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File No: 39T-16502 / Z-8621  
Planner: L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES and CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 1420 WESTDEL BOURNE 1826 AND 1854 OXFORD STREET WEST APPLICATION FOR APPROVAL OF DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENTS PUBLIC PARTICIPATION MEETING ON NOVEMBER 14, 2016

RECOMMENDATION
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That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the lands located at 1420 Westdel Bourne and portions of 1826 and 1854 Oxford Street West:

- (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 Sifton Properties Limited relating to lands located at 1420 Westdel Bourne and portions of 1826 and 1854 Oxford Street West;
- (b) the Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by Sifton Properties Limited, prepared by Stantec Consulting Ltd. and certified by Bruce Baker, Ontario Land Surveyor (Project No. 161413130 Drawing No.1, dated April 26, 2016), as red line revised which shows fourteen (14) single detached residential blocks, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, one (1) road widening block, two (2) reserve blocks, two (2) secondary collector roads, and seven (7) local streets, **SUBJECT TO** the conditions contained in the attached Appendix “B”;
- (c) the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on November 22, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Urban Reserve (UR3) Zone and a holding Urban Reserve (h-2•UR3) Zone **TO**:
  - i) a Holding Residential R1 (h•R1-4) Zone to permit single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 360 square metres;
  - ii) a Holding Residential R1 (h•R1-5) Zone to permit single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 415 square metres;
  - iii) a Holding Residential R5/R6/R7/R8 (h•h-\_\_•R5-7/R6-5/R7•D75•H15/R8-4) Zone to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; senior citizens apartment buildings, nursing homes, continuum-of-care facilities, and emergency care establishments up to a maximum density of 75 units per hectare and maximum height of 15 metres; and apartment buildings up to a maximum density of 75 units per hectare and maximum height of 13 metres;
  - iv) a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-\_\_•R5-7( )/R6-5(21)/R9-7( )•H40) Zone to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a

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- maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings and lodging house class 2 up to a maximum density of 150 units per hectare and maximum height of 40 metres; together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres;
- v) a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-\_\_•R5-7( )/R6-5(21)/R8-4( )) Zone to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings, lodging house class 2, and stacked townhouses up to a maximum density of 75 units per hectare and maximum height of 13 metres; together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres;
  - vi) a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-\_\_•R5-7( )/R6-5(21)/R8-3( )) Zone to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings, lodging house class 2, and stacked townhouses up to a maximum density of 65 units per hectare and maximum height of 13 metres; together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres;
  - vii) a Holding Neighbourhood Facility / Residential R1 (h•NF1/R1-4) Zone to permit such uses as elementary schools, day care centres, community centres, libraries, fire stations and private clubs; and to permit single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 360 square metres;
  - viii) an Open Space (OS1) Zone to permit conservation lands, conservation works, golf courses, public and private parks; and,
  - ix) an Open Space (OS5) Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

it being noted that the following holding provisions have also been applied:

- (h) - to ensure orderly development and adequate provision of municipal services, the “h” symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development;
- (h-54) - to ensure completion of noise assessment reports and implementation of mitigation measures for development adjacent arterial roads;
- (h-\_\_) – to ensure development demonstrates compliance with the urban design policies of the Riverbend South Secondary Plan, and includes building orientation towards public streets and public spaces.

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

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**March 23, 2015** – Report to Planning and Environment Committee – Riverbend South Secondary Plan and Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – Sifton Properties Limited (File No. 39T-14505/OZ-8426) (*Agenda Item #15*)

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 Zoning By-law amendments.

RATIONALE

The rationale for approval of the recommended Zoning By-law amendment and support for the redlined draft plan of subdivision is as follows:

- i) The recommended draft plan and Zoning amendment conforms to the 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 Riverbend South Secondary 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; provides for an attractive, pedestrian oriented and compatible community; and contributes to compact urban form through the proposed range and mix of uses.

BACKGROUND

Date Application Accepted: May 17, 2016	Agent: n/a
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REQUESTED ACTIONS:

Draft Plan of Subdivision

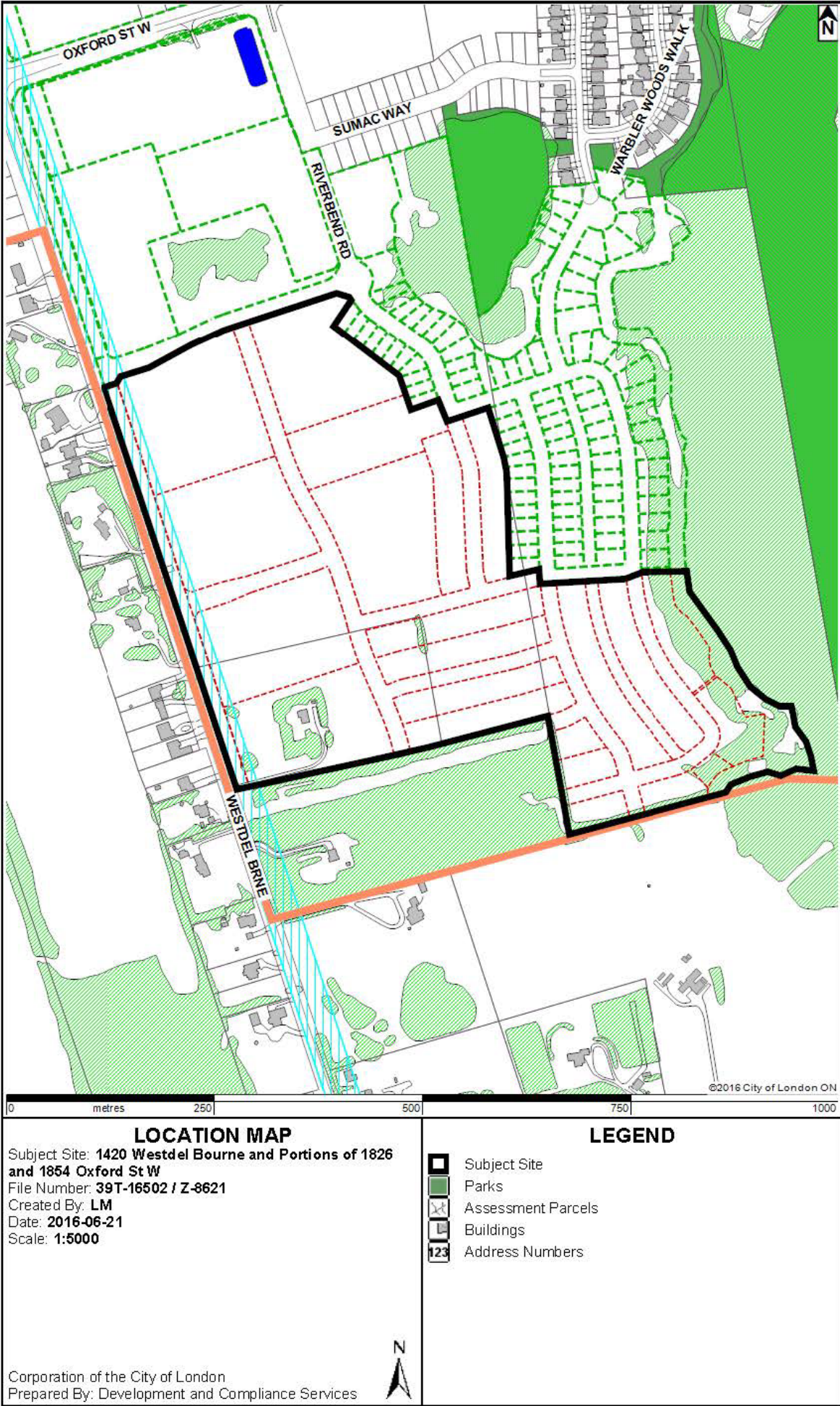
Approval of a draft plan of subdivision consisting of 14 single detached residential blocks (Blocks 1-14), 4 medium density residential blocks (Blocks 15 - 18), 1 high density residential block (Block 19), 1 school block (Block 20), 3 park blocks (Blocks 21-23), 1 open space block (Block 25), 1 walkway block (Block 24), 1 road widening block (Block 26), 2 reserve blocks (Blocks 27-28), 2 secondary collector roads (Streets "I" & "J"), and 7 local streets (Streets "B", "C", "D", "E", "F", "G" & "H").

Zoning By-law Amendment

Amendment to Zoning By-law Z.-1 to change the zoning from an an Urban Reserve (UR3) Zone and a holding Urban Reserve (h-2•UR3) Zone to the following zones:

1. Residential (R1-4)
2. Residential (R1-5)
3. Residential (R5-7 / R6-5 / R7•D75•H15 / R8-4)
4. Residential Special Provision (R5-7( ) / R6-5(21) / R9-7( )•H40) together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres, and to allow Apartment buildings and Lodging house class 2 as the permitted uses within the R9-7( ) Zone.
5. Residential Special Provision (R5-7( ) / R6-5(21) / R8-4( )) together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres, and to allow Apartment buildings, Lodging house class 2, and Stacked townhouses as the permitted uses within the R8-4( ) Zone.
6. Residential Special Provision (R5-7( ) / R6-5(21) / R8-3( )) together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres, and to allow Apartment buildings, Lodging house class 2, and Stacked townhouses as the permitted uses within the R8-3( ) Zone.
7. Neighbourhood Facility / Residential R1 (NF1 / R1-4)
8. Open Space (OS1)
9. Open Space (OS5)

Location Map



SITE CHARACTERISTICS:
<ul style="list-style-type: none"><li>• <b>Current Land Use</b> – vacant agricultural (cash crops) and one (1) single family residence</li><li>• <b>Frontage</b> – Approx. 500 metres (1,640 ft.) on Westdel Bourne</li><li>• <b>Depth</b> – Approx. 620 metres (2,034 ft.)</li><li>• <b>Area</b> – 27.6 hectares (68 acres)</li><li>• <b>Shape</b> – Irregular</li></ul>

SURROUNDING LAND USES:
<ul style="list-style-type: none"><li>• <b>North</b> – single detached residential (Warbler Woods Walk); open space (Hickory Woods); and vacant lands for future development</li><li>• <b>South</b> – agriculture; rural residential; and communications tower</li><li>• <b>East</b> – open space (Warbler Woods ESA)</li><li>• <b>West</b> – estate residential</li></ul>

OFFICIAL PLAN DESIGNATIONS: (refer to map on page 6)
“Low Density Residential”, “Multi-family, Medium Density Residential”, “Multi-family, High Density Residential” and “Open Space”
EXISTING ZONING: (refer to map on page 7)
Urban Reserve (UR3) and holding Urban Reserve (h-2•UR3)

PLANNING HISTORY
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On March 31, 2015, Municipal Council adopted the “Riverbend South Secondary Plan”. The study area for the Riverbend South Secondary Plan comprised approximately 60 hectares of lands generally bounded by Oxford Street West and the existing Warbler Woods Walk subdivision on the north, Westdel Bourne to the west, Warbler Woods ESA to the east, and the City’s Urban Growth Boundary to the south. These lands came into the City of London from the former Town of Westminster at the time of annexation in 1993. The Riverbend Community Plan was adopted by Council in 1998 and updated in 2001 as a basis for amendments to the Official Plan primarily for the area north of Oxford Street West, referred to as the “thumb”; as well as to a portion of lands fronting the south side of Oxford Street West. The remaining land tracks to the south, on the east side of Westdel Bourne, were not included in the amendments and became a remnant pocket of land within the City’s Urban Growth boundary designated as Urban Reserve – Community Growth and intended for a future area planning study.

