A”, “B” and “C” of the Official Plan.

In addition to mapping modifications, OPA 427 also included the adoption of area specific policies in Section 3.5.18 of the Official Plan, which provide further guidance with respect to the form of development, public infrastructure facilities and environmental protection measures to be supported within the Old Victoria Community Planning Area. The matters addressed in 3.5.18 include:

- guidelines to provide for the delineation of development boundaries and identification of setbacks from the Thames River Valley Corridor;
- identification of opportunities for re-vegetation and enhancement of lands within and adjacent to the ESA;
- identification and protection of tree preservation areas;
- implementation of a “Town Centre” and gateway entrance concept for lands at the intersection of Commissioners Rd. East and Sheffield Boulevard to provide for a mixed-use area, including a public square;
- criteria for the allocation of active/passive parkland, and the alignment of a multi-use trail system within the area;
- recognition of the Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works as the basis for the location and design of stormwater infrastructure within the area; and
- the adoption of Community Design Guidelines that are intended to supplement the City’s standard criteria and standards for matters such as road geometry, landscaping, building orientation and pedestrian access.

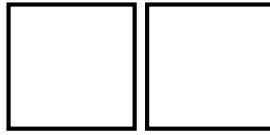
The land use pattern and collector road alignment in the proposed plan of subdivision generally reflect the designations and transportation corridors identified on Schedule “A” (Land Use) and Schedule “C” (Transportation Corridors) of the Official Plan. Policy 3.5.18.vii) provides guidance with respect to roadway alignments and designs in the Old Victoria area. The primary collector road, identified as Street “C” on the draft plan, is to be designed as a residential street with direct access for adjacent land uses and on-street parking.

The recommended amendment to Schedule “B-2” - Natural Resources and Natural Hazards map is to remove the “Aggregate Resource Area” delineation that applies to a portion of the subject lands. This amendment is based on the geotechnical investigation that was conducted as a component study of the Old Victoria Area Plan. The study provided an assessment of aggregate resources in the area including gradation analyses on five samples of existing granular material within the study area. The conclusion of the study was that the onsite granular materials were not considered an economically viable source of commercial aggregate. The Old Victoria Area Plan concluded the feasibility of commercial aggregate extraction is considered to be very low. Some of the resource could be used on site for construction of roads and sewers. Notice of the proposed amendment was circulated to Provincial Ministries and as of the date of this report there have been no comments or concerns received in response from the MNRF.

Subject to the above OP amendment, the proposed plan of subdivision (as red-line revised) together with the conditions of draft approval and recommended zoning, are considered to be in conformity with the Official Plan. Specific issues relating to the zoning, servicing and subdivision design are addressed in further detail below.

Servicing / Infrastructure

The sanitary outlet for the subdivision is the existing 750mm trunk sewer located on Hamilton Road, which conveys flows to the north side of the river via the Hamilton Road Bridge, and then west to the Pottersburg Pollution Control Plant. No significant negative impacts are anticipated on existing downstream pipes, pump stations or treatment plants. As a condition of draft plan approval, the Owner will be required to make provisions for oversizing the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan.



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Water service is proposed to be provided to the subdivision by connecting to the existing 250 mm diameter low level watermain on Hamilton Road via the temporary road connection (Block 78). Once the primary collector is constructed up to Hamilton Road and the ultimate watermain tie-ins are completed with the adjacent subdivision, the Owner will be required to cut and cap the temporary watermain along the temporary road from the 250 mm watermain on Hamilton Road and the watermain on Street 'A'.

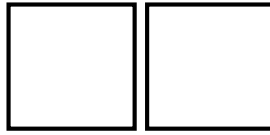
A Municipal Class EA was carried out concurrently with the preparation of the Old Victoria Area Plan to identify the preferred option for storm/drainage and SWM servicing. The SWM conceptual design provided for the creation of two off-line wet ponds to service future development. One pond which is expected to be built shortly will be located on the applicant's lands on the east side of Hamilton Road and serve the easterly half of the Old Victoria planning area, including the subject lands. The other pond located to the northwest is operational and serves the Victoria on the River subdivision, and other lands in the west half, post-development catchment area. As per conditions of draft plan approval, the Owner will be required to construct storm sewers to serve this plan and outlet them to the Thames River via the proposed regional Stormwater Management (SWM) Facility (Old Victoria SWM # 1), and all related stormwater/drainage servicing infrastructure in and related to this plan of subdivision.

Transportation infrastructure to service the subdivision includes a primary collector road (Street "C") aligned with the collector road in the draft plan of subdivision on adjacent lands to the east, and extending to the westerly limits of the property (consistent with the alignment in the Old Victoria Area Plan concept). Further to the west, on property known as the "Grenier lands", the proposed route that this collector road will take crosses a shallow ravine which has been identified as a natural heritage feature consisting of a stream corridor and local wetland. A Class Environmental Assessment and Environmental Impact Study would need to be completed as part of the detailed planning for the proposed road crossing before it could go ahead. In the event that the collector road crossing is found not to be feasible and does not proceed over the long term, provision has been made through the adjacent draft plan to the east for an alternate public road access to Commissioners Road East.

This report also recommends that the issue be further addressed in two parts. First, that staff be directed to review opportunities for public road connections to lands to the west of the proposed draft plan of subdivision; and report back to a future meeting of the Planning and Environment Committee with an assessment of feasible alternatives, and recommended updates to the Old Victoria Area Plan and Official Plan, if required. Concerns received from the UTRCA in response to the circulation of this subdivision application, as well as to the Sifton application on the adjacent lands to the east, indicated that the street crosses a regulated ravine that includes a watercourse, woodland and a wetland. While Conservation Authority policy does not permit development in wetlands, the response indicated that they would be prepared to consider the crossing at this location subject to an EIS being prepared to their satisfaction, which includes mitigation and compensation measures. The intent of the staff recommendation would be to clarify and confirm if this future road crossing continues to be feasible as currently shown in the Old Victoria Area Plan and the Official Plan, as well as other alternatives for providing public road access.

Second, it is recommended that the collector road Street 'C' in this draft plan be red-line revised to identify a future road allowance block west of Street 'A'. Through the conditions of draft plan approval, the block would be conveyed to the City and would be available to construct a fully serviced road over this block to provide servicing and access for the lands to the west at such time as they develop, and a full Environmental Assessment and EIS has been completed for the crossing of the ravine lands.

A similar condition of draft plan approval is recommended for the future road allowance block at the southerly end of Street 'A', identified as Block 86 on the draft plan. This block will provide an opportunity for a future local road connection outside of the open space and ravine lands to service future development to the south and west. Should the block not be needed at the time the lands to the south and west develop, provisions will be made in the Subdivision Agreement that it be re-conveyed back to the Owner, at no cost to the City.



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The temporary road connection to Hamilton Road, identified as Block 78, is to have a minimum road pavement width of 7.0 metres with a minimum road allowance of 14.5 metres. Draft plan conditions require the Owner to construct the temporary access road to Hamilton Road, and a temporary turn lane on Hamilton Road at the temporary access road with sufficient storage and taper. Once the primary collector road connection (Street 'C') is available to Hamilton Road, the Owner shall remove the temporary access and all associated works. Sufficient security for the removal of the temporary access road shall be provided to the City. The Owner will be required to deed the temporary access road block (Block 78) to the City as ultimate servicing will remain over this block.

A number of draft plan conditions related to roads and transportation infrastructure are recommended and include: submission of engineering design criteria at the Design Studies stage for the temporary turn lanes on Hamilton Road; a road widening dedication to widen Hamilton Road to 18 metres from centerline; and providing a conceptual plan for and construction of a parking bay along Street 'C'.

