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39T-08502/Z-8614
C. Smith

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS P.ENG. MANAGING DIRECTOR DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	REQUEST FOR EXTENSION AND REVISION OF DRAFT APPROVAL AND ZONING BY-LAW AMENDMENT 255 SOUTH CARRIAGE ROAD DRAFT APPROVED PLAN 39T-08502 KENMORE HOMES (LONDON) INC. PUBLIC PARTICIPATION MEETING ON OCTOBER 31, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner - Development Planning, the following action be taken with respect to the request from Kenmore Homes (London) Inc. relating to the property located at 225 South Carriage Road;

- a) the Approval Authority **BE ADVISED** that Council supports the proposed revisions to the draft plan and the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Kenmore Homes (London) Inc., File No. 39T-08502, prepared by Holstead and Redmond Limited (dated April 1, 2016), as revised which shows a total of ninety seven (97) single detached residential lots, eight (8) multi-family residential blocks, served by four (4) new local streets **SUBJECT TO** the conditions contained in the attached Appendix "39T-08502";
- b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 8, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to change the zoning of the subject property:
 - **FROM** a Holding Residential R1 Special Provision (h*h-100*R1-3 (14)) Zone which permits single detached dwellings one storey in height, maximum of 5 metres, a minimum lot area of 300m² and minimum lot frontage of 10 metres **TO** a Holding Residential R4 Special Provision (h*h-100*R4-4 ()) Zone which permits street townhomes one storey in height, maximum of 5 metres, with a minimum lot frontage of 5.5 metres per unit and a lot minimum lot area of 180m²;
 - **FROM** a Holding Residential R1 Special Provision (h*h-100*R1-3 (8)) Zone which permits single detached dwellings with a minimum lot area of 300m² and minimum lot frontage of 11 metres **TO** a Holding Residential R4 (h*h-100*R4-4) Zone which permits street townhomes with a minimum lot frontage of 5.5 metres per unit and a minimum lot area of 180m² and maximum height of 10.5 metres;
 - **FROM** a Holding Residential R1 Special Provision (h*h-100*R1-13 (6)) Zone which permits single detached dwellings with a minimum lot area of 270m² and minimum lot frontage of 9 metres **TO** a Holding Residential R4 (h*h-100*R4-4) Zone which permits street townhomes with a minimum lot frontage of 5.5 metres per unit and a minimum lot area of 180m² and maximum height of 10.5 metres

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- c) the applicant **BE ADVISED** that the Director of Development Finance has projected the following claims and revenues information attached as Appendix "B".

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 255 South Carriage Rd Applicant: KENMORE HOMES (LONDON) INC File Number: Z-8614 Planner: Craig Smith Created By: James Scott Date: 2016-08-25 Scale: 1:2500</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

January 2011 – Report to Built and Natural Environment Committee relating to the Subdivision, Official Plan amendment and Zoning By-law amendment applications by Kenmore Homes (London) Inc.

September 2011 – Information report to the Built and Natural Environment Committee on Status of the application

March 26, 2012 - Report to Built and Natural Environment Committee relating to the revised Subdivision, Official Plan amendment and Zoning By-law amendment applications by Kenmore Homes (London) Inc.

May 28, 2012 – Information report to Planning and Environment Committee

November 5, 2012- Report to Planning and Environment Committee relating to the appeal of to the Ontario Municipal Board.

February 4, 2014- Report to Planning and Environment Committee relating to the withdrawal of the appeal to the Ontario Municipal Board.

March 2016 - Report on Special Provisions for Phase I.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