Sifton Properties Limited as the lead developer/landowner initiated the secondary planning process and prepared various component background studies, including a natural heritage and environmental impact study, transportation impact study, archaeological assessment, water and sewer (stormwater and wastewater) servicing studies, and financial impact analysis. These studies were prepared in consultation with the City of London, the Province, school boards and other public agencies, boards, and commissions. Public input was also sought and considered in the process, particularly in the development of a community vision, the development of land use and transportation alternatives, and a final preferred land use plan. At least four separate open house / public meetings were held for the community at different times as a preferred land use plan progressed.

















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The Secondary Plan set out the vision and provided a policy framework for future development in the overall planning area. The goal of the Riverbend South Secondary Plan is to create an attractive, healthy community with a focus on activity, connectivity and diversity. Preservation and protection of natural features (Warbler Woods ESA and Hickory Woods Significant Woodland) is an important principle of the plan along with promoting compact urban form through the inclusion of a full range of uses. This includes low, medium and high density residential, parks, open space, commercial and elementary school uses within a highly connected street and active transportation network.

On May 6, 2015, the first phase of Sifton’s Riverbend South subdivision was draft-approved by the City of London Approval Authority. The draft-approved plan consists of 90 single detached residential lots, one (1) medium density residential block, one (1) medium-high density residential block, one (1) commercial block, five (5) park blocks, one (1) walkway block, two (2) open space blocks served by a secondary collector road, three (3) local streets, two (2) road widening blocks, and the extension of Riverbend Road and Warbler Woods Walk.

<b>SIGNIFICANT DEPARMENT/AGENCY COMMENTS</b>
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**Canada Post**

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.

**Upper Thames River Conservation Authority (UTRCA)**

The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. The UTRCA has no objections to this application.

**Environmental and Ecological Planning Advisory Committee (EEPAC)**

The response from EEPAC to the circulation of the updated Environmental Management Plan is attached to this report at **Appendix “D”**. Development Services comments in response to the EEPAC recommendations are summarized as follows:

***Recommendation 1:*** *The Riverbend South Secondary Plan is included within The London Plan.*

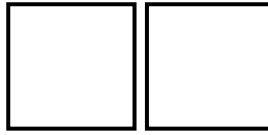
***Recommendations 2, 3, 4:*** *Buffer Management Plans and Construction Mitigation Plans for any work taking place near ESA’s are normally reviewed and approved by Environmental and Parks Planning staff prior to acceptance of the detailed engineering servicing drawings.*

***Recommendations 4, 5, 6 (Trail Management and Signage):*** *Park Block 22 shown on the proposed draft plan is intended to incorporate the multi-use trail outside of the buffer and ESA. Conditions of draft plan approval will require the subdivider to construct 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks (Condition #99).*

***Recommendations 7, 8, 9, 10 (Tree Retention in Backyards):*** *Homeowner education package requirements have been addressed in the conditions of draft plan approval (Condition #100). Environmental and Parks Planning advise that a tree preservation plan for the Phase II Riverbend South subdivision was previously submitted and has now been accepted.*

***Recommendations 6, 7, 8 (Buffer Zone Rationale):*** *AECOM did respond previously to concerns regarding the width of the buffer recommended for the “bay” area. The following is an excerpt from their letter dated February 9, 2015:*

*“A 2 meter buffer was recommended within this area because a large portion of this area is currently not part of the formal ESA. Instead, it is primarily a meadow that will be enhanced with native tree and shrub plantings. 2 meters is considered sufficient to protect the rooting zone of grasses and small shrubs in the area. The revised ESA edge incorporates the buffers required for the ESA and area to fill in the embayment area of the ESA at this location. From*



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*the current ESA edge, there is an approximate 45 metre setback that is recommended to be restored with native tree and shrub plantings.”*

*Response received from Environmental and Parks Planning staff during the circulation of the secondary plan and the previous Phase 1 draft plan approval indicated that all pathways are to be located outside of ecological buffers. There was one exception for a pedestrian connection through Open Space Block 97, and to the rear of the Lots 1-8, to provide a link with the existing multi-use trail east of the Warbler Woods Walk subdivision.*

*It is noted in the secondary plan (Section 20.6.4.2) that multi-use trails will not be permitted in the buffer areas of the Warbler Woods ESA south of this connection. However, it is further noted that pedestrian and hiking trails will be permitted within the buffer area. The City’s Guidelines for Determining Setbacks and Ecological Buffers (Pg. 7) indicates that all lands required for buffers are to be designated in the same open space zone as the patch. Accordingly, the Open Space OS5 Zone which currently applies to the Warbler Woods ESA lands will be applied to the buffer areas within Block 25 shown on the Phase 2 draft plan. Permitted uses are limited to low-impact uses associated with passive recreation (including hiking trails), conservation and ecosystem management.*

**Recommendation 9 (Created Wetland):** *AECOM did respond previously to concerns regarding the wetland creation in Buffer Management Zone 1. The following is an excerpt from their letters dated March 9, 2015 and February 11, 2015:*

*“Wetland Creation — The intent of the created wetland is to provide additional amphibian breeding habitat due to the limited availability of habitat in the area. This recommendation is in addition to the protection of the vernal pools situated within the Warbler Woods ESA.”*

*“Wetland Creation — The wetland feature recommended for the buffer zone along the ESA boundary is intended to be an ephemeral wetland that will be supplied with surface water from the existing catchment area and can be supplemented with roof leader run-off. We have recommended that it be lined with a clay substrate. The details for the implementation of this wetland feature can be provided at the detailed site plan stage.”*

*The staff report to PEC on March 23, 2015 recommending the Riverbend South Secondary Plan and Phase 1 draft plan of subdivision noted this feature was not part of the Phase 1 subdivision, but that it would be constructed as part of a future subdivision phase. It also indicated that a detailed implementation plan showing how the wetland will function, including a target wetland water balance, can be required as a condition of draft plan approval as part of that future phase. Accordingly, a condition of draft plan approval is recommended for the preparation of a detailed implementation plan and monitoring over a five year period to ensure the success of the created wetland (Condition #103).*

**Buffer Management Zone 3:** *Although this management zone is located within Phase 1 and is not part of the current Phase 2 draft plan, the comments from EEPAC have been forwarded to Sifton Properties Limited and the consultant (AECOM) who prepared the updated EMP for their consideration and response.*

**Recommendations 10, 11, 12, 13, 14, 15, 16 (Monitoring):** *Comments acknowledged. The recommendations from EEPAC with respect to environmental monitoring have been forwarded to Sifton Properties Limited and the consultant (AECOM) who prepared the updated EMP for their consideration and response. Recommendation 9 in the updated EMP states that “A detailed Environmental Monitoring Program should be prepared as a condition of Site Plan Approval.” It would be more appropriate to provide this at the Design Studies stage of the subdivision review process for review and approval by the City. Copies of the EMP can also be provided to EEPAC for their review and comment.*

**Recommendation 17 (Construction Impacts):** *The comments from EEPAC with respect to mitigation of sunscald or wind-throw on the ESA canopy have been forwarded to Sifton Properties Limited and the consultant (AECOM) who prepared the updated EMP for their consideration and response.*

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<b>PUBLIC LIAISON:</b>	On June 21, 2016, a Notice of Application for approval of Draft Plan of Subdivision and Zoning By-law Amendment was sent to 22 surrounding property owners. Notice was published in “The Londoner” on July 7, 2016.	2 replies received
<b>Nature of Liaison:</b> see “Requested Action” section.		
<b>Responses:</b> There was one counter inquiry for further information and clarification, and one written correspondence received expressing support for the application for draft plan approval.		

<b>ANALYSIS</b>
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**Existing Conditions**

This subdivision comprises a total area of 27.6 hectares with approximately 500 metres of frontage along the east side of Westdel Bourne. It currently consists of open fields in agricultural use (cash crops) and one residential dwelling. The eastern limit of the site is bounded by the Warbler Woods Environmentally Significant Area (ESA). An EIS was previously completed as part of the Riverbend South Secondary Plan and Phase 1 subdivision draft plan in order to confirm the ESA boundary and establish the limits of development. The western limit is bounded by a Union Gas pipeline within an easement along the east side of Westdel Bourne. Due to setback restrictions on the placement of buildings and certain types of uses, the secondary plan envisions utilizing the pipeline easement as a green corridor for potential walking or cycling trails, enhanced landscaping, and additional buffer/separation distance between new development and existing residential dwellings on the west side of Westdel Bourne.

The site is characterized by rolling topography that generally slopes upwards from the northwest corner at Westdel Bourne to the east and southeast, leveling off to a plateau at the top and then sloping back down to the southeast corner. Elevations range from approximately 269 metres along Westdel Bourne to approximately 300 metres at the top of the plateau.

Land uses surrounding the subdivision include existing large lot residential dwellings fronting on the west side of Wesdel Bourne, Warbler Woods ESA to the east, rural residential and agricultural lands to the south, and future residential development to the north that was approved as part of the Riverbend South - Phase 1 draft plan of subdivision.

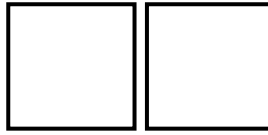
**Riverbend South Secondary Plan**

At its meeting on March 31, 2015, City Council adopted an amendment to the Official Plan to add the “Riverbend South Secondary Plan” to the list of Secondary Plans. The policies of Section 2.6.9 and Section 19.2.1 of the City of London Official Plan provides for the preparation of secondary plans as a basis for Official Plan land use designations and policies to be adopted by City Council, and to be used as a guideline for the review of subdivision and development applications. Among the matters addressed are land use mix and compatibility, road alignments, municipal services, public and private utilities, residential densities, road access points, location of parks and community facilities, location of pedestrian and bicycle routes, preservation of natural heritage features, protection of archaeological resources, and urban design guidelines.

The planning area includes the lands generally bounded by Oxford Street West and the existing Warbler Woods Walk subdivision to the north, Westdel Bourne to the west, Warbler Woods ESA to the east, and the City’s Urban Growth Boundary to the south. The same area was also the subject of Official Plan Amendment No. 613 which applied land use designations, environmental mapping delineations, transportation corridors and street classifications.