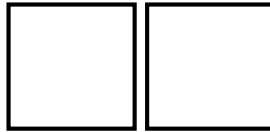
Recommended Zoning

The requested Residential R1 Special Provision (R1-3()) zone to permit the single detached dwelling lots is considered appropriate. The minimum lot frontage regulation within this zone is 10 metres and minimum lot area is 300 square metres. The red-line revised draft plan yields 73 single detached dwelling lots all fronting on the internal collector and local streets within the proposed subdivision. There appears to be a balanced distribution of lot sizes and frontages ranging from 10.5 metres to just over 14 metres. A special provision to increase the maximum lot coverage from 40% to 45% for one (1) storey single detached dwellings is also requested. Based on a 45% maximum lot coverage, a building footprint area of 148 square metres could be achieved on a typical lot measuring 10 metres frontage by 33 metres depth. This increase in building footprint can be achieved while meeting the minimum front, side, and rear yard regulations of the Zoning By-law.

The special provision to increase lot coverage from 40% to 45% will allow for construction of one floor bungalows with flexibility to add slightly more livable floor area to meet the needs of home builders and purchasers. Two storey dwellings will be required to meet the 40% maximum lot coverage regulation. There were no concerns from a subdivision servicing perspective. Potential impacts on existing and future stormwater management, drainage and storm sewer infrastructure have been reviewed and no issues are anticipated. A similar special provision zone to permit a 45% maximum lot coverage for one storey single detached dwellings was recently approved for the Victoria on the River subdivision to the west.

The other special provision request is for a minimum front yard depth of 4.5 metres for lots fronting a primary collector road (Street 'C'), whereas the zoning by-law standard requires a minimum front yard setback of 6.0 metres. Again, a similar special provision was applied in the Victoria on the River subdivision to the zoning of multi-family blocks fronting or flanking the primary collector road. It was intended to allow buildings to be closer to the street consistent with the objectives of the City of London Placemaking Guidelines. The goal is to ensure streets are well framed by buildings that front the street encouraging a stronger relationship between the public and private realm. In most cases, the placemaking guideline suggests a minimum 3.0 metres and a maximum 4.5 metres building setback be applied along most streets from the right-of-way, except along commercial frontages. The Old Victoria Area Plan design guidelines also promote this relationship of the built form to the street, and encourage the integration of roads, especially collector roads, into the fabric of the residential community through building orientation. On that basis it would be considered appropriate to reduce the front yard depth to the same zone standard as for a secondary collector or local street – 4.5 metres to main the building and 6.0 metres to the garage.

The request for a special provision for a minimum exterior side yard depth of 2.5 metres is not recommended. This reduced setback is not entirely necessary as most of the corner lots in the red-line revised draft plan are rear yard abutting a rear yard. In such situations, the exterior side yard is subject to the regulations of an interior side yard (1.2 m), in accordance with Section 4.29 of the Z.-1 Zoning By-law.



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The recommended Open Space Special Provision (OS1(3)) Zone already includes a special provision for no minimum lot frontage or lot area requirement. This zone would be appropriate for the easterly portion of Block 76 and Block 77, as well as the Future Road Allowance block on the red-line revised draft plan, west of Street 'A'. This is an appropriate zoning as these remnant parcels are constrained by the hydro corridor easement, as well they are significantly undersized in order to meet the minimum lot area and lot frontage regulations in the standard Open Space Zone. The westerly portion of Open Space Block 77 within the ravine lands is currently zoned h-2•OS4 and it is intended that this zoning be maintained.

It is recommended that an Urban Reserve Special Provision (UR4()) Zone with a special provision for minimum lot area of 190 square metres and no minimum lot frontage requirement be applied to Block 84. This block consists of a small remnant parcel fronting on the future road allowance block (Block 86). This block could potentially be conveyed to abutting lands in the future in order to create a larger developable parcel.

Holding Provisions

It is recommended that the standard holding (h) provision be applied in conjunction with the proposed R1-3() special provision zoning. The "h" provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of draft plan of subdivision ensure that a subdivision agreement or development agreement is entered into.

The ravine lands are currently zoned holding Open Space (h-2•OS4) in the City's Z.-1 Zoning By-law. Since the westerly portion of open space block (Block 76) is located within the ravine, the intent here is to apply a consistent zoning. The h-2 provision ensures that an Environmental Impact Study or Subject Lands Status Report has been completed in accordance with the Official Plan.

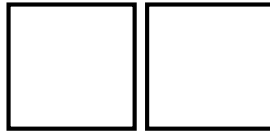
RECOMMENDED DRAFT PLAN:

Evaluation of the Draft Plan of Subdivision
Design and Placemaking Features

This subdivision features a residential "window street" along Street 'A' with single detached dwellings lots fronting the east side of the street facing an open space corridor consisting of open fields and a wooded ravine on adjacent lands to the west. Lands to the west of the window street are for the most part constrained for future development by their proximity to the natural heritage feature and development setbacks. A small encroachment into the buffer area of up to 3.9 metres occurs along a portion of the subject property boundary, and within the right-of-way for the proposed Street 'A'. The paved surface of Street 'A' will be maintained outside of this area of buffer encroachment, and is not anticipated to cause negative impact to the adjacent natural feature. Disturbance caused by active cultivation of the adjacent agricultural fields currently extends up to the drip-line of the wooded area. The encroachment area was calculated and has been included in the EIS calculations for Proposed Buffer Encroachments and Compensation Areas.

The compensation area calculations included a second small encroachment into the buffer area at the rear of Lot 65 which was also identified and assessed through the EIS. The extent of the encroachment has been reduced from previous versions of the applicant's draft plan, and the rear lot line has been moved further away in order to provide additional buffer to the adjacent vegetated features. The EIS indicated the area of the buffer that would be incorporated into the proposed residential lot is 51.52 square metres, consisting of a manicured lawn and cultivated field. The minor encroachment was not expected to negatively impact the adjacent natural features provided that the rear lot line is permanently fenced with no gates to prevent access. The fence requirement will be implemented through conditions of draft plan approval, and the remaining lands within the buffer will be conveyed to the City as part of Block 76.

The northerly half of the site is constrained by a hydro corridor easement approximately 46 metres in width, including a transmission tower. The hydro easement is identified on the draft plan and the area within the easement is proposed to be occupied mostly by public right-of-way and a boulevard formed by Street 'A' and Street 'D'. The proposed lots fronting the east side of Street 'A' are outside of the easement, as are most of the lots on the west side of Street 'D'.



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There are a few instances where the front of the lots encroaches slightly into the easement (Lots 66, 72 and 73) due to the curvature of Street 'D'. These lots have sufficient depth and/or lot area to ensure that there is sufficient buildable area outside of the limits of the easement; therefore, the encroachments are considered minor. Lot 65 encroaches into the easement to a greater extent and the ability of this lot to be developed is questionable given the extent of the encroachment and close proximity to the transmission tower. Therefore, it is recommended as a condition of draft plan approval that the owner be required to prepare a conceptual building plan for Lot 65 in order to confirm its suitability as residential building lot. Further adjustments to the lot lines can be made if necessary prior to final approval and registration of the subdivision plan.

The response from Hydro One Networks Inc. to the circulation of the application indicated they had no objection in principle to the proposed plan of subdivision. The recommended conditions of draft plan approval will ensure their easement rights are protected and that they are consulted prior to final approval to review such matters as grading/drainage plans, and engineering plans for roads and infrastructure located within the easement. Conditions of draft plan approval also require the Owner to ensure any lot located partially within and/or adjacent to the hydro corridor easement has registered on title to the lot the appropriate Hydro One Networks Inc. (HONI) warning clause(s).

The alignment of the proposed primary collector road (Street 'C') is generally in accordance with the Old Victoria Area Plan and Schedule 'C' in Official Plan. The area plan provided for reduced road widths in order to encourage a more intimate streetscape. Therefore, road widths along the primary collector are at the standard of a secondary collector road allowance (21.5 metres). Integration of land use and connectivity with the adjacent Sifton subdivision lands is provided by Street 'C' allowing both vehicular and active transportation opportunities. Sidewalks on both sides of the collector road promote a strong pedestrian environment. Street 'B' also provides a local street connection to adjacent development lands to the east and continuation of the single detached residential lot pattern. An opportunity for public road access and servicing is provided to the adjacent lands to the south (1990 Commissioners Road East) from Street 'B' which is designated in the Official Plan for multi-family, medium density residential development.