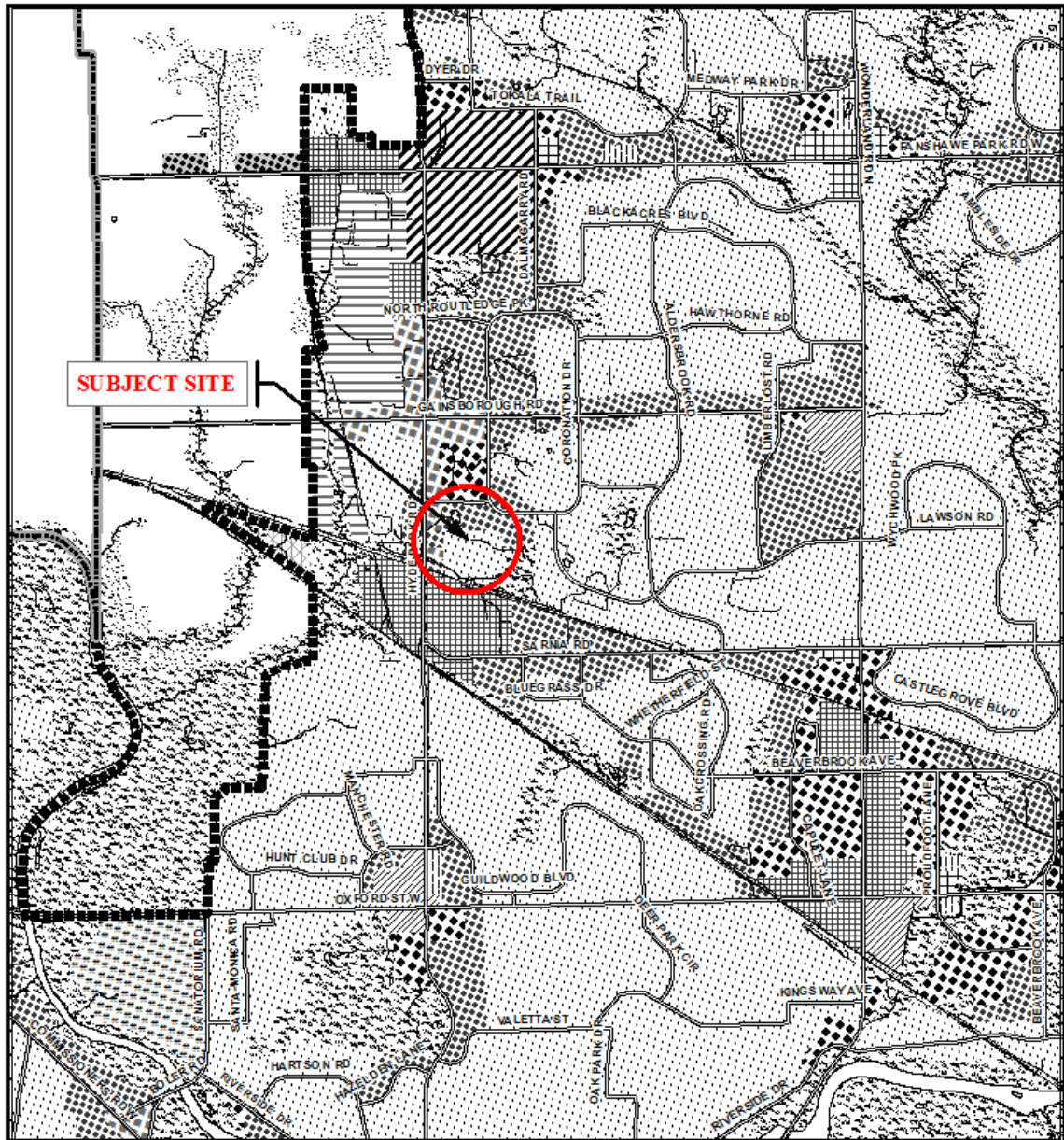
The effect of the applicant's request is to allow for a revision to the draft plan; to allow for a further 3 year extension of the draft approval which was granted on September 14, 2013; and to amend the zoning to allow for the balance of the lands to be developed with a total of ninety seven (97) single detached residential lots, eight (8) multi-family residential blocks, served by four (4) new local streets.

RATIONALE

1. The proposed development is consistent with the Provincial Policy Statement.
2. The proposed revised Draft Plan of Subdivision and Zoning by-law amendment provide for a form of residential development that is consistent with the Hyde Park Community Plan
3. The proposed revised Draft Plan of Subdivision and Zoning By-law amendment provide for a form of residential development that is consistent with the Low and Multi Family Medium Density Residential policies of the Official Plan and compatible with the surrounding residential development.
4. Conditions of draft plan approval and recommended zoning contains provisions which will ensure development of the lands for sensitive land uses does not occur until noise and vibration mitigation measures are in place both physically on the ground and through warning clauses in the subdivision agreement.
5. The recommended Zoning By-law amendments include appropriate Holding Provisions to ensure that the residential development is successfully integrated with abutting uses and all required municipal services are provided.