Several background studies were prepared as integral components of the Secondary Plan including the following:





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- Stage 3 Archaeological Assessment (Archaeologix)
- Stage 4 Archaeological Assessment (Golder Associates)
- Natural Heritage Study (AECOM)
- Environmental Impact Study (AECOM)
- Sanitary Servicing Study (Stantec)
- Water Servicing Report (Stantec)
- Stormwater Management Study (Stantec)
- Transportation Study (IBI Group)
- Traffic Impact Study (Paradigm Transportation Solutions Ltd.)
- Parks and Open Space Master Plan (GSP Group)
- Slope Stability Assessment (Golder Associates)

Supplementary studies submitted with the current Phase 2 draft plan of subdivision application included an updated Environmental Management Plan (AECOM), an Urban Design Brief (Sifton Properties Limited in association with Stantec), and an updated Transportation Impact Study (Paradigm Transportation Solutions Ltd.).

Elements of this proposed draft plan that accurately reflect and implement the Council-approved secondary plan include the low, medium, and high density residential lots and blocks, school block, parks and open space blocks, and the Street 'I' and Street 'J' collector roadway alignments. The draft plan is also consistent with the stated principles of the secondary plan, such as connecting the community (through a multi-use trail corridor, pedestrian connections and street network), providing a range of residential housing types and densities (from single detached dwellings to townhouses and apartment buildings), protection and integration of the natural environment (enhancement strategies and buffer management zones adjacent to the Warbler Woods ESA), promoting healthy living and active transportation (neighbourhood park for active recreation and a highly connected cycling and pedestrian network), and promoting environmental sustainability (diversity of uses, density and street pattern to facilitate viable public transit).

The proposed Phase 2 draft plan of subdivision as recommended by staff is therefore found to be in keeping with the Riverbend South Secondary Plan.

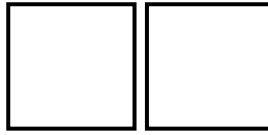
### **Official Plan**

At its meeting on March 31, 2015, City Council adopted Official Plan Amendment No. 613, which confirmed land use designations, road alignments and environmental features on Map Schedules "A", "B" and "C" of the Official Plan.

The subject lands within this phase are designated as Low Density Residential, Multi-family, Medium Density Residential, Multi-family, High Density Residential and Open Space. The Low Density designation primarily permits single, semi-detached and duplex forms of housing up to 30 units per hectare. The Multi-family, Medium Density designation is primarily intended for multiple forms of housing including row and cluster housing, low rise apartment buildings, rooming and boarding houses, small scale nursing homes, rest homes and homes for the aged up to a density of 75 units per hectare. This designation may also be developed for single detached, semi-detached and duplex housing. The Multi-family, High Density designation is intended for the same general types of uses as the medium density designation, but at higher densities, typically up to 150 units per hectare (net) outside of the City's core area. The Open Space designation allows for a range of parks and recreation and natural heritage uses.

The Low Density Residential designation is distributed primarily in the easterly portion of the Secondary Plan area, in close proximity to the Warbler Woods ESA. The higher intensity residential land use designations are located along Westdel Bourne and the new collector roads (Streets 'I' and 'J' in this phase and Street 'A' in Phase 1). The Secondary Plan emphasizes the desire for transition between existing and future Low Density and High Density designations through the provision of a landscaped corridor on Westel Bourne and design guidelines regarding built form, transition and landscaping. Also, residential intensity within the Medium Density designation should decrease as the blocks progress to the south to provide a transition towards the Urban Growth Boundary.

The neighbourhood park and school block within this draft plan provide a central location to facilitate active transportation from within the residential community, as well as convenient access to the collector road system for students from outside of the neighbourhood. This subdivision



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phase also continues the Open Space designated buffer (Block 25) along the boundary of the Warbler Woods ESA, as recommended in the approved Riverbend South Secondary Plan EIS and Environmental Management Plan. The buffer width varies between 18 and 28 metres from the surveyed drip-line to the limit of development at the residential property line. Naturalization and enhancement opportunities within the buffer include the creation of a small wetland, deciduous tree plantings, and re-naturalization with native species to fill in the “bay” area in the southeast corner of the draft plan.

The land use pattern and secondary 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. 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 matters relating to the zoning, servicing and subdivision design are addressed in further detail below.

With respect to *The London Plan*, which has been adopted by City Council but is not yet in force and effect, the Riverbend South Secondary Plan is listed within and forms part of The London Plan. With respect to the Place Types mapping, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, and townhouse dwellings, and small-scale community facilities; and the “Green Space” Place Type. Uses within this place type are dependent upon the natural heritage features and areas contained on the subject lands, the hazards that are present, and the presence of natural resources which are to be protected. Various type of public parks are permitted including district, city-wide, and regional parks, and some neighbourhood parks; private green space uses such as cemeteries and private golf courses; agriculture, woodlot management, horticulture and urban gardens; conservation; essential public utilities and municipal services, storm water management, and recreational and community facilities. Westdel Bourne lies within a transition between “Rural Thoroughfare” and “Civic Boulevard”, and is intersected at two locations by “Neighbourhood Connector” roads within this phase, and the adjacent Phase 1 subdivision draft plan.

### **Servicing / Infrastructure**

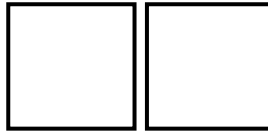
Sanitary servicing for this site will be provided by extensions of gravity sewers that have been brought south as development progressed from the Riverbend Pumping Station. The sanitary sewers to service this plan are to connect to the proposed municipal sewer system in the Warbler Woods (Riverbend South) Phase 1 subdivision.

Municipal water is provided for this development phase by the Wickerson Pumping Station via a 400mm diameter watermain on Westdel Bourne. Phase 2 of the Warbler Woods subdivision will be serviced through an extension of the Phase 1 water network. Watermains constructed to serve this plan are to connect to the existing 400 mm diameter watermain on Westdel Bourne, and to the proposed watermains within Warbler Woods (Riverbend South) Phase 1 subdivision.

Prior to Final Approval of this Plan, the Wickerson Water Pumping Station upgrades must be constructed and operational (DP Condition # 29).

This development phase is located within the Riverbend Subwatershed and is subject to the recommendations of the Tributary ‘C’ Class EA. Phase 2 of the development is an extension of sewers and overland flow routes that are tributary to SWM Facility F located just north of the phase boundary and the first facility in the Tributary ‘C’ stormwater management system. Storm sewers to service this plan will be required to connect to the existing 600 mm diameter storm sewer on Riverbend Road, and to the proposed storm sewers within Warbler Woods (Riverbend South) Phase 1 subdivision.

The downstream Tributary ‘C’ stormwater management system is the main source of quality, quantity and thermal control prior to stormwater discharge to Tributary ‘C’. The medium density, high density and school blocks within this phase of development are required to have permanent private systems (PPS) in place to provide quality, and if needed quantity, control of stormwater runoff prior to it leaving the site in accordance with City standards. As part of the Tributary ‘C’ Class EA, the proposed park block located east of Street I, adjacent to the school block, is required to have approximately 600 cubic metres of storage which is anticipated to be provided through the use of shallow, dry surface storage areas.



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**Planner: L. Mottram**

Prior to final approval all storm/drainage and SWM related works (proposed Regional Tributary 'C' SWM Facilities 'G', 'A' and 'F' and interim 'A', (built by the City of London) serving this plan must be constructed and operational in accordance with the Municipal Class Environmental Study Report – Schedule 'C' – Storm/Drainage and Stormwater Management, Transportation and Sanitary Servicing Works for Tributary 'C', Downstream Thames Subwatershed (AECOM, Dec. 2013), the approved design criteria and accepted drawings (DP Condition # 17).

As noted earlier, the Transportation Impact Study (TIS) was updated for the Phase 1 Design Studies submission, and incorporates the Phase 2 subdivision as well. The TIS considers the impacts of future development in the study area on the arterial road system and further defines the internal collector road system requirements. All recommendations outlined in the approved Riverbend South Transportation Impact Study Assessment are to be implemented as a condition of draft plan approval (DP Condition # 45).

Vehicular access to the site will be provided directly from Westdel Bourne and the extension of Riverbend Road and two local streets approved as part of Phase 1. Westdel Bourne will provide access via Street A, approved in Phase 1, and two (2) new secondary street connections at Street J, included in this plan of subdivision and a future Street K which will be provided through the Wagner property near the south limits of the site at such time as they are developed.

Street I, intersecting with the previously draft-approved Street A, is classified as a secondary collector roadway. Street J and future Street K (not included in this phase), connecting Street I with Westdel Bourne, were also classified as secondary collectors through the Secondary Plan process. All other streets are classified as local streets. Potential traffic calming measures for a number of streets were identified in the TIS, including potential roundabouts on Street I, and curb extensions or raised crosswalks at various street intersections, as well as gateway features at Westdel Bourne and collector street intersections.

The pedestrian and cycling network includes sidewalks, multi-use paths, linear park corridors and passive trails, some of which are located within the Phase 2 subdivision plan. The multi-use trail system will be extended through the park blocks located between the rear lots on dwellings fronting on Streets C and D, and will continue to the southerly boundary of the site where it connects to the Warbler Woods ESA area. Standard requirements for public sidewalks are provided in the conditions of draft plan approval (DP Conditions #40, #41, #42, and #43).

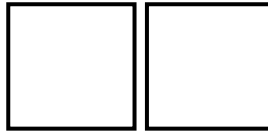
### **Recommended Zoning**

The following provides a synopsis of the recommended zones, permitted uses, regulations, and holding provisions to be applied to lots and blocks within the draft plan. Reference should be made to the zoning amendment map found on Page 27 of this report.

**Single Family Blocks 1 to 5** – Holding Residential R1 (h•R1-5) to permit single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 415 square metres. This zone would be applied to the blocks fronting Streets 'C' and 'D', would yield a total of approximately 40 to 50 residential lots, and is consistent with the R1-5 zone applied in the adjacent Phase 1 draft plan.

**Single Family Blocks 6 to 14** – Holding Residential R1 (h•R1-4) to permit single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 360 square metres. This zone would be applied to the blocks fronting Streets 'B', 'E', 'F', 'G' and 'H' and would yield between 80 and 90 residential lots.

**Medium Density Blocks 15 and 16** – Holding Residential R5/R6/R8 Special Provision (h•h-54•h-•R5-7( )/R6-5(21)/R8-3( )) to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings, lodging house class 2, and stacked townhouses up to a maximum density of 65 units per hectare and maximum height of 13 metres; together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres. This zoning would yield up to approximately 240 residential townhouse units or 260 apartment units.



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**Medium Density Block 17** – Holding Residential R5/R6/R8 Special Provision (h•h-54•h-•R5-7( )/R6-5(21)/R8-4( )) to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings, lodging house class 2, and stacked townhouses up to a maximum density of 75 units per hectare and maximum height of 13 metres; together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres. This zoning would yield approximately 120 residential townhouse units or 150 apartment units.