Redline Revisions

The significant red-line revision to the draft plan came about as a result of the need to shift Street 'E' further to the east in order to meet the required minimum separation distance between T-intersection locations on Street 'C'. The shifting of the road alignment triggered the reconfiguration of the lot pattern on the south side of Street 'C', and the lots within the block bounded by Streets 'A', 'B', and 'E'. The revised lot configuration provides for a better arrangement of lots fronting along Street 'C' and resolves initial concerns that some lots fronting Street 'B' would not be able to meet the minimum zoning requirements for lot area. The lots fronting Street 'A' have been reduced from approximately 12 metre to 10.5 metre frontages so there are now more lots fronting the window street. No lots have been lost as a result of the proposed red-line revisions. The angle formed by the window street and primary collector road has had a significant influence on the lot pattern, and has proved to be a challenge in the design of this subdivision. Staff recommend as a condition of draft approval, at the Design Studies stage, that conceptual building plans be prepared for the two triangular lots on Street 'A', just south of Street 'C', in order to confirm their suitability for residential building lots.

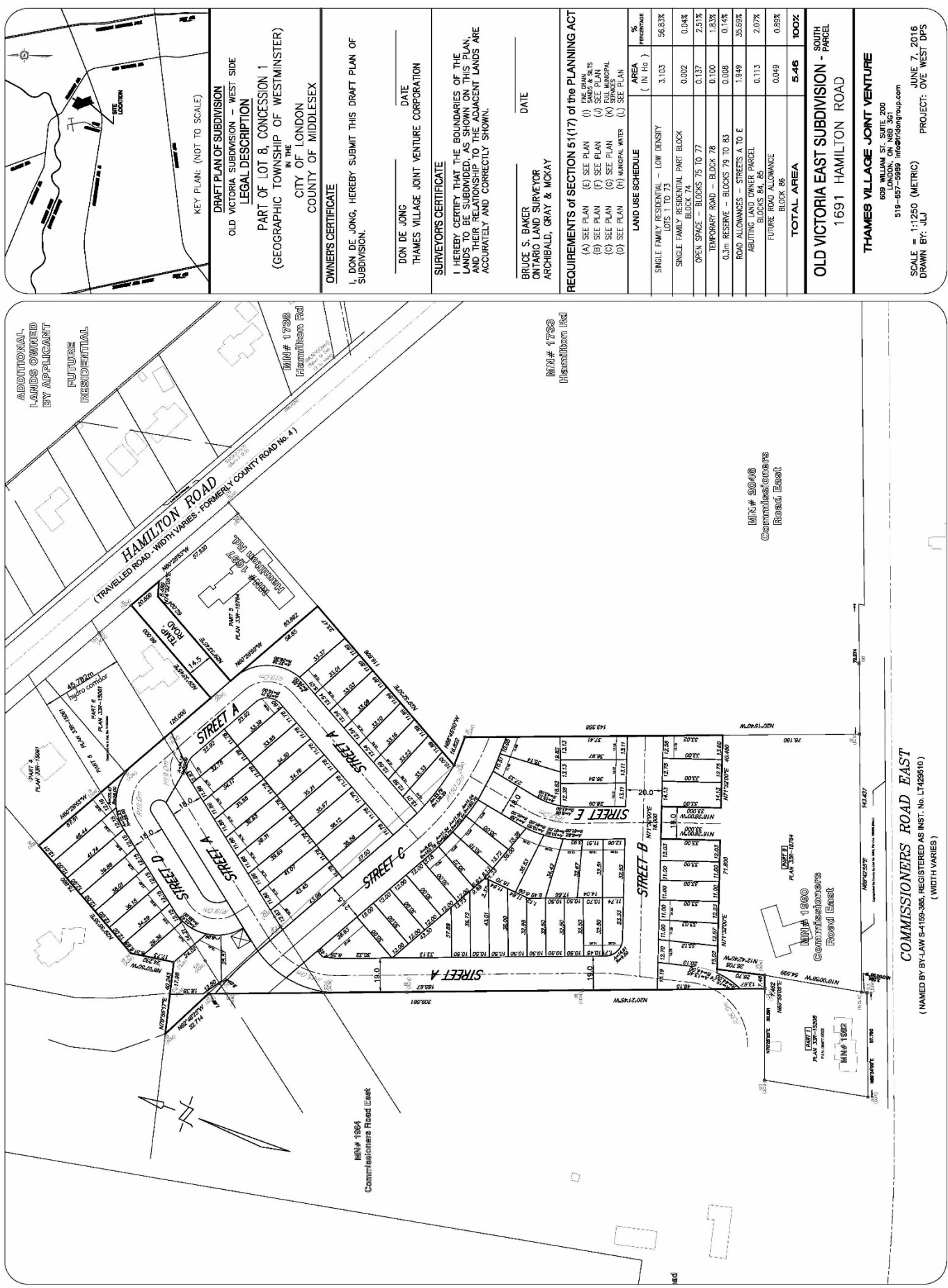
Several technical revisions have been recommended through red-line revisions to the draft plan as outlined below. Recommended draft plan red-line revisions are summarized as follows:

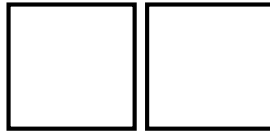
- Revise Street 'A' right-of-way to be minimum 19.0 metres in width south of Street 'C'.
- Minimum 40 metres between centreline of Street 'A' and the centreline of Street 'E'.
- Adjust lots to comply with Zoning By-law requirements.
- Identify Block 75 within the right-of-way.



File No: 39T-13502 / OZ-8147
Planner: L. Mottram

Recommended Red-Line Revised Draft Plan





File No: 39T-13502 / OZ-8147
Planner: L. Mottram

- Revise the centreline radii of all streets (eg. Street ‘E’ and Street ‘A’) in accordance with City standards. At ‘tee’ intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metres (20’) tangent being required along the street lines of the intersecting road.

The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

<u>Road Allowance</u>	<u>S/L Radius</u>
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m

- Provide minimum of 5.5 metres (18’) along the curb line between the projected property lines of irregular shaped lots around the bends on Streets ‘D’.
- Adjust size of Block 76 to comply with HONI requirements, if necessary.
- Add 0.3 metre reserves along open road allowances, and north/south sides of temporary road.
- Add future road allowance block on Street ‘C’, west of Street ‘A’.

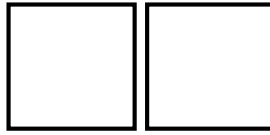
Response to Public Comments

Tree Preservation - Concerns were expressed by adjacent property owners regarding preservation of a row of mature spruce/fir trees along the northern property boundary. The trees are located at the back of the proposed lots along Street ‘D’ (Lots 67 to 73). These lots range in depth from approximately 33 metres to over 45 metres. The trees could potentially be retained and incorporated into the subdivision. As a condition of draft plan approval, a tree preservation report is required for the entire subdivision. The tree preservation report will focus on the preservation of specimen trees of good quality and will be completed to the satisfaction of the City as part of the Design Study Review process. The recommendations of the approved tree preservation report shall be included in the engineering drawings submission and conditions in the subdivision agreement

Impact on Well Water – Concerns were expressed by adjacent property owners regarding impact on their well water supply. As a condition of draft approval, the developer will be required to submit a hydrogeological report, prepared by a qualified consultant, to determine the effects of construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area, and to assess the impact on water balance. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of construction. 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 accepted hydrogeological report are implemented by the developer, to the satisfaction of the City.

Septic Systems – Concerns were expressed by adjacent property owners if residents on septic systems will be forced to hook up to sanitary sewers. Existing municipal water and sanitary sewer services are available along Hamilton Road. Property owners who are currently on individual private well and septic systems would continue to have the option of connecting to municipal water and sewers.