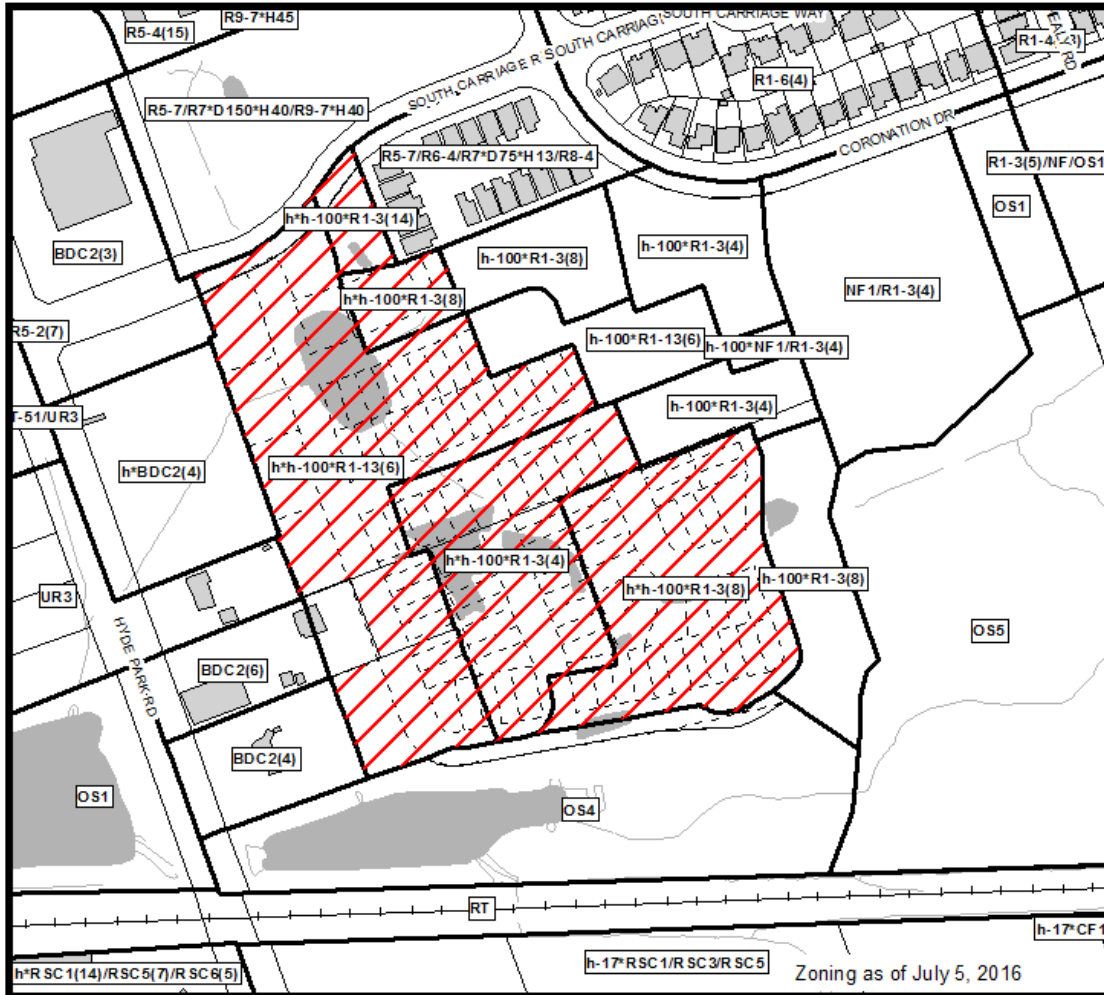
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<p>Legend</p> <table border="0"> <tr> <td></td> <td>Downtown</td> <td></td> <td>Office/Residential</td> </tr> <tr> <td></td> <td>Wonderland Road Community Enterprise Corridor</td> <td></td> <td>Office Business Park</td> </tr> <tr> <td></td> <td>Enclosed Regional Commercial Node</td> <td></td> <td>General Industrial</td> </tr> <tr> <td></td> <td>New Format Regional Commercial Node</td> <td></td> <td>Light Industrial</td> </tr> <tr> <td></td> <td>Community Commercial Node</td> <td></td> <td>Regional Facility</td> </tr> <tr> <td></td> <td>Neighbourhood Commercial Node</td> <td></td> <td>Community Facility</td> </tr> <tr> <td></td> <td>Main Street Commercial Corridor</td> <td></td> <td>Open Space</td> </tr> <tr> <td></td> <td>Auto-Oriented Commercial Corridor</td> <td></td> <td>Urban Reserve - Community Growth</td> </tr> <tr> <td></td> <td>Multi-Family, High Density Residential</td> <td></td> <td>Urban Reserve - Industrial Growth</td> </tr> <tr> <td></td> <td>Multi-Family, Medium Density Residential</td> <td></td> <td>Rural Settlement</td> </tr> <tr> <td></td> <td>Low Density Residential</td> <td></td> <td>Environmental Review</td> </tr> <tr> <td></td> <td>Office Area</td> <td></td> <td>Agriculture</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Urban Growth Boundary</td> </tr> </table>			Downtown		Office/Residential		Wonderland Road Community Enterprise Corridor		Office Business Park		Enclosed Regional Commercial Node		General Industrial		New Format Regional Commercial Node		Light Industrial		Community Commercial Node		Regional Facility		Neighbourhood Commercial Node		Community Facility		Main Street Commercial Corridor		Open Space		Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth		Multi-Family, High Density Residential		Urban Reserve - Industrial Growth		Multi-Family, Medium Density Residential		Rural Settlement		Low Density Residential		Environmental Review		Office Area		Agriculture				Urban Growth Boundary
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<p>CITY OF LONDON Department of Planning and Development OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: 39T-08502 / Z-8614</p> <p>PLANNER: CS</p> <p>TECHNICIAN: JTS</p> <p>DATE: August 23, 2016</p>																																																			