**Medium Density Block 18** – Holding Residential R5/R6/R7/R8 (h•h-\_\_\_•R5-7/R6-5/R7•D75•H15/R8-4) to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; senior citizens apartment buildings, nursing homes, continuum-of-care facilities, and emergency care establishments up to a maximum density of 75 units per hectare and maximum height of 15 metres; and apartment buildings up to a maximum density of 75 units per hectare and maximum height of 13 metres. This zoning would yield approximately 105 residential townhouse units or 130 apartment and senior citizen apartment units.

**High Density Block 19** – Holding Residential R5/R6/R9 Special Provision (h•h-54•h-\_\_\_•R5-7( )/R6-5(21)/R9-7( )•H40) to permit townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings and lodging house class 2 up to a maximum density of 150 units per hectare and maximum height of 40 metres; together with a special provision for dwelling setback from a high pressure pipeline (minimum) 20 metres. This zoning would yield approximately 135 residential townhouse units or 345 apartment units.

A special provision is recommended to restrict the range of uses within the R9-7 zone. The standard range of uses which includes senior citizens apartment buildings, continuum-of-care facilities, and handicapped persons apartment buildings are not recommended because this block lies within the 200 metre setback from the Union Gas high pressure gas pipeline along Westdel Bourne. In accordance with TSSA guidelines for development in the vicinity of oil and gas pipelines, this setback applies to institutional uses where rapid evacuation may be difficult, including hospitals and nursing homes.

**School Block 20** – Holding Neighbourhood Facility / Residential R1 (h•NF1/R1-4) to permit such uses as elementary schools, day care centres, community centres, libraries, fire stations and private clubs; and to permit single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 360 square metres. The school block within the subdivision plan was requested by the Thames Valley District School Board for a future elementary school. The details of school site location and size were previously reviewed with the Board and Sifton Properties Ltd. during the preparation of the Riverbend South Secondary Plan. Should the school block not be acquired in the future for elementary school purposes, the dual zoning applied to the block would yield a potential for 25 to 30 residential lots.

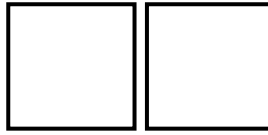
**Park Blocks 21, 21, 23** - Open Space (OS1) to permit conservation lands, conservation works, golf courses, public and private parks.

**Open Space Block 25** – Open Space (OS5) to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

#### Holding Provisions

It is recommended that the standard holding (h) provision be applied in conjunction with the proposed residential lots and blocks. 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





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that a subdivision agreement or development agreement is entered into.

A holding provision (h-54) for the completion of a noise assessment report and implementation of noise attenuation measures for residential development adjacent an arterial road is recommended for the multi-family blocks along Westdel Bourne. The h-54 symbol would be deleted from the zoning upon the owner agreeing to implement all noise attenuation measures, acceptable to the City of London.

A holding provision (h-\_) to ensure development demonstrates compliance with the urban design policies of the Riverbend South Secondary Plan, and includes orientation towards public streets and public spaces:

*Purpose: To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the h-\_\_ symbol.*

## **RECOMMENDED DRAFT PLAN:**

### Evaluation of the Draft Plan of Subdivision Design and Placemaking Features

The road pattern begins with the continuation of Riverbend Road (Street B) which was previously approved as part of the Hopedale subdivision in 2006, and the Sifton Phase 1 subdivision draft plan approved in May 2015. Two local streets (Streets C and D) will also be extensions of streets approved in Phase 1. The residential block layouts fronting these streets are appropriate and provide for individual lots that will be created through the exemption from part lot control process once builders have been determined. The applicant advises that they anticipate lot frontages in Phase 2 will range from approximately 14 to 21 metres.

Local streets are proposed to have a 19 metre right-of-way, and secondary collectors with a 20 metre right of way, consistent with the draft approved plan for Phase 1 which has 20 metre right-of-ways. This will help slow down traffic, provide a more intimate streetscape, and is more consistent with the City's Placemaking Guidelines. Due to the general grid orientation of the streets, many local streets serve fewer than 30 dwellings exclusively.

The subdivision design generally reflects the principles of the Riverbend South Secondary Plan. It demonstrates a highly connected, pedestrian oriented community that provides a wide range of housing from single family, townhouses and cluster housing to high rise apartment dwellings. The subdivision plan also provides for the continuation of an extensive parks and open space system consisting of a neighbourhood park adjacent to a school block, an open space buffer adjacent to the Warbler Woods ESA, a linear park containing an extension of the multi-use trail system, and a landscaped trail system along Westdel Bourne to facilitate an active, healthy community.

The applicant's Urban Design Brief was circulated and reviewed by staff and comments regarding design concepts for the multi-family blocks, and how the concepts should be refined or revised prior to applications for site plan approval, are summarized as follows:

### **Circulation Plan**

Consider pedestrian connectivity through and between all multi-family blocks.

### **Blocks 15-19**

Explore alternatives to windows streets along Westdel Bourne in order to provide for better street orientation, a more human scale street wall and more variety in built form. Consider the pedestrian circulation network through the multi-family blocks and how it can provide greater access to the arterial road and transit stops.

### **Block 18**

The layout of the block needs to provide for orientation to the adjacent park block. This can be provided through a window street, or units with rear garages/driveway. The preference is for rear garages/driveways, which will also provide a variety in the type of housing being offered in the neighbourhood.

Block 19

The apartment buildings are to be located adjacent to the higher order streets, with the built form transitioning down towards the interior of the neighbourhood. Apartment buildings are to be wrapped with townhouse-style podiums and individual entrances into ground floor units facing the public streets. Align the internal blocking patterns to continue the north-south driveway that is shown on the Blocks to the south. Provide a pedestrian walkway connecting the individual condo blocks to permit greater accessibility.

As per the recommendations from Urban Design staff, a draft plan condition is recommended that the owner register a covenant on title to all corner lots (including lots with side frontages to parks and/or open spaces) that exterior architectural features provide for street oriented design (DP Condition #96), and that holding provisions are applied to all multi-family blocks to ensure orientation to any and all streets and open spaces that are adjacent to the blocks.

Red Line Revisions

Several technical revisions are being recommended through red line revisions to the draft plan as outlined below. These are based on feedback received from Development Services Engineering Review Staff and the various Engineering Services Divisions of the City of London.

Recommended draft plan red line revisions are as follows:

- Revise Street ‘D’ to connect at 90 degrees at Street ‘E’.
- Revise Street ‘C’ to connect at 90 degrees with 6 metre tangent at Street ‘E’.
- Provide 3 m x 3 m daylighting triangles at the following locations: - Street ‘I’ at Street ‘A’ external to this plan, Street ‘I’ at Street ‘J’, and Street ‘I’ at the south limit of this plan.
- Provide and identify all required 0.3 m reserves at the following locations as per City standards:
  - Along Street ‘J’ street frontage on Blocks 16 and 17 to Street ‘I’
  - North limit of Blocks 18 and 19 adjacent to Street ‘A’ external to this plan
  - Street ‘I’ – south limit of plan
  - Street ‘H’ – west limit of plan
- Identify separate block on Street ‘D’, south of Street ‘H’, for future development.
- Revise Street ‘F’ to be 19.0 metres in width.
- Revise Park Blocks 22 and 23 to be aligned.
- All streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

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

Ensure all centreline radii meet City standards.

- Revise centreline on Street ‘J’
- Street ‘C’ inside radii to be revised to 9.5 m







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**Planner: L. Mottram**

## **Provincial Policy Statement**

The recommended red line revised draft plan and the recommended 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. The proposed development meets objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns, and accommodating an appropriate range and mix of low, medium, and high density residential, recreational, parks, and open space uses to meet long-term needs. These lands are immediately adjacent to existing and proposed built-up areas to the north. Development will utilize full municipal services which are available at the property boundary. The proposed development will include the extension of an existing multi-use trail which promotes cycling and pedestrian movement. Additional trail linkages are proposed for the development to enhance active transportation opportunities. The proposed development includes several neighbourhood parks, as well as natural areas that will be publicly accessible (Warbler Woods ESA).

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

A Natural Heritage Study and an Environmental Impact Study have been prepared as part of the secondary planning process, and an updated Environmental Management Plan has been prepared with the Phase 2 subdivision plan, to identify and delineate significant natural features, recommend appropriate buffers, and demonstrate no negative impact to the natural features or their ecological functions. Measures for protecting natural heritage features have been implemented in the preparation of the secondary plan and Phase 2 draft plan, including development setbacks, mitigation measures, and enhancement of significant natural heritage resources through re-naturalization and restoration plans. The proposed development will apply appropriate stormwater management practices to protect water resources by utilizing existing municipal SWM facilities, as well as a new SWM facility system which has been approved in accordance with the Tributary 'C' Environmental Assessment. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources. Stages 3 & 4 archaeological assessments were completed as part of the secondary planning process and appropriate mitigation measures have been implemented.

### **3. Protecting Public Health and Safety**

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



CONCLUSION

Based on our review, the proposed Phase 2 Draft Plan of Subdivision and Zoning By-law amendments are consistent with the PPS, the City’s Official Plan, and the Riverbend South Secondary Plan. The recommended red-lined draft plan and conditions of draft approval will create a residential subdivision that offers a range of housing types and densities, provides good pedestrian accessibility and connectivity, and appropriate protection and enhancement of natural heritage features. The proposed plan represents good land use planning and an appropriate form of development.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
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

November 7, 2016

GK/TG/AM/LM/lm

"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2016\39T-16502 - 1420 Westdel Brne (LM)\Draft Approval\PEC Report.docx

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Planner: L. Mottram

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

In Person

Maryon Hudson  
- Inquiry for further information  
and clarification

Written

Sigrid Wagner and Hans Wagner  
1478 Westdel Bourne  
  
- Wish to express support for the application  
for draft plan approval. It is consistent with the  
Riverbend South Secondary Plan, and as  
such, consistent with our expectations for  
future development around our property.

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**File No: 39T-16502 / Z-8621**  
**Planner: L. Mottram**

## **Bibliography**

### **Request for Approval:**

Final Proposal Report – Riverbend South Phase 2 (Warbler Woods at Riverbend), submitted by Sifton Properties Limited in association with Stantec Consulting Ltd., AECOM, Paradigm Transportation Solutions, and Golder Associates, April 2016

Urban Design Brief – Riverbend South Phase 2 (Warbler Woods at Riverbend), submitted by Sifton Properties Limited in association with Stantec Consulting Ltd., April 2016

City of London Subdivision Application Form, completed by Sifton Properties Limited, dated April 28, 2016

Draft Plan of Subdivision prepared by Stantec, dated April 26, 2016

City of London Zoning By-law Amendment Application Form, completed by Sifton Properties Limited, dated April 28, 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

Riverbend South Secondary Plan – adopted by Municipal Council of the City of London - March 31, 2015

Riverbend South Secondary Plan component background studies and appendices prepared by Sifton Properties Limited, Archaeologix Inc., Golder Associates, AECOM, Stantec Consulting Ltd., IBI Group, Paradigm Transportation Solutions Ltd., and GSP Group - August 2014

### **Correspondence: (located in City of London File No. 39T-16502 / Z-8621 unless otherwise stated)**

Various hard copy and e-mail correspondences

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File No: 39T-16502 / Z-8621  
Planner: L. Mottram

**APPENDIX “A”**  
**Zoning By-law Amendment**

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

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone lands located at 1420 Westdel Bourne and portions of 1826 and 1854 Oxford Street West.