ESA – Concerns were expressed by adjacent property owners regarding the protection of environmentally significant areas to the west and south. An Environmental Impact Study has been undertaken to determine direct and indirect impacts on any natural features and functions from the proposed subdivision development. The majority of the natural feature and buffers do not extend into the subject lands, with the exception of two small areas of buffer encroachment which as demonstrated by the EIS will have minimal impact. These areas have been included in the buffer encroachment and compensation calculations. The UTRCA has reviewed the water balance impact studies that have been prepared, and their response indicates they are generally satisfied with the groundwater portion of the water balance assessment. The Conservation Authority has requested as a condition of draft plan approval



**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

that a final Water Balance Report be submitted to address outstanding concerns regarding the catchment area and implementation of mitigation measures for loss of infiltration.

Other – General concerns were expressed by residents regarding development in the hydro corridor; loss of wooded areas and wildlife habitat; lack of transit service; impact of future road widening; temporary road connection impacting existing trees; and alteration of drainage patterns. The hydro corridor easement rights must be protected and maintained, and the requirements of Hydro One Networks Inc. (HONI) have been included in the recommended conditions of draft plan approval. Loss of vegetation and habitat will be relatively minimal as the majority of the lands are currently under active agricultural cultivation. Currently, there is no transit service although existing transit routes could be extended based on demand to future residents within the Old Victoria Planning Area, as well as to serve the future needs of industrial lands (Innovation Park) further to the south. Affected property owners will have input through the Environmental Assessment process for any future road widening of Hamilton Road. Preliminary designs for the temporary access to Hamilton Road indicate the majority of trees will be protected or avoided as the paved portion of road surface and the underground servicing would be pushed as close as possible to the north limit of the corridor block. The engineering requirements for all stormwater management and related drainage works will be reviewed and approved by the City as part of the accepted subdivision servicing drawings.

Provincial Policy Statement

The recommended red-line revised draft plan and the recommended Official Plan and Zoning By-law amendments are consistent with the PPS 2014, as summarized as follows:

1. Building Strong Healthy Communities

The subject lands are located within the City’s Urban Growth Boundary where adequate servicing capacity exists or is planned. A comprehensive land use plan to guide future development in this area has been prepared and adopted by Municipal Council, and referred to as the “Old Victoria Area Plan”. The proposed subdivision and accompanying Official Plan and Zoning By-law Amendments, are in keeping with the Area Plan and meet the objectives of Section 1.1.1 of the PPS by creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns; accommodating an appropriate range and mix of housing; and is in close proximity to employment areas, recreational and public open space uses. The proposed development will make use of existing and planned municipal water, sanitary and stormwater sewer services. The subdivision plan has taken into account coordination with the existing hydro corridor easement, and protection of natural heritage features on adjacent lands through the preparation of an Environmental Impact Study.

2. Wise Use and Management of Resources

The subject lands are located to the east of an existing wooded ravine and wetland feature. An Environmental Impact Study has been prepared to provide for protection of the natural heritage feature, and to demonstrate that there will be no negative impacts on the feature or its functions. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources. Studies completed as part of the Old Victoria Area Plan provided an assessment of aggregate resources and found the onsite granular materials were not an economically viable source of commercial aggregate, and that the feasibility of extraction was considered to be very low. An assessment of archaeological resource potential was also completed as part of the area plan process. A Stage 1-2 Archaeological Assessment of the subject lands was subsequently carried out for this development application, and as a result of the study no archaeological resources were encountered.

3. Protecting Public Health and Safety

The recommended red-line revised draft plan of subdivision, Official Plan and zoning amendments do not pose any public health and safety concerns, and there are no known human-made hazards.

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**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

CONCLUSION

Based on our review the proposed draft plan of subdivision, Official Plan, and Zoning By-law amendments conform with the City’s Official Plan, and are consistent with the PPS. The recommended redlined draft plan and conditions of draft approval will create a residential subdivision which is well served by existing and planned municipal services. The proposal provides for integrated development with good connectivity and pedestrian accessibility. The proposed draft plan is considered appropriate and represents good land use planning, subject to the attached draft plan conditions.

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

June 13, 2016
GK/TG/AM/LM/lm
"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2013\39T-13502 - 1697 Hamilton Road\Revised Plan - Lands South of Hamilton Road\DRAFT APPROVAL\PEC report.docx



**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

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

Telephone

Harold Biggs
1754 Hamilton Road
- Requests condition for a privacy fence

Joan Pinkerton
38 Cramston Crescent
- Inquiry for further information
- Concerned about implications for their property east of Hamilton Road

Brad Sparling
1716 Hamilton Road
- Concern with townhouse type development to the rear of his property east side Hamilton Road

Lorel Cline
1742 Hamilton Road
- Inquiry for further information

Written

Chris Gooyers on behalf of Johanna Gooyers
1938 Commissioners Road East
- Request further information and clarification

Rita Paddock
1918 Hamilton Road
- Concerned about future impact of development on their farm property east of Hamilton Road
- Request copy of Notice of Decision and copy of Notice of Adoption or Refusal

John Slegers
1697 Hamilton Road
- Was opposed to location of collector road as shown in the original application submission

Jeff Gordan
1959 Commissioners Road East
- Inquiry for further information

Steve and Karla Szauter, et al.
1663 Hamilton Road
- Concern a line of mature spruce/fir trees adjacent their property be preserved
- Concern regarding impact on their well water supply
- Currently on a private septic system. Can they stay on their own system in future?
- Protection of environmentally significant area that borders their property to the west and south
- General concerns - development in the hydro corridor; loss of wooded areas and wildlife habitat; townhouse dwellings backing on to existing homes; lack of transit service; impact of future road widening; temporary road connection impact on existing trees; alteration of drainage patterns.
Co-signed by:
- Ingrid Nieman – 1671 Hamilton Rd.
- Darlene Moyes – 1674 Hamilton Rd.
- Rose Albert – 1668 Hamilton Rd.
- Barbara Corriveau – 1652 Hamilton Rd.
- W. Campbell – 1636 Hamilton Rd.
- Mark Romanoff – 1786 Hamilton Rd.
- Frank MacDougall – 1659 Hamilton Rd.
- Jim MacDougall – 1659 Hamilton Rd.
- Brad Sparling – 1716 Hamilton Rd.

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**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

Bibliography

Request for Approval:

Final Proposal Report – Thames Village Joint Venture Corporation - Old Victoria East 1697 Hamilton Road, 1742 Hamilton Road, 1990 Commissioners Road East, submitted by Tridon Management Ltd., dated May 2012

City of London Subdivision Application Form, completed by Thames Village Joint Venture Corporation, dated May 11, 2012

Draft Plan of Subdivision – Cline Crossing Subdivision – 1738, 1742, 1697 Hamilton Road & 1990 Commissioners Road, prepared by ENG PLUS Engineering dated May 8, 2012

City of London Combined Official Plan and Zoning By-law Amendment Application Form, completed by Thames Village Joint Venture Corporation, dated May 11, 2012

Revised Draft Plan of Subdivision - Old Victoria East Subdivision – 1691, 1738, 1742 Hamilton Road, prepared by Thames Village Joint Venture Corporation, dated December 22, 2014

Revised Official Plan and Zoning By-law Amendment Application, submitted by Thames Village Joint Venture Corporation, dated January 15, 2015

Request for revisions to Application for Official Plan and Zoning By-law Amendments, and Draft Plan of Subdivision – letter submitted by Thames Village Joint Venture, dated February 8, 2016

Revised Draft Plan of Subdivision – Old Victoria East Subdivision – South Parcel - 1691 Hamilton Road prepared by Thames Village Joint Venture Corporation, dated March 23, 2016

Reference Documents:

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

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

Ontario Ministry of Municipal Affairs and Housing, *Planning Act, R.S.O. 1990, CHAPTER P. 13*, as amended

Ontario Ministry of Municipal Affairs and Housing, *Provincial Policy Statement*, April 30, 2014

Old Victoria Area Plan - City of London Planning Division - September 2007

Old Victoria Area Planning Study, including Component Studies and Appendices, prepared by Development Engineering (London) Ltd., Kirkness Consulting Inc., Trow Engineering Inc., Biologic Aquatic and Terrestrial Ecosystem Planners, Archaeologix Inc., F.R. Berry and Associates Ltd., and ManEngment Engineering Ltd., September 2006

Correspondence: (located in City of London File No. 39T-13502 / OZ-8147 unless otherwise stated)

Various hard copy and e-mail correspondences

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**File No: 39T-13502 / OZ-8147
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 located at 1691 Hamilton 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 June 23, 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 23, 2016
Second Reading – June 23, 2016
Third Reading – June 23, 2016

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**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To delete the "Aggregate Resource Area" delineation of certain lands described herein on Schedule "B-2", Natural Resources and Natural Hazards.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1691 Hamilton Road.