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

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

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

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

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

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RR - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

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

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
39T-08502/Z-8614 CS

MAP PREPARED:
August 23, 2016 JTS

1:3,500
0 15 30 60 90 120
Meters

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

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BACKGROUND

The applicant originally submitted an application for Draft Plan of Subdivision and associated Official Plan and Zoning By-law amendments for the northern portion of this parcel (255 South Carriage Road under file 39T-08502) and the southern portion of this parcel (1331 Hyde Park Road under file 39T-08503) on January 15th 2008. In 2010, Kenmore Homes obtained ownership of both 1331 Hyde Park Road and 255 South Carriage Road and as a result applications 39T-08502 and 39T-08503 were consolidated under one file, being 39T-08502.

The application for Draft Plan of Subdivision Approval was accepted on January 14, 2008. A revision to the draft plan was submitted on June 2, 2010 and a further revision to the draft plan was submitted on December 7, 2011. All plans were circulated to the required agencies and municipal departments with the latest circulation occurring on December 14, 2011. The application was advertised in the London Free Press Civic Corner on December 24, 2011. A notice of Public Meeting was advertised in the London Free Press on March 10, 2012, and a notice of Public Meeting was sent out on March 20, 2012. The Public Meeting was held on March 26, 2012. The application was referred back to staff and a subsequent public meeting was held on May 28, 2012.

On August 3, 2012 the City of London Approval Authority granted draft plan of subdivision approval. On August 28, 2012 the decision of draft plan of subdivision was appealed by Sydenham Investment Inc. On November 6, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal by Sydenham Investments was withdrawn by letter dated September 13, 2013. As per Section 51 (51) of the Planning Act, the draft approval lapse date is September 14, 2016.

The Approval Authority granted a six (6) month emergency extension to draft plan approval on September 8, 2016 to allow the applicant, staff and the abutting condominium corporation time to resolve concerns regarding the proposed form of townhomes on South Carriage Road.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority

The applicant has secured the necessary Section 28 approvals for the proposed development. We recommend that the most current version of the plan should be forwarded to the UTRCA's Land Use Regulations Officer.

CP Rail

This is in reference to your circulation of the revised application for Approval of Draft Plan of Subdivision. The above application is adjacent to our Windsor Subdivision, classified as a principal main line.

Canadian Pacific Railway is not in favour of residential developments adjacent to our right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities.

However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, we request that the following requirements be included as Conditions of Subdivision Approval:

1. *A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures if required. The Railway may consider other measures recommended by the study.*

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2. A clause should be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.

Staff Response: proposed draft plan conditions 68, 69 and 70 addresses this comment.

Union Gas

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

Staff Response: proposed draft plan condition 60 addresses this comment.