WHEREAS Sifton Properties Limited has applied to rezone lands located at 1420 Westdel Bourne and portions of 1826 and 1854 Oxford Street West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms with 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 1420 Westdel Bourne and portions of 1826 and 1854 Oxford Street West, as shown on the attached map, **from** an Urban Reserve (UR3) Zone and a holding Urban Reserve (h-2•UR3) Zone **to** a Holding Residential R1 (h•R1-4) Zone; a Holding Residential R1 (h•R1-5) Zone; a Holding Residential R5/R6/R7/R8 (h•h-\_\_\_\_•R5-7/R6-5/R7•D75•H15/R8-4) Zone; a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-•R5-7( )/R6-5(21)/R9-7( )•H40) Zone; a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-\_\_\_\_•R5-7( )/R6-5(21)/R8-4( )) Zone; a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-\_\_\_\_•R5-7( )/R6-5(21)/R8-3( )) Zone; a Holding Neighbourhood Facility/Residential R1 (h•NF1/R1-4) Zone; an Open Space (OS1) Zone; and an Open Space (OS5) Zone.
- 2. Section 3.8 of the Holding (h) Zones to By-law No. Z.-1 is amended by adding the following Holding Provision:  
h-(\_\_\_\_)

*Purpose: To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the h-\_\_\_\_ symbol.*

*Permitted Interim Uses: Existing Uses*

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

R5-7( )

(a) Regulations

- i) Dwelling Setback from a High Pressure Pipeline (Minimum) 20 metres



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

- R8-3( )
- (a) Permitted Uses

i) Apartment buildings

ii) Lodging house class 2

iii) Stacked townhousing
- (b) Regulations

i) Dwelling Setback from a High Pressure Pipeline (Minimum)

20 metres

- R8-4( )
- (a) Permitted Uses

i) Apartment buildings

ii) Lodging house class 2

iii) Stacked townhousing
- (b) Regulations

i) Dwelling Setback from a High Pressure Pipeline (Minimum)

20 metres

5. Section 13.4 of the Residential R9 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

- R9-7( )
- (a) Permitted Uses

i) Apartment buildings

ii) Lodging house class 2
- (b) Regulations

i) Dwelling Setback from a High Pressure Pipeline (Minimum)

20 metres

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**Planner: L. Mottram**

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.

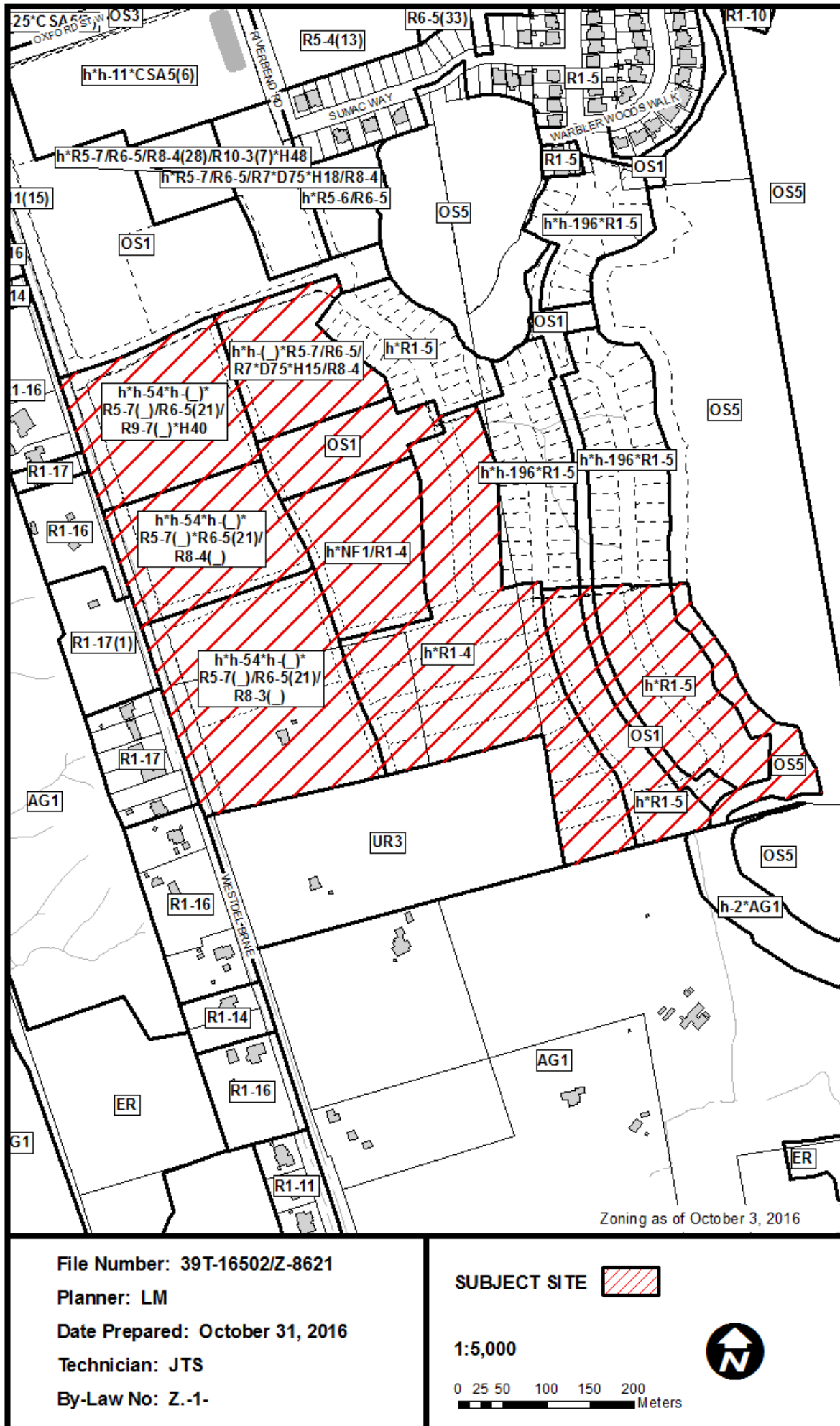
PASSED in Open Council on November 22, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 22, 2016  
Second Reading – November 22, 2016  
Third Reading – November 22, 2016

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



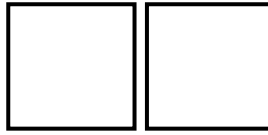
APPENDIX 39T-16502

(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-16502 ARE AS FOLLOWS:

NO.	CONDITIONS
STANDARD	
1.	This draft approval applies to the draft plan, as red line amended, submitted by Sifton Properties Limited, prepared by Stantec Consulting Ltd. and certified by Bruce Baker, Ontario Land Surveyor (Project No. 161413130 Drawing No.1, dated April 26, 2016), which shows fourteen (14) single detached residential blocks, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, one (1) road widening block, two (2) reserve blocks, two (2) secondary collector roads, and seven (7) 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 streets 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 Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City a complete submission consisting of all required clearances, fees, and final plans, and to advise in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
9.	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 by the City, such submission will be returned to the Owner without detailed review by the City.





**File No: 39T-16502 / Z-8621**  
**Planner: L. Mottram**

## **SEWERS & WATERMAINS**

### Sanitary:

10. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
  - i) Providing a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
  - ii) Proposing a suitable routing for the sanitary servicing 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;
  - iii) Providing sufficient design information to confirm the viability of routing the sanitary sewer adjacent to Westdel Bourne as proposed in the Sanitary Servicing Study to service this phase of Riverbend South subdivision, including the delineation of any associated easements, to the satisfaction of the City;
  - iv) Confirming the location of the septic tank on 1420 Westdel Bourne and provide details on servicing, decommissioning, timing, etc.
  - v) Implementing all inflow and infiltration mitigation measures to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407 as well as any additional measures recommended in the hydrogeological report;
11. 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) Constructing sanitary sewers to serve this Plan and connect them to the proposed municipal sewer system in Warbler woods Phase 1 Subdivision (39T-14505), namely, the proposed 200 mm diameter sanitary sewer located on Upper West Avenue, the proposed 200 mm diameter sanitary sewer located on Trailsway Avenue, the proposed 200 mm diameter sanitary sewer located on Riverbend Road, the proposed 250 mm diameter sanitary sewer located at the intersection of Upper Point Boulevard and Westdel Bourne. If the subject plan develops in advance of the subdivision to the north 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) Constructing a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road pavement, to the satisfaction of the City;
  - iii) Making 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.
12. 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



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- inflow and infiltration into the sanitary sewer.
  - iii) Installing 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.
13. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Oxford Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

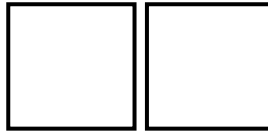
#### Storm and Stormwater Management (SWM)

14. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
  - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
  - iii) Ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
  - iv) Providing sufficient design information to confirm the viability of routing the storm sewer adjacent to Westdel Bourne as proposed to service this phase of Riverbend South subdivision, including the delineation of any associated easements, to the satisfaction of the City;
  - v) Providing details of the co-ordination of infrastructure (eg. servicing, pathway, etc.) and roadways through the Tributary 'C' study area;
  - vi) 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
  - vii) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
15. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Downstream Thames Subwatershed Study and any addendums/amendments;