C. BASIS OF THE AMENDMENT

An Official Plan Amendment is being recommended in conjunction with the draft plan of subdivision application by Thames Village Joint Venture Corporation (File No. 39T-13502). The proposed amendment is to remove the "Aggregate Resource Area" delineation that applies to the subject lands on Schedule "B-2" (Natural Resources and Natural Hazards). This amendment is based on findings of a geotechnical investigation conducted as a part of the background work for the Old Victoria Area Plan, which was adopted by City Council in October 2007 to guide future development in this area. The study concluded the onsite granular materials were not considered an economically viable source of commercial aggregate, and that the feasibility of commercial extraction was considered to be very low.

D. THE AMENDMENT

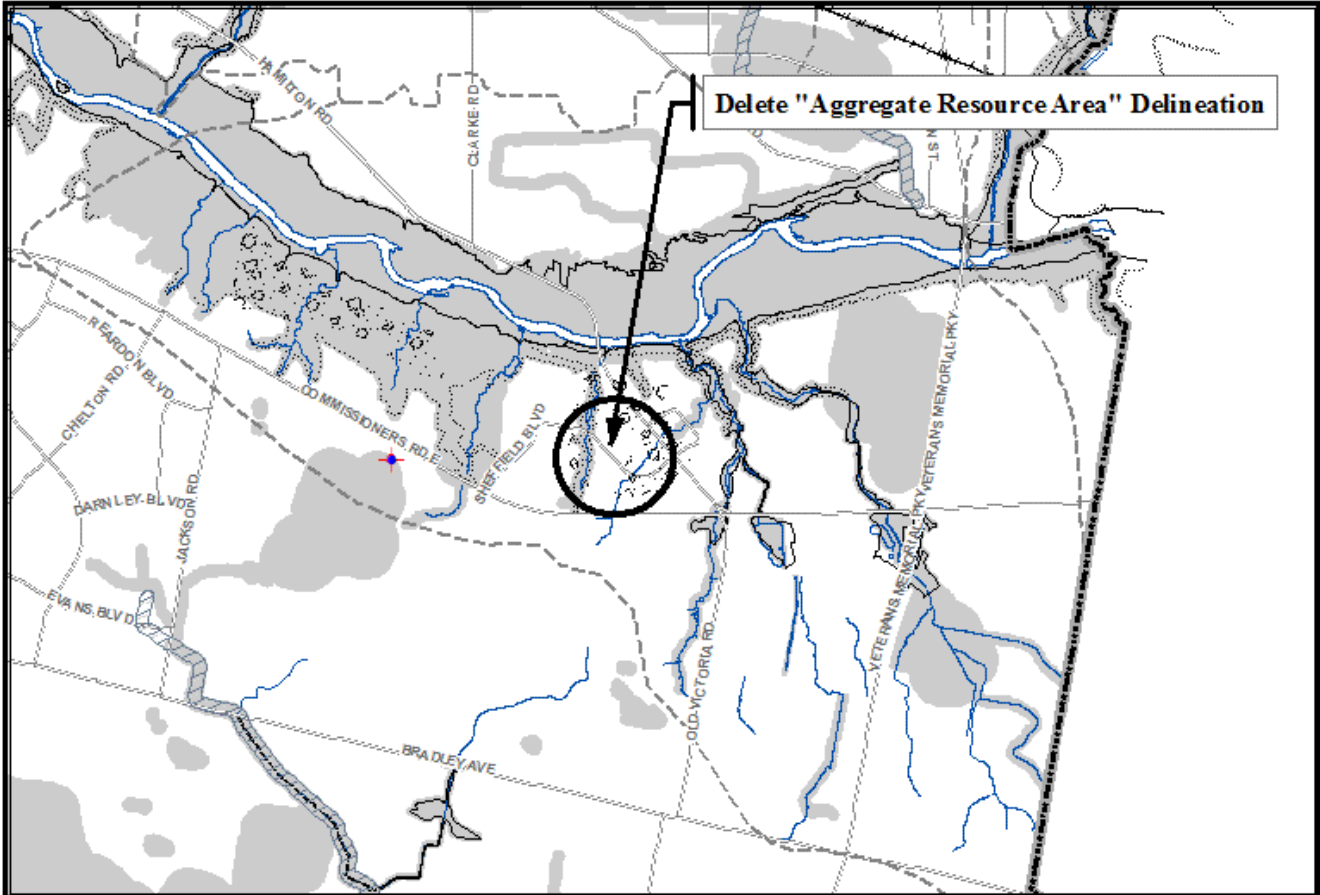
The Official Plan for the City of London is hereby amended as follows:

1. Schedule "B-2", Natural Resources and Natural Hazards to the Official Plan for the City of London Planning Area is amended by deleting the "Aggregate Resource Area" delineation from lands located at 1691 Hamilton Road, as indicated on "Schedule B2" attached hereto.

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File No: 39T-13502 / OZ-8147
 Planner: L. Mottram

AMENDMENT NO: _____



NATURAL RESOURCES

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Potential Special Policy Areas
- Special Policy Area

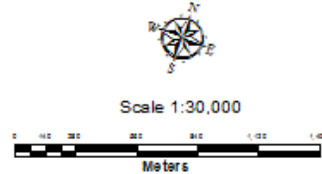
NATURAL HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.
- Riverine Erosion Hazard Limit For Confined Systems
- Riverine Erosion Hazard Limit For Unconfined Systems
- Steep Slopes Outside of the Riverine Erosion Hazard Limit
- Abandoned Oil/Gas Wells
- Conservation Authority Regulation Limit

This is an excerpt from the Planning Division's working consolidation of Schedule B2 to the City of London Official Plan, with added notations.

**SCHEDULE B2
 TO
 OFFICIAL PLAN
 AMENDMENT NO. _____**

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8147
 PLANNER: LM
 TECHNICIAN: JTS
 DATE: June 7, 2016

Two empty rectangular boxes for agenda item and page numbers.

File No: 39T-13502 / OZ-8147
Planner: L. Mottram

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 lands located at 1691 Hamilton Road.

WHEREAS Thames Village Joint Venture Corporation has applied to rezone lands located at 1691 Hamilton 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:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1691 Hamilton Road, as shown on the attached map, **from** an Urban Reserve Special Provision (UR4(6)) Zone **to** a holding Residential R1 Special Provision (h•R1-3()) Zone; an Open Space Special Provision (OS1(3)) Zone; a holding Open Space (h-2•OS4) Zone; and an Urban Reserve Special Provision (UR4()) Zone.
2. Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

) R1-3()

(a) Regulations

- | | | |
|------|--|---------------------------|
| i) | Lot Coverage
One (1) Storey
Single Detached
Dwelling
(Maximum) | 45% |
| ii) | Front and Exterior Yard
Depth for Main Dwelling
to Primary Collector Road
(Minimum) | 4.5 metres
(14.76 ft.) |
| iii) | Front and Exterior Yard
Depth for Garages
to Primary Collector Road
(Minimum) | 6.0 metres
(19.7 ft.) |

3. Section 49.3 of the Urban Reserve UR Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

) UR4()

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**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

(a) Regulations

- i) Lot Area (Minimum) 190 square metres (2,045 sq.ft.)
- ii) No Minimum Lot Frontage Requirement

4. Section Number 4.21 Road Allowance Requirements - Specific Roads to By-law No. Z.-1 is amended by adding the following road:

Street	From	To	Street Classification	Limit of Road Allowance Measured from Centreline
Street 'C' (39T-13502)	West limit of Plan	East limit of Plan	Primary Collector	10.75 m (35.3 ft.)