PUBLIC LIAISON:	On May 9, 2016 Notice of Application was sent to all property owners within 120 metres. Notice of Application was also published in The Londoner on May 19, 2016.	A reply was received from the Board of Directors MCC 611 located at 1144 Coronation Drive.
Nature of Liaison:		
<p>The purpose and effect of these applications is to revise an approved residential draft plan of subdivision to permit the lands to be developed for a mix of residential uses. Residential areas will consist of single detached dwellings and street townhouse dwellings.</p> <p>Consideration of a revised Plan of subdivision containing:</p> <ul style="list-style-type: none"> • 97 single detached dwelling lots; • 8 street townhouse blocks; • 4 local streets. <p>The revised application includes the reconfiguration of the residential lots, blocks and roads.</p> <p>Possible Amendment to Zoning By-law Z.-1:</p> <ul style="list-style-type: none"> • FROM a Holding Residential R1 Special Provision (h*h-100*R1-3 (14)) Zone which permits single detached dwellings one storey in height, maximum of 5 metres, a minimum lot area of 300m² and minimum lot frontage of 10 metres TO a Holding Residential R4 (R4-4) Zone which permits street townhomes with a minimum lot frontage of 5.5 metres per unit and a minimum lot area of 180m² and maximum height of 10.5 metres; • FROM a Holding Residential R1 Special Provision (h*h-100*R1-3 (8)) Zone which permits single detached dwellings with a minimum lot area of 300m² and minimum lot frontage of 11 metres TO a Holding Residential R4 (R4-4) Zone which permits street townhomes with a minimum lot frontage of 5.5 metres per unit and a minimum lot area of 180m² and maximum height of 10.5 metres; • FROM a Holding Residential R1 Special Provision (h*h-100*R1-13 (6)) Zone which permits single detached dwellings with a minimum lot area of 270m² and minimum lot frontage of 9 metres TO a Holding Residential R4 (R4-4) Zone which permits street townhomes with a minimum lot frontage of 5.5 metres per unit and a minimum lot area of 180m² and maximum height of 10.5 metres; 		

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The above noted possible changes could permit a mix of single detached and street townhouse residential uses. The existing Holding provisions are to be continued on the amended zones and require development agreements, provision of servicing, street orientation, urban design and noise mitigation measures to be implemented to the satisfaction of the City prior to removal

Responses: The proposed revision, if approved, would negatively affect our condominium community on multiple levels, including the following:

- Three-story townhomes would block the view from our homes westward, and would rob the home owners on the west end of our community of their privacy.
- Construction of blocks of townhomes immediately beyond our fence line would very likely exacerbate drainage issues in the area.
- A change from single family homes to blocks of townhomes would constitute an adverse influence on our property values.