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- ii) The Municipal Class Environmental Study Report – Schedule ‘C’ – Storm/Drainage and Stormwater Management, Transportation and Sanitary Trunk Servicing Works for Tributary ‘C’, Downstream Thames Subwatershed (AECOM, Dec. 2013) and any addendums/amendments;
  - iii) The Functional Design of the Tributary ‘C’ Storm Drainage and Stormwater Management Servicing Works downstream Thames River Subwatershed Report (Matrix Solutions Inc. Aug. 2015) and any addendums/amendments;
  - iv) The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 1, 2012. The stormwater requirements for Permanent Private Stormwater Systems for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
  - v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - vi) The City’s Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vii) The Ministry of the Environment and Climate Change SWM Practices Planning and Design Manual, as revised; and
  - viii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
16. 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) Constructing storm sewers to serve this plan, located within the Downstream Thames Subwatershed, and connect them to the existing municipal storm sewer system, namely, the proposed 600 mm diameter storm sewer on Riverbend Road in Plan 39T-14505, the proposed 300 mm diameter storm sewer on Upper West Avenue in Plan 39T-14505, the proposed 300 mm diameter storm sewer located on Trailsway Avenue in Plan 39T-14505 and the 1050 mm diameter storm sewer on Westdel Bourne in Plan 39T-14505 and the 675 mm diameter storm sewer on Upperpoint Boulevard in Plan 39T-14505; If the subject plan develops in advance of the subdivision to the north 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) Making provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
  - iii) Constructing and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
  - iv) Addressing forthwith any deficiencies of the stormwater works and/or monitoring program.
17. Prior to final approval of this Plan, for any lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works (proposed Regional Tributary ‘C’ SWM Facilities ‘G’, ‘A’ and ‘F’ and interim ‘A’, (built by the City of London) serving this plan must be constructed and operational in accordance with the Municipal Class Environmental Study Report – Schedule ‘C’ – Storm/Drainage and Stormwater Management, Transportation and Sanitary Servicing Works for Tributary ‘C’, Downstream Thames Subwatershed (AECOM, Dec. 2013), the approved design criteria and accepted drawings, all to the satisfaction of the City, and the Owner shall complete the following:



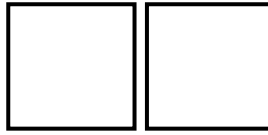
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- ii) Constructing and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
  - iii) Implementing all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City;
18. All temporary erosion and sediment control measures, including sediment basins installed within the proposed draft plan of subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City Engineer, at no cost to the City.
19. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
20. 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 following, including but not limited to:
- i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - ii) Identifying any abandoned wells in this plan
  - iii) Assessing the impact on water balance in the plan
  - iv) Identifying any fill required in the plan
  - v) Providing recommendations for foundation design should high groundwater be encountered
  - vi) Identifying all required mitigation measures including Low Impact Development (LIDs) solutions
  - vii) Addressing any contamination impacts that may be anticipated or experienced as a result of the said construction
  - viii) Providing recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
  - ix) 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;
- all to the satisfaction of the City.
21. 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 hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
22. The Owner acknowledges that the timing for construction of the Regional Tributary 'C' SWM Facilities 'G', 'A', 'F' and Interim 'A' shall be 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.

#### Watermains

23. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Water Servicing Study including the following design information, all to the satisfaction of the City Engineer:
- a) Identifying external water servicing requirements;
  - b) Identifying fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;

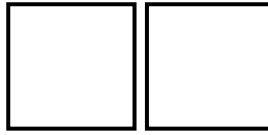




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- c) Confirming capacity requirements are met;
  - d) Identifying need to the construction of external works;
  - e) Identifying the effect of development on existing water infrastructure – identify potential conflicts;
  - f) Water system area plan(s)
  - 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) Identifying location of valves and hydrants
  - l) Identifying location of automatic flushing devices as necessary
  - m) Identifying lots in this plan that require check valves (backflow prevention) and/or pressure reducing valves, as necessary
24. 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. The location of any automatic flushers are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of any temporary automatic flushing device as well as their flow settings are to be shown on the engineering drawings. The Owner is responsible to meter and pay billed cost of the discharged water from any automatic flushers from the time of their installation until assumption. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.
25. Prior to the issuance of any Certificate of Conditional Approval and in accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i) Constructing watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 400 mm diameter watermain on Westdel Bourne, the proposed 300 mm diameter watermain on Upperpoint Boulevard in Plan 39T-14505, the proposed 200 mm diameter watermain on Riverbend Road in Plan 39T-14505, the proposed 200 mm diameter watermain on Upper West Avenue in Plan 39T-14505 and the proposed 200 mm diameter watermain on Trailsway Avenue in Plan 39T-14505; If the subject plan develops in advance of the subdivision to the north 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) Delivering confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
  - iii) 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.
26. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements



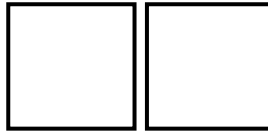
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27. The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.
28. In the event the temporary watermain installed as part of Plan 39T-14505 is not in a location free of conflict and deemed acceptable by the City in relation to proposed roadways, the Owner shall remove the temporary watermain and relocate it to standard location, at no cost to the City, to the satisfaction of the City Engineer, and the City will quit claim the easements which are no longer required at no cost to the City.
29. Prior to Final Approval of this Plan, the Wickerson Water Pumping Station upgrades must be constructed and operational.

## **STREETS, TRANSPORTATION & SURVEYS**

### Roadworks

30. 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.
31. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Transportation Study including the following design information, all to the satisfaction of the City Engineer:
  - i) Providing a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layouts, daylight triangles, etc. The roads shall be equally tapered and aligned based on the road centerlines and it should be noted tapers are not to be within intersections;
  - ii) Confirmation that all streets in the subdivision have centerline radii which conforms to City of London Standard "Minimum Centerline Radii of Curvatures of Roads in Subdivisions"; and
  - iii) Providing a pavement markings plan showing any details related to turn lanes if required associated with the plan;
32. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road.
33. The Owner shall convey a Future Development Block on Street 'D', south of Street 'H', 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 of this block, the City agrees that the Block will be returned to the Owner for a nominal fee, for use as a building lot.
34. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends in this plan.
35. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
  - i) Street 'B' (Riverbend Road), Street 'G', Street 'I' and Street 'J' have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.



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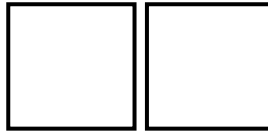
- ii) Street 'C' (Upper West Avenue), Street 'D' (Trailsway Avenue), Street 'E' (Boardwalk Way), Street 'F' and Street 'H' have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres.
- iii) The Owner shall construct a gateway feature on Street 'J', at the intersection of Westdel Bourne, with 11.0 metres of pavement and a right of way width of 25.5 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to a right of way width of 20.0 metres, to the satisfaction of the City Engineer. Any landscape gateway features shall be installed within a widened boulevard area.
- 36. The Owner shall ensure access to lots and blocks adjacent to gateway features will be restricted to rights-in and rights-out only.
- 37. In conjunction with the Design Studies submission, the Owner shall submit a concept of the gateway feature on Street 'J' at Westdel Bourne, to the satisfaction of the City Engineer.
- 38. The Owner shall construct Street 'I' and Street 'J' to secondary collector road standards on a right of way width of 20 metres as identified in the Riverbend South Secondary Plan and to the satisfaction of the City Engineer.
- 39. The Owner shall align the centrelines of Street 'B' (Riverbend Road), Street 'C' (Upper West Avenue), Street 'D' (Trailsway Avenue) and Street 'E' (Boardwalk Way) in this plan with streets in Plan 39T-14505 to the north of this plan, to the satisfaction of the City Engineer.

#### Sidewalks

- 40. The Owner is to construct a 2.4 metre wide sidewalk fronting Block 20 on Street 'I' and Street 'E' in accordance with City standards and the City's Access Management Guidelines, to the satisfaction of the City.
- 41. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets, to the satisfaction of the City:
  - i) Street 'E' (Boardwalk Way) – between Street 'I' and Street 'B' (Riverbend Road)
  - ii) Street 'G'
  - iii) Street 'I'
  - iv) Street 'J'
- 42. The Owner shall construct a 1.5 sidewalk on one side of the following streets, to the satisfaction of the City:
  - i) Street 'B' (Riverbend Road) – east boulevard
  - ii) Street 'C' (Upper West Avenue) – east and south boulevard
  - iii) Street 'D' (Trailsway Avenue) – west boulevard
  - iv) Street 'E' (Boardwalk Way) – north boulevard, east of Street 'B' (Riverbend Road)
  - v) Street 'F' – north boulevard
  - vi) Street – H' – south boulevard
- 43. Should the Owner direct any servicing within the walkway, or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

#### Street Lights

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



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developed portion of the street, to the satisfaction of the London Hydro for the City of London.

#### Boundary Road Works

45. The Owner shall implement all recommendations outlined in the approved Riverbend South Transportation Impact Assessment (TIA), to the satisfaction of the City Engineer.
46. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for the left turn lane and right turn lane on Westdel Bourne at Street 'J' for review and acceptance by the City.
47. In conjunction with Design Studies submission, the Owner shall provide a pavement marking plan, to include all turn lanes, etc., to the satisfaction of the City Engineer.
48. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane and right turn lane on Westdel Bourne at Street 'J', to the satisfaction of the City Engineer.
49. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct works to establish adequate decision sight distance on Westdel Bourne consistent with the profile approved in Subdivision 39T-14505, at no cost to the City.
50. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lights on Westdel Bourne, to the satisfaction of the City, all to the satisfaction of the City.
51. The Owner shall be required to make boulevard improvements on Westdel Bourne 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.

#### Road Widening

52. The Owner shall be required to dedicate sufficient land to widen Westdel Bourne to 26.0 metres from the centreline of the original road allowance.
53. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street 'J' with Westdel Bourne in accordance with the Z-1 Zoning By-law, Section 4.24.
54. The Owner shall be required to dedicate 3.0 m x 3.0 m "daylighting triangles" at the intersection of 'collector' roads in the Plan to satisfy requirements necessary for servicing potential bus transit routes, as specified by the City Engineer.

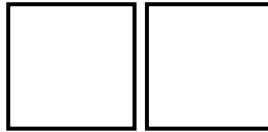
#### Vehicular Access

55. The Owner shall restrict access to Westdel Bourne by establishing blocks for 0.3 metre (1') reserves along the entire frontage, to the satisfaction of the City. All vehicular access is to be via the internal subdivision streets.

#### Traffic Calming

56. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures, to be constructed along streets in this plan, including parking bays, curb extensions and other measures, to the satisfaction of the City.
57. The Owner shall construct a raised intersection at the following locations, to the satisfaction of the City Engineer, at no cost to the City:
  - i) on Street 'J' at Street 'I'
  - ii) on Street 'D' (Trailway Avenue) at Street 'G'





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- iii) on Street 'B' (Riverbend Road) at Street 'E' (Boardwalk Way)

Should it be determined, the raised intersections will affect the major overland flow route, the Owner shall construct alternative traffic calming measures on Street 'J', Street 'D' and Street 'B', to the satisfaction of the City Engineer.

- 58. The Owner shall construct a raised crosswalk at the following locations, to the satisfaction of the City Engineer, at no cost to the City:

- i) on Street 'C' opposite Park Block 22

Should it be determined, the raised crosswalks will affect the major overland flow route, the Owner shall construct alternative traffic calming measures on Street 'C' and Street 'H', to the satisfaction of the City Engineer.