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 June 23, 2016.

Matt Brown
Mayor

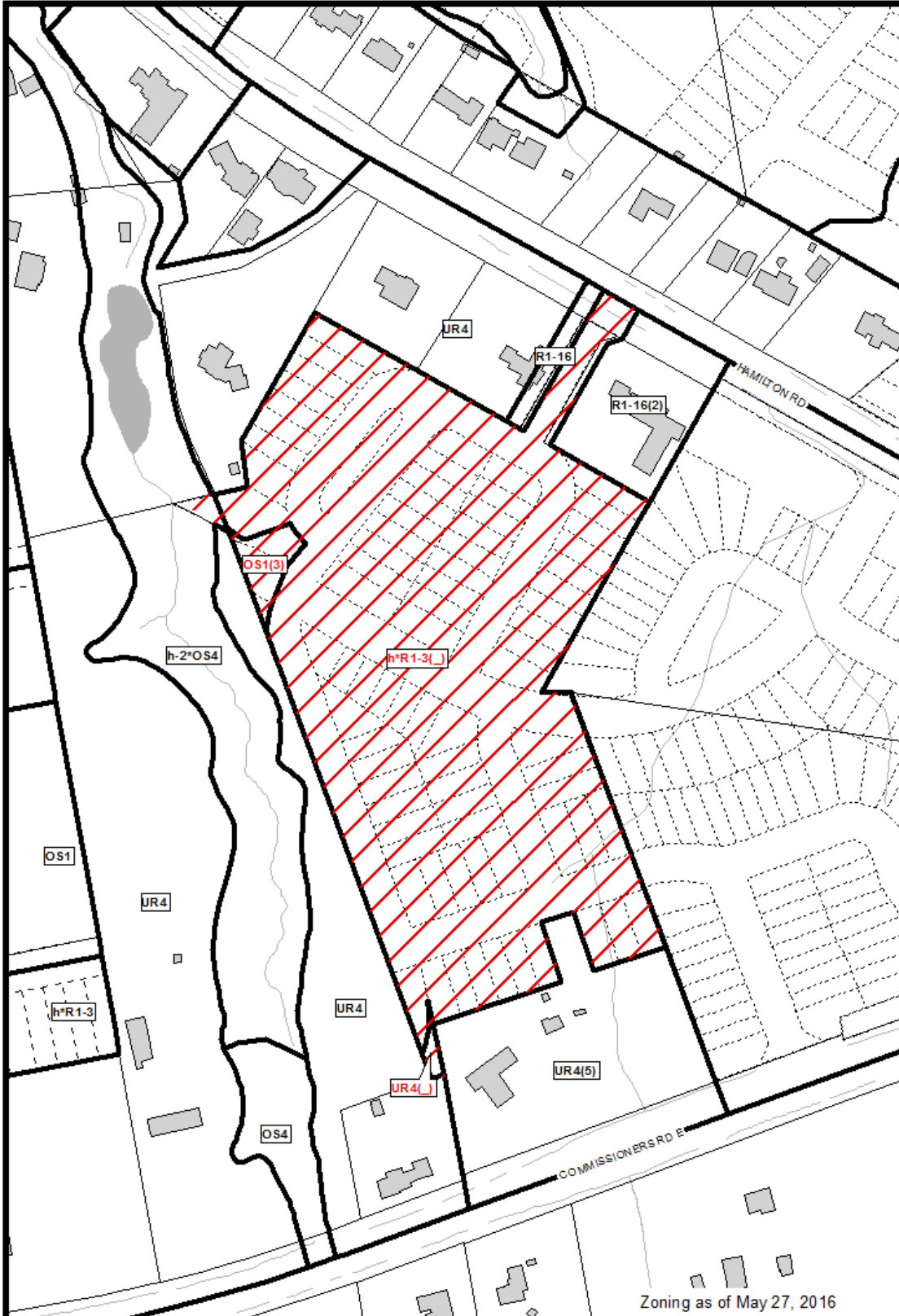
Catharine Saunders
City Clerk

First Reading – June 23, 2016
Second Reading – June 23, 2016
Third Reading – June 23, 2016

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File No: 39T-13502 / OZ-8147
Planner: L. Mottram

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



Zoning as of May 27, 2016

File Number: 39T-13502 / OZ-8147
 Planner: LM
 Date Prepared: June 3, 2016
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.5 25 50 75 100
 Meters



Geocube

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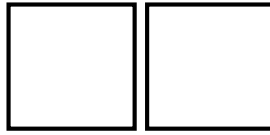
**File No: 39T-13502 / OZ-8147
Planner: L. Mottram**

**APPENDIX “C”
(Conditions to be included for draft plan approval)**

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-13502 ARE AS FOLLOWS:

NO.	CONDITIONS
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- | | |
|-----|---|
| 1. | This draft approval applies to the draft plan as submitted by Thames Village Joint Venture Corporation (File No. 39T-13502), prepared by Archibald, Gray & McKay and certified by Bruce Baker, Ontario Land Surveyor dated March 23, 2016 (Project No. OVE WEST DPS), <u>as red-lined revised</u> , which shows 73 single detached lots, 2 open space blocks, 1 temporary road block, 2 abutting land owner blocks, 2 future road allowance blocks, 5 reserve blocks, served by 1 collector road and 4 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) be named to the satisfaction of the City. |
| 5. | The Owner shall request that the municipal addresses 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. | 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 and at no cost to the City. |
| 9. | Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City. |
| 10. | Prior to final approval, for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required, such submission will be returned to the Owner without detailed review by the City. |



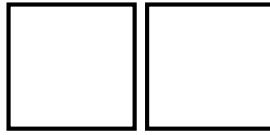
File No: 39T-13502 / OZ-8147
Planner: L. Mottram

Planning

11. In conjunction with the Design Studies submission, the Owner shall provide a tree preservation report for the entire subdivision. The tree preservation report will focus on the preservation of specimen trees of good quality and will be completed to the satisfaction of City as part of the Design Study Review process. The recommendations of the approved tree preservation report shall be included in the engineering drawings submission and conditions in the subdivision agreement.
12. The Owner shall construct 1.5 metre high chain link fencing without gates in accordance with current City park standards (SPO 4.8), or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future park and open space blocks. Fencing shall be completed within 1 year of registration of the plan.
13. The Owner shall not grade into any park or open space area. Where lots abut lands zoned as Open Space, all grading of the developing lots at the interface with the park or open space area are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the park or open space zones shall be to the satisfaction of the City.
14. Within one year of registration of the plan, the Owner shall prepare and deliver to all homeowners adjacent to the open space, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.
15. In conjunction with the Design Studies submission, the Owner shall provide a final Water Balance Report to the satisfaction of the Upper Thames River Conservation Authority that addresses the outstanding concerns (i.e. catchment area, the loss of infiltration) as outlined in their letter dated June 1, 2016.
16. Prior to undertaking any works or site alteration including filling, grading, construction or alteration to a watercourse in a Conservation Regulated Area, the Owner shall obtain a permit or receive clearance from the Upper Thames River Conservation Authority.
17. The Owner shall implement all recommendations of the Old Victoria East Subdivision 1691, 1738, 1742 Hamilton Road, London, Ontario Environmental Impact Study Addendum dated July 2015 as updated, for the lands on the west side of Hamilton Road, to the satisfaction of the City.
18. In conjunction with the Design Studies submission, the Owner shall provide a letter to the City describing how each of the Environmental Impact Study recommendations for the lands on the west side of Hamilton Road have or will be implemented.
19. Prior to the acceptance of engineering drawings, the Owner shall submit confirmation that they have complied with any requirements of Hydro One Networks Inc.
20. The Owner shall provide a confirmation letter that the Ministry of Tourism, Culture and Sport has reviewed and accepted the 2014 Stage 1-2 Archaeological Assessment of 1691 Hamilton Road, Part of Lot 8, Concession 1, Geographic Twp. of Westminster, City of London, County of Middlesex (File #14471-L/MTCS File # P038-0818-2014) prepared by AMICK Consultants Limited, into the Ontario Public Register to the satisfaction of the City.