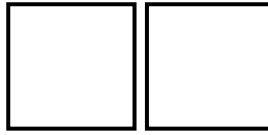
#### Construction Access/Temporary/Second Access Roads

- 59. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Westdel Bourne via Street 'J' or other routes as designated by the City.
- 60. 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.
- 61. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
  - i) Street 'H' – west limit
  - ii) Street 'I' – south limit

Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

#### **GENERAL CONDITIONS**

- 62. 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.
- 63. 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.
- 64. 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.
- 65. 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, the following:
  - i) servicing, grading and drainage of this subdivision
  - ii) road pavement structure
  - iii) dewatering



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- iv) foundation design
- v) removal of existing fill (including but not limited to organic and deleterious materials)
- vi) the placement of new engineering fill
- vii) any necessary setbacks related to slope stability for lands within this plan
- viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,
- ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;

and any other requirements as needed by the City, all to the satisfaction of the City.

- 66. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
- 67. In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.
- 68. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
- 69. The Owner shall have the common property line of Westdel Bourne graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Westdel Bourne are the existing and/or reconstructed road grades required to achieve adequate decision sight distance as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

- 70. 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.

- 71. 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.

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72. 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.

The connection into and use of the subject services by an outside Owner will be conditional upon the outside Owner satisfying any requirements set out by the City, and agreement by the outside Owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

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

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

74. 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.

75. 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.
76. 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

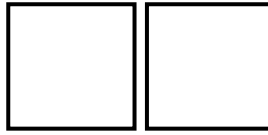
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Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

77. 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".
78. 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.)
79. 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.
80. In conjunction with the Design Studies submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
81. 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.
82. 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.
83. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
84. 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.
85. 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.
86. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
87. The Owner shall submit confirmation that they have complied with any requirements of Union Gas with regards to the 20 metre buffer at the western limit of this plan of subdivision.
88. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall not develop this plan of subdivision until the plan of subdivision, Plan 39T-14505, to the north develops. Alternatively, make all necessary arrangements to construct adequate





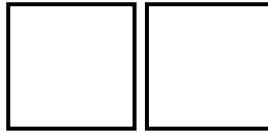
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**Planner: L. Mottram**

municipal services, grading, drainage and accesses over the external lands, to develop this plan, all to the satisfaction of the City Engineer, at no cost to the City.

89. In conjunction with the Design Studies submission, the proposed block lotting plan for single family blocks shall be reviewed and accepted with respect to City services, road geometries, easements requirements, etc., to the satisfaction of the City.
90. Prior to the acceptance of engineering drawings, the Owner may be required to make a presentation to the Utilities Co-ordinating Committee for any works that are not in accordance with City standards, including but not limited to reduced boulevard widths, non-standard location of City services or other utilities, non-standard sidewalk, etc.
91. The Owner shall either register against the title of Block 20 in this Plan, or shall include in the agreement of purchase and sale for the transfer of the block, a covenant by the purchaser or transferee stating that the purchaser or transferee of the block may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.
92. In conjunction with the Design Studies submission, the Owner shall submit a conceptual cross-section along Westdel Bourne, identifying all necessary infrastructure (eg. storm, sanitary, street lights, union gas line/easement, maintenance access, etc.), separation distances, trenching requirements, etc., all to the satisfaction of the City.
93. Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from development charges as defined in the DC By-law, and further, where such works are not oversized pipe works (sanitary, storm or water – the reimbursement of which is provided for in subsidy tables in the DC By-law), then the Owner shall submit through their consulting engineer an engineering work plan for the proposed works satisfactory to the City Engineer (or designate) and City Treasurer (or designate). The Owner acknowledges that:
  - i) no work subject to a work plan shall be reimbursable until both the City Engineer (or designate) and City Treasurer (or designate) have reviewed and approved the proposed work plan; and
  - ii) in light of the funding source and the City's responsibility to administer development charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.
94. In conjunction with the first submission of engineering design drawings, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and Treasurer (as outlined in the most current DC Bylaw) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement. The following works required by this subdivision shall be subject to a work plan:
  - i) internal widening
  - ii) channelization
  - iii) street lighting
  - iv) sidewalks and street lights on Westdel Bourne

## PLANNING

95. The Owner shall submit confirmation that they have complied with any requirements of Union Gas Limited with regards to buffers/setbacks from the high pressure gas pipeline easement over lands located along the east side of Westdel Bourne, to the satisfaction of the City. The Owner shall not excavate, drill, install, erect, or permit to be excavated,



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drilled, installed or erected in, on, over or through the said lands any pit, well foundation, pavement, building or other structure or installation without first obtaining prior written approval from Union Gas Limited.

96. The Owner agrees to register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows, articulation and other architectural elements that provide for a street oriented design. Additionally, the owner agrees to include that limited chain link or decorative fencing may be provided along no more than 50% of the side yard abutting the road/park/open space. Further, the owner shall obtain approval of their proposed design to the satisfaction of the Managing Director of Planning, City Planner or his/her designate prior to any submission of an application for a building permit for corner lots with an exterior side yard or an interior side yard fronting a street, park or open space block in this Plan.
97. In conjunction with the Design Studies submission, the Owner shall provide park concept plans for Blocks 21, 22, and 23, to the satisfaction of the Manager of Environmental and Parks Planning. Appropriate budget and amenities to be included in the neighbourhood park (Block 21) will be determined in consultation with City's Environmental and Parks Planning staff. In addition, the Owner shall submit with the standard engineering servicing drawings submission, full design and construction plans to the satisfaction of the City.
98. In conjunction with the Design Studies submission, the Owner shall provide a conceptual park plan delineating the alignment of the multi-use pathway through Block 22; a conceptual buffer planting plan for Block 25 consistent with the recommendations of the Riverbend South Secondary Plan Environmental Impact Study; and a conceptual design including cross sections illustrating the road/pathway crossing between Block 22 and Block 23, to the satisfaction of the Manager of Environmental and Parks Planning.
99. Within one (1) year of registration of this Plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the Manager of Environmental and Parks Planning.
100. The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural areas, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of Manager of Environmental and Parks Planning.
101. The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the Manager of Environmental and Parks Planning.
102. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the woodlots.
103. In conjunction with the Design Studies submission, the Owner shall provide a detailed implementation plan for the created wetland, including a target wetland water balance and monitoring program over a five year period, to the satisfaction of the City.
104. Through the review and acceptance of detailed engineering drawings and the subdivision agreement, the Owner shall implement the recommendations of the Riverbend South Secondary Plan Environmental Impact Study prepared by AECOM Canada Ltd. dated February 9, 2015, as revised or amended by subsequent addendums, to the satisfaction of the City.

105. Prior to the construction of the park blocks, the owner shall demonstrate to the City a professional landscape architect is hired to coordinate all aspects of park and open space work, including preparation of a work plan, preparation of tenders and contract documents, project scheduling and contract administration/site supervision.
106. During construction within all park and open space blocks, the Owner’s landscape architect shall coordinate site meetings with staff from the City’s Environmental & Parks Planning Section as needed. As a minimum, site meetings shall occur at the following critical stages of park development:
  - At the completion of rough grading and prior to importing topsoil and fine grading.
  - At the completion of fine grading and prior to seeding.
  - At the completion of granular base prep for asphalt pathways and prior to paving.
107. For all park and open space blocks, the Owner’s landscape architect shall provide a letter of certification confirming as built conditions match approved plans, specifications and contract documents. Any changes to park and open space plans must be approved by the City of London prior to work progressing on site.
108. Within 6-months of substantial completion for all park and open space blocks, the Owner’s landscape architect shall compile and submit as built drawings for all park and open space infrastructure/site amenities and landscape restoration.

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APPENDIX “C”  
Related Estimated Costs and Revenues

Warbler Woods Phase 2 - Sifton Properties  
Draft Plan  
39T-16502

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs <sup>(Note 1)</sup>	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF	
- Watermain - Internal oversizing subsidy (DC14-WD01001)	\$18,924
- Internal widening of Street 'J' (DC14-RS00063)	\$4,200
- Westdel Bourne Channelization (DC14-RS00067)	\$314,550
- Streetlights on Westdel Bourne (DC14-RS00070)	\$51,000
- Sidewalks on Westdel Bourne (DC14-RS00069)	\$58,650
- Streetlight, sidewalk, channelization engineering	\$63,630
Claims for City led construction from CSRF	
- None identified.	\$0
Total	\$510,954
Estimated Total DC Revenues <sup>(Note 2)</sup>	Estimated Revenue
CSRF	\$14,777,138
UWRF	\$1,303,096
TOTAL	\$16,080,234

- 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 The developer led construction work above will require a work plan to be provided and approved by the City. The work plan should include summary of work completed and costs incurred as well as estimated costs of all Engineering and construction of the eligible subdivision works. The engineering fees have been estimated at 15% of the works above and will be updated to actual amounts at the subdivision agreement stage.
- 5 Oversizing costs identified are based on preliminary estimates through draft plan phase. The extent of roadworks and scope of oversized sewers and watermain will be finalized through the detailed design process which may change the values noted.
- 6 Some components of the roadworks along Westdel Bourne identified above may, in whole or in part, be covered under separate development agreements. Only the owner that constructs the work is eligible to make a claim for reimbursement from DC funds.

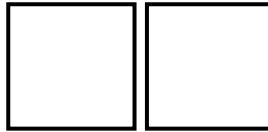
Reviewed by:

Sept 30 / 16

Date

Peter Christiaans

Peter Christiaans  
Director, Development Finance



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Planner: L. Mottram

## APPENDIX “D”

### Environmental and Ecological Planning Advisory Committee (EEPAC)

The following summarizes comments and recommendations from EEPAC with respect to the updated Environmental Management Plan:

*EEPAC continues to be concerned about the generalities included in the proposed monitoring sections of this and similar documents. The city must provide a clear template to developers so that specifics are included. Specifics should include when the monitoring period starts based on the construction period (beginning? End? 70% completion of units?), that reporting should specify which member of “the City” gets reports (EEPAC recommends the City Ecologist and Development Services), and what is being monitored (expected outcomes) and what action will be taken by the proponent if monitoring shows that the expected outcomes are not being achieved.*

*EEPAC also points out that Figure 3a and 3b seem to show buffers that are wider than those included in the text on page 6 and 7. This can be misleading and should be reviewed and corrected.*

*The intent of an EMP is to avoid impacts of the proposed development on the Natural Heritage System and mitigate those that cannot be avoided. The first paragraph should reflect this and the work of the Plan should be avoidance first.*

#### **AREAS OF AGREEMENT**

*EEPAC supports the recommendations #1 and #2 on page 5 regarding amendments to the City’s Official Plan. EEPAC also adds the following:*

**Recommendation 1:** *The London Plan be revised to reflect the changes in delineation recommended in the EMP.*

*While generally supportive of Recommendation #5 on page 12 of the EMP, EEPAC is surprised that a “Buffer Management Plan” is not part of this document.*

**Recommendation 2:** *The Buffer Management Plan recommended on page 12 of the EMP must be completed before approval to develop is given. Any such plan must be approved by a City Ecologist.*

*In the Construction Mitigation Measures starting on page 14, EEPAC is generally supportive. We also recommend:*

**Recommendation 3:** *The proposed Construction Mitigation Plan (#7) be **approved by a City Ecologist** and the approved plan **must** (not should as stated in #8) be included in contract drawings for the development of the site.*

**Recommendation 4:** *An onsite ecologist with the power to stop work be on site at all times where work near to the buffers and ESA are taking place. When not on site, a number to contact the ecologist be posted prominently at the construction site.*

#### **OTHER RECOMMENDATIONS OF EEPAC**

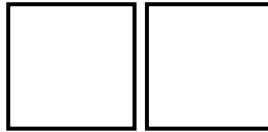
##### **TRAIL MANAGEMENT AND SIGNAGE**

**Recommendation 4:** *Trails should be signed before development proceeds. Otherwise, people will follow desire lines or the previous trampling creating habits difficult to change.*

**Recommendation 5:** *The boundary between the buffer/ESA be fenced with no gates and signed with the following: “Sensitive plants grow by the inch and die by the foot. Please do not enter this environmentally significant area here.”*

**Recommendation 6:** *No multi-use trails should be included in the buffer or the ESA.*





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### **TREE RETENTION IN BACK YARDS**

EEPAC did not support tree retention in back yards, rather, trees worth retention should be in the buffer or the ESA. There is no City of London tree by law to protect these trees.