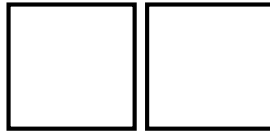
Engineering – Sanitary

21. 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. Due



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- to the depth of the outlet sewer on Hamilton Road, the sanitary plan shall include design details related to the connection of the internal sewers to the existing sewer on Hamilton Road and the proposed inverts of the internal subdivision sewers;
- ii) Provide a servicing report that demonstrates an outlet to serve the subject lands and how it will ultimately outlet to the municipal sanitary sewer on Hamilton Road (eg. not via the temporary access to Hamilton Road);
 - iii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;
 - iv) 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.
22. 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 750 mm (30") diameter sanitary sewer located on Hamilton Road. If the subject plan develops in advance of the subdivision to the east of this plan, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of the outlet sewers situated on private lands outside this plan and shall provide satisfactory easements, as necessary, all to the specifications of the City.
 - 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.
23. 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 boulevard 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.
24. Prior to final approval, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment



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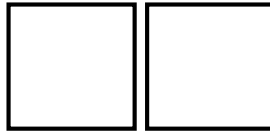
capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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)

25. 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 and providing a preliminary plan demonstrating how major flows from this plan will cross Hamilton Road and reach the SWMF # 1. This plan is to indicate any interim and ultimate condition and any associated infrastructure and easements;
 - iii) Providing a geotechnical report or update the existing geotechnical report recommendations 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 associated with the Thames River existing ravines and proposed lots and blocks are adequately addressed, to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority, if necessary;
 - 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.

26. 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 South Thames Subwatershed Study and any addendums/amendments;
 - ii) The Municipal Class Environmental Assessment Environmental Study Report for Old Victoria Plan – Storm Drainage and Stormwater Management Servicing Works (January 15, 2009);
 - iii) The approved Functional Stormwater Management Plan/Report for Old Victoria SWMF # 1 and any other applicable Storm/Drainage and SWM Servicing Functional Report(s) for the subject lands or outlet systems;
 - iv) The City's Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and residential development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
 - v) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - vi) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;



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- vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - ix) The Ministry of the Environment and Climate Change (MOECC) SWM Practices Planning and Design Manual, as revised; and
 - x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
27. 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 South Thames Subwatershed, and outlet them to the Thames River via the proposed regional Stormwater Management (SWM) Facility (Old Victoria SWM # 1) and all related stormwater/drainage servicing infrastructure in and related to, this plan of subdivision;
 - ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan;
 - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands, the Owner shall confirm the required erosion and sediment control measures were maintained and operating as intended during all phases of construction, 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.
28. 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, Old Victoria SWMF # 1 (to be constructed by the City) 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.
29. Prior to the issuance of any Certificate of Conditional Approval, the SWM Facility, to be built by the City, to serve this plan must be constructed and operational.
30. In conjunction with the engineering drawing submission, 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.
31. 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, ecological features in the area, assess the impact on water balance and any fill required in the plan, as well provide recommendations for foundation design should high groundwater be encountered, 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

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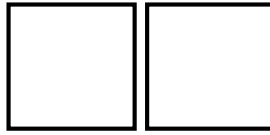
on the site.

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.

32. The Owner shall maintain adequate buffer/setbacks to the watercourse "Tributary 3" from the west street line of Street 'A' within this plan, to the satisfaction of the City, the Upper Thames River Conservation Authority.
33. The Owner shall ensure that any storm drainage areas within this draft plan of subdivision which cannot be serviced by the proposed SWM Facility shall be identified and SWM on-site controls for these specified areas shall be provided in accordance with the accepted Design Requirement for Permanent Private Stormwater Systems, all to the satisfaction of the City Engineer.
34. 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 specification and satisfaction of the City Engineer.
35. The Owner shall provide any easements, if required, at no cost to the City, in relation to stormwater/drainage and SWM servicing works of the subject lands, all to the satisfaction of the City Engineer. This also includes any required easements for any storm servicing options to provide for a storm outlet for the minor and major storm systems from the lands located on the southwest side of Hamilton Road, namely, 1990 Commissioners Road East and 1697 Hamilton Road, to the proposed Old Victoria SWM Facility # 1 (to be constructed by the City), all to the satisfaction of the City Engineer.
36. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater 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.

Engineering – Water

37. 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) Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;
 - c) Confirm capacity requirements are met;
 - d) Identify need to the construction of external works;
 - e) Identify the effect of development on existing water infrastructure – identify potential conflicts;
 - f) Water system area plan(s)
 - g) Water network analysis/hydraulic calculations for subdivision report;
 - h) Phasing report and identify how water quality will be maintained until full built-out;
 - i) Oversizing of watermain, if necessary and any cost sharing agreements.
 - j) Water quality
 - k) Identify location of valves and hydrants
 - l) Identify location of automatic flushing devices as necessary
 - m) Looping strategy
38. 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



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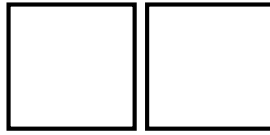
of subdivision:

- i) Construct watermains to serve this Plan and connect them to the existing low level municipal system, namely, the existing 250 mm (10") diameter watermain on Hamilton Road via the temporary road in this plan. It is noted that lands above 267 metre elevation are to be serviced with a minimum 1 inch service;
 - ii) Construct a temporary watermain along the temporary road corridor and connect it to the existing 250 mm (10") on Hamilton Road, to the satisfaction of the City and at no cost to the City;
 - iii) Once the primary collector is constructed up to Hamilton Road and the ultimate watermain tie-ins are completed with the adjacent subdivision, the Owner shall cut and cap the temporary watermain along the temporary road from the 250 mm watermain on Hamilton Road and the watermain on Street 'A', to the satisfaction of the City Engineer and at no cost to the City; and
 - iv) 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.
 - v) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings. The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval.
39. 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. The requirements or measure which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.
40. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices 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 engineering drawings. 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.

Engineering – Transportation

Roadworks

- 41. 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.
- 42. At 'tee' intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metres (20') tangent being required along the street lines of the intersecting road, all to the satisfaction of the City Engineer.
- 43. The Owner shall provide cash-in-lieu to construct a fully-serviced road on Block 86, to provide servicing and access for lands to the west, from Street 'A' to the west limit of this plan and for the restoration of the intersection of Street 'A' and 'B'. Block 86 will be constructed when lands to the south and west develop.
- 44. The Owner shall convey Block 86 to the City for future use as needed, at no cost to the City. If this Block is not needed upon development or redevelopment of the lands to the south and west of this Block, the City agrees that the Block will be returned to the Owner, at no cost to the City.



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45. The Owner shall provide a separate block for Street 'C' (west of Street 'A') and convey Street 'C' (west of Street 'A') to the City for future use as needed, at no cost to the City.
46. The Owner shall provide cash-in-lieu to construct a fully-serviced road on Street 'C' (west of Street 'A'), to provide servicing and access for lands to the west, from Street 'A' to the west limit of this plan. Street 'C' (west of Street 'A') will be constructed when lands to the west develop.
47. 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.
48. 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:"
49. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

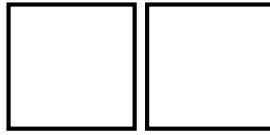
<u>Road Allowance</u>	<u>S/L Radius</u>
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m
50. The Owner shall have it's professional engineer design the roadworks in accordance with the following road widths:
 - i) Street 'C' has a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').
 - ii) Street 'B' has a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
 - iii) Street 'A' has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').
 - iv) Street 'D' and Street 'E' have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').
 - v) Temporary access road has a minimum road pavement width of 7.0 metres with a minimum road allowance of 14.5 metres in consultation with the Transportation Division.

Sidewalks/Bikeways

51. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of the following street:
 - i) Street 'C'
52. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:
 - i) Street 'A' - inside boulevard
 - ii) Street 'B' – south boulevard
 - iii) Street 'E' – west boulevard

Street Lights

53. Within one year of registration of the plan, the Owner shall install street lighting on all streets in this plan to the satisfaction of the City and Hydro One Network Incorporated (HONI), 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



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developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London. Street light design for roads/walkways within the HONI Corridor shall be provided to HONI for review and acceptance.

Boundary Road Works

- 54. In conjunction with the Design Studies submission, the Owner shall submit a transportation impact assessment in accordance with the Transportation Impact Assessment Guideline. Prior to undertaking this study, the Owner's traffic engineer shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study. The Owner shall implement all recommendations outlined in the approved traffic impact assessment, to the satisfaction of the City and at no cost to the City.
- 55. The Owner shall align Street 'C' through this draft plan of subdivision in accordance with Schedule 'C' of the Official Plan and Old Victoria Area Plan.
- 56. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for the temporary turn lanes as needed, on Hamilton Road at the temporary access road for review and acceptance by the City.
- 57. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a temporary turn lane on Hamilton Road at the temporary access road with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the Old Victoria Area, to the satisfaction of the City Engineer, at no cost to the City.
- 58. The Owner shall be required to make minor boulevard improvements on Hamilton Road 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.
- 59. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Hamilton Road and the temporary access road, to the specifications of the City, at no cost to the City.

Road Widening

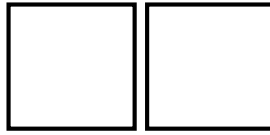
- 60. The Owner shall dedicate sufficient land to widen Hamilton Road to 18.0 metres (59.06') from the centreline of the original road allowance.

Traffic Calming

- 61. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide a conceptual design of the proposed parking bay along Street 'C', to the satisfaction of the City.
- 62. The Owner shall construct a parking bay along Street 'C', to the satisfaction of the City.

Construction Access/Temporary/Second Access Roads

- 63. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hamilton Road or other routes as designated by the City.
- 64. In conjunction with the Design Studies submission, the Owner shall provide a conceptual design and location of the temporary access road to Hamilton Road, to the satisfaction of the City. The Owner shall also have it's professional engineer verify the adequacy of decision sight distance on Hamilton Road at the temporary access road, to the satisfaction of the City. If the sight lines are not adequate, the temporary access is to be relocated and/or road work undertaken to establish adequate decision sight distance at the intersection, to the satisfaction of the City.



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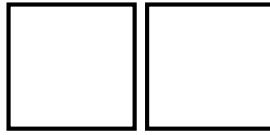
- 65. The Owner shall construct a temporary access road to Hamilton Road in a location satisfactory to the City, provide any necessary easements for servicing and include a temporary left turn lane on Hamilton Road, at no cost to the City.
- 66. The Owner shall remove the temporary access and all associated works once the primary collector connection (Street 'C') is available to Hamilton Road to the satisfaction of the City, at no cost to the City.

The Owner shall provide sufficient security for the removal of the temporary access road and all associated temporary works when required by the City

- 67. The Owner shall deed Block 78 to the City that contains the temporary access road as ultimate servicing will remain over this block to service lands east of Hamilton Road.
- 68. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have it's contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

Engineering – Other

- 69. In conjunction with Design Studies submission, the Owner shall submit a concept plan to show how Municipal No's. 1697 Hamilton Road and 1990 Commissioners Road East will be serviced and accessed.
- 70. The Owner shall comply with any requirements of all affected agencies (eg. Hydro One Networks Incorporated, Ministry of Natural Resources, Upper Thames River Conservation Authority, etc.).
- 71. Prior to the issuance of any Certificate of Conditional Approval, Block 84 in this plan shall be combined with adjacent lands to create developable lots and/or blocks, to the satisfaction of the City. The above-noted blocks shall be held out of development until they can be combined with adjacent lands to create developable lots and/or blocks.
- 72. 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.
- 73. 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.
- 74. 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.
- 75. In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, foundation design, removal of existing fill (including but not limited to organic and deleterious materials), the placement of new engineering fill, any necessary setbacks related to slope stability for lands within this plan and any other requirements as needed by the City.
- 76. In the event that relotting of the Plan is undertaken, the Owner shall relocate and



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construct services to standard location, all to the specifications and satisfaction of the City.

- 77. The Owner shall connect to all existing City services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
- 78. The Owner shall have the common property line of Hamilton Road 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 Hamilton Road are the existing 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 existing road grades, all to the satisfaction of the City.

- 79. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to 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:

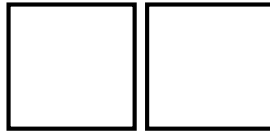
- i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;
- ii) The Owner must provide a video inspection on all affected unassumed sewers;

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

- 80. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
 - i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
 - ii) continue until the time of assumption of the affected services by the City.

- 81. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

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



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

83. 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, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminates within the proposed Streets, Lot and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City.

In the event no evidence of contamination is encountered on the site, the geotechnical engineer shall provide certification to this effect to the City.

84. 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.
85. 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.
86. 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".
87. 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.)
88. 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.
89. 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

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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.

90. 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.
91. 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.
92. 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.
93. 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.
94. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
95. Prior to final approval, the Owner shall ensure that any lot located partially within and/or adjacent to the hydro corridor easement shall have registered on title to the lot the appropriate Hydro One Networks Inc. (HONI) warning clause(s), to the satisfaction of the City.
96. In conjunction with the Design Studies submission, the Owner shall prepare conceptual building plans for Lots 24, 25, and 65 in order to confirm their suitability for residential building lots, to the satisfaction of the City.

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APPENDIX "D"
Related Estimated Costs and Revenues

1691, 1738, 1742 Hamilton and Commissioner's Rd. E. - Thames Valley Joint Venture
 Draft Plan Revision
 39T-13502

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs ^(Note 1)	Estimated Cost ^(Note 3) (excludes HST)
Claims for developer led construction from CSRFB ^{Note 4} - Storm sewer oversized - 500 m of 1350 mm - DC14-MS01001	\$260,000
Claims for developer led construction from UWRF - None identified	\$0
Claims for City led construction from CSRFB - Old Victoria SWMF 1 (DC14-MS00026)	\$1,814,900
Total	\$2,074,900
Estimated Total DC Revenues ^(Note 2) (2016 Rates)	Estimated Revenue ^(Note 3)
CSRFB	\$1,917,856
UWRF	\$172,353
TOTAL	\$2,090,209

- 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.
- 4 Oversizing subsidy amounts have been estimated based on the information provided by the applicant. The final eligible amount will be based on actual length of pipe constructed and will be confirmed through the review of the final claim once submitted.
- 5 The Storm Water Management Facility will be constructed by the City and will be subject to a separate approval by Council initiated by City staff. The developer will be reimbursed for land in accordance with approved DC by-law land values applicable at the time of entering the subdivision agreement. Reimbursement for land will occur when 25% of building permits for drainage area of pond have been issued.

Reviewed by:

May 30, 2016
 Date

P. Christiaans
 Peter Christiaans
 Director, Development Finance