**Recommendation 7:** All new residents (homeowners and renters) receive the required developer created Homeowner Manual. The Manual must include information on why there are fences with no gates and why the homeowner should not gate the fence; that pools must not drain to the buffer or the ESA or woodland, that lawn chemicals with nitrates are harmful to the natural environment; a species list of recommended and plants to avoid, and why lighting is limited or full cut off.

**Recommendation 8:** The developer or builders agree to send the City's "Living with Natural Areas" booklet to all new owners (at a minimum, those abutting the buffers/ESA) 3 to 6 months after new owners have moved in.

**Recommendation 9:** Either homeowners whose lots have trees to be retained be provided a special insert in the Homeowner Manual as to why they have a retained tree, or the City's "Wildlife Tree" sign be placed on all retained trees.

**Recommendation 10:** Homeowners whose lots are closed to the constructed wetland be provided with a special insert in the Homeowner Manual regarding the constructed wetland and a recommendation to report wildlife sightings to the City Ecologist.

### **BUFFER ZONE RATIONALE (section 2.2.2, page 6 of EMP)**

EEPAC is not in agreement with the treatment of the "bay" area. This area forms part of the ESA (as per the City's "Boundary Delineation Guidelines"). However, the buffer for the ESA in this location is minimal (2 m). It is specious to say that the development limit is 40 and 50 meters from the original ESA boundary. The original ESA boundary should be irrelevant – it is the present boundary that is relevant.

**Recommendation 6:** A buffer width similar to the other buffer widths should be provided. The appropriate width should be based on the proposed restoration of the bay.

EEPAC also notes the in Map 2, this area seems to be less than 2 m when compared to Buffer Management Zone 3.

**Recommendation 7:** EEPAC disagrees with recommendation 3 on page 7 of the EMP as trails should not be in buffers. If the EMP recommends plantings in the buffer, having trails in the buffer will result in trampling.

**Recommendation 8:** EEPAC supports the wider buffers recommended by the UTRCA in its letter of September 6, 2011.

Further support comes from work by Wendy McWilliam who has studied this topic extensively. Wendy McWilliam, Paul Eagles, Mark Seasons, and Robert Brown, *Assessing the Degradation Effects of Local Residents on Urban Forests in Ontario, Canada, Arboriculture & Urban Forestry* 2010. 36(6): 253-260

"In terms of areal extent, most impacts occur within a mean distance of 18 m of forest borders and cover a mean of 25% to 50% of the first 20 m. This finding is confirmed by another study that found a mean extent of encroachment of 16 m; however, encroachment can be found up to 50 m of forest borders (McWilliam, W.J., P. Eagles, M. Seasons, and R. Brown. 2010. The housing/forest interface: testing structural approaches for protecting suburban natural systems following development. *Urban Forestry and Urban Greening* 9:149–159.).

### **BUFFER ZONE MANAGEMENT (Section 2.2.3, page 7 of the EMP)**

#### **CREATED WETLAND**

EEPAC is not convinced of the benefits of creating a wetland from a small ephemeral pond. If the pond only retains water for a few weeks a year, 50 cm elevation change is likely insufficient. Furthermore, changing the ephemeral pond to a wetland will alter habitat dramatically and could adversely affect species that depend on such ephemeral habitats. It is not mentioned in the EMP

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*what species are currently present, which species are anticipated or if species are to be introduced. The suggestion that a clay liner may be required to retain water points to the soil conditions – which in this area are generally sandy – that are unlikely to support a wetland.*

*As EEPAC wrote in 2014, there is really not much point in having a pool (Management Zone 1) isolated from any connecting corridors. In addition, without any wetland corridors to allow wetland species (amphibians) to migrate as hydrological conditions evolve through seasonal cycles, the proposed pond is unlikely to succeed for amphibians. No critical function zone for such species is provided in the EIS (absolutely important for species whose life cycle includes water and land). There isn't a design water budget- so no one will have any idea what will happen post development. If this feature is agreed to by the City, there should first be a target wetland water balance, and an explanation of how the wetland would operate within those specifications.*

**Recommendation 9:** *If this pond is constructed, the monitoring period for it be extended by two years from the proposed 3 to 5. There should first be a target wetland water balance, and an explanation of how the wetland would operate within those specifications. There should also be clear outcome measures for the pond included in this EMP before acceptance of the Plan.*

**BUFFER MANAGEMENT ZONE 3: Meadow Enhancement (section 2.2.3.3, page 10)**

*EEPAC notes that only one of the species it recommended in 2014 is included in this list (*Panicum virgatum*). EEPAC repeats its comments and recommendations below. EEPAC also finds it puzzling that the EMP recommends placing a meadow between two forested areas as shown in Figure 2. What is the rationale?*

*From EEPAC's 2014 comments on the EIS*

*The key piece of information to point out, with any mitigation/restoration of Lepidopteran habitat, is the absolute necessity of the host plants for the caterpillar. All caterpillars are specialists to some degree according to *Butterflies of Canada* (an important source). For example, for this species, it states "*Panicum* spp., *Digitaria* spp., and *Poa* spp. Therefore the "butterfly plantings" need to incorporate **the native food plants of the caterpillars, i.e., native species of *Panicum*, *Digitaria*, and *Poa*** (*Poa palustris*, *Poa glauca*, *Poa alsodes*). There are definitely native species of *Panicum*, e.g., *Panicum virgatum*, and according to USDA Plants Database, *Digitaria cognata* (but not *filiformis*) and definitely NOT *Poa pratensis*, as this is native to Europe. The butterfly plantings need to incorporate the preferred nectar plants of the adults as well, which, in *Butterflies of Canada*, it states members of the pea family (family *Fabaceae*).*

*A grassy area created to replace the meadow that will be taken out would be desirable, not just for the Tawny-edged Skipper but also for other meadow species.*

☐ *The approved native plantings of buffers and butterfly habitat be monitored (see page 42 of the EIS) at the proponent's cost for 5 years from the date of the first housing unit being built. Sufficient security should be held back so a source of funding is available for any new plantings that may be required. The monitoring program must include clear outcome measures and details as to who conducts the monitoring. The City Ecologist should do site visits to confirm outcomes. It should be a condition of approval (see EIS page 43).*

☐ *The native plantings for the butterfly habitat must include the species list above for the regionally rare Tawney Skipper.*

**MONITORING (Section 2.5, page 15)**

*EEPAC points out that the monitoring period, reporting, what is being monitored, and the actions taken if there are issues, is still not completely clear in this EMP.*

*For example - when the three year monitoring period begins. Page 15 says "Annual reporting of monitoring results to the City of London for a period of 3 years following construction."*

*Does this mean the completion of construction of the housing? Of the infrastructure? If the former, this will be too late as most of the units will be occupied and the subdivision assumed by the City by that point. This is particularly significant when the bottom of the page points out that the three proposed amphibian surveys will be done in the spring of each monitoring year. While there*

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*should already be baseline data on amphibians from the EA/EIS (pre-construction), will the first survey be done in the first spring after construction starts?*

**Recommendation 10:** *The start date of the three year monitoring period be based on the recommendation of a City Ecologist in consultation with the proponent based on the forecasted period from ground breaking to assumption. This information should be in chart or table form and form part of the conditions of approval.*

*Buffer zone and vegetation monitoring should have similar data to be recorded. For example, it is not sufficient to monitor planted trees and shrubs in the buffer for evidence of browsing, rodent damage and mortality.*

**Recommendation 11:** *The buffer zone monitoring include monitoring of incursions and trampling by residents.*

*Recommendation: There be a more detailed monitoring plan developed that includes the timing of plantings and the expected condition in each reporting cycle, subject to the approval of a City Ecologist.*

*While EEPAC is supportive of the bird and amphibian surveys to be done as part of the monitoring (page 15), EEPAC points out that the Marsh Monitoring Protocols not only state time periods for monitoring but also weather conditions including temperature and wind velocity.*

**Recommendation 12:** *The last line on page 15 is unnecessary.*

**Recommendation 13:** *All monitoring reports be provided to a City Ecologist and Development Services.*

*Wildlife Movement Surveys (page 16) between the Significant Woodlot and the Woods will be interesting but EEPAC is not sure how useful they will be without pre-development baseline data. There has been development in the area prior to the Riverbend South application.*

*EEPAC is also curious to know what action will be taken if the cameras detect that the majority of wildlife are cats on their way to hunt birds?*

*While EEPAC is in agreement with Recommendation 9 on page 16, and that it should be a condition of approval (whether it is development approval or site plan approval, we don't take a position) we wonder why the detailed Environmental Management Program was not submitted at this time.*

**Recommendation 14:** *The proposed detailed EMP be subject to approval by a City Ecologist.*

**Recommendation 15:** *EEPAC be given an opportunity to comment on the draft detailed EMP.*

**Recommendation 16:** *EEPAC be provided with the baseline monitoring component noted at the end of page 16.*

## **CONSTRUCTION IMPACTS**

*The report says nothing of mitigating the potential sunscald or wind-throw, it says only that this is a potential result of removing the plantation vegetation. If the sunscald/ windthrow would penetrate the ESA canopy, then removal of the plantation should not take place as there is no plan to mitigate it.*

**Recommendation 17:** *Mitigation measures, such as those black curtains used to contain construction dust, should be placed along the boundary of the plantation removal, and left there for ~5 years to reduce/prevent sunscald/windthrow, and be removed once the buffer zone has grown enough to serve that function.*