ANALYSIS

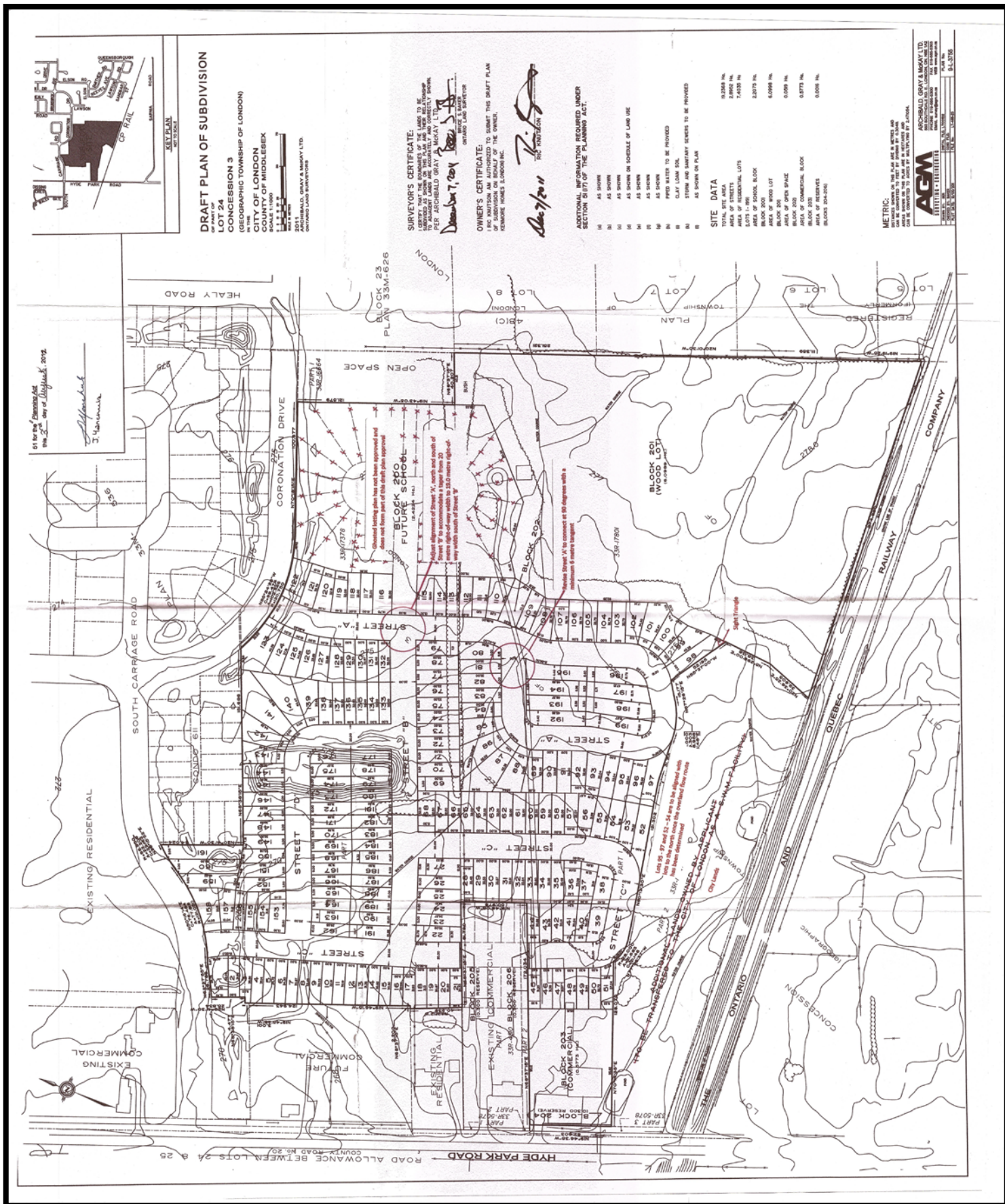
By letter dated April 8, 2016 the property owner requested draft approval extension for a further three (3) years. The request was circulated on May 9, 2016 which includes revision to the draft plan to change the road patterns. Zoning By-law amendments are required to match the proposed revised road patterns and townhouse blocks.

The proposed revision will allow for the realignment of the road network and includes the creation of a window street along the north side of the stormwater management block that will provide for better connectivity through the subdivision. A pedestrian path system is proposed along the north side of stormwater management pond that connects Hyde Park Road to the City Park and residential subdivision to the east.

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Existing Draft Plan- 2012



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Proposed Revised Draft Plan



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The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today’s standards and to take into account the revisions to the plan. The changes to conditions of draft approval are to address engineering and planning issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and ***bold italic lettering*** (additions) on the attached Schedule “39T-08502”. If granted, the new draft approval lapse date would be September 14, 2019.

Provincial Policy Statement (2014)

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

The proposed use achieves objectives for efficient development and land use patterns, represents a form of intensification of a vacant parcel of land which is located well within the City’s urban growth area, utilizes existing public services and infrastructure, supports the use of public transit, and maintains appropriate levels of public health and safety. These lands have not been identified as a component of the Natural Heritage System, nor are they designated Open Space. They are designated and intended over the long term for low and medium density residential use.

Planning Act - Section 51(24)

Planning staff have reviewed the requirements under section 2 of the Planning Act and regard has been given to matters of provincial interest. Municipal water is available to service this development. Municipal services are adequately provided including sewage, water, garbage collection, roads and transportation infrastructure. The proposed draft plan is located in a municipality which actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities. There is access to nearby parks and recreational facilities, fitness facilities, medical facilities, and emergency and protective services. There is an elementary school (St Marguerite d’Youville Separate School) and various cultural/social facilities in the immediate area. This area is predominantly single family residential. The broader area contains a mix of low, medium and high density housing. There is adequate provision for a full range of housing. There is adequate provision of employment areas throughout the City and in close proximity to this site. The proposed draft plan implements the land use policies in accordance with the City’s Official Plan and Hyde Park Area Plan. The proposed draft plan supports public transit and promotes pedestrian movement through the adjacent subdivisions.

The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services are normally addressed in the conditions of draft plan.

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

Official Plan Policies

Low Density

The Low Density Residential designation which applies to the majority of the south portion of the lands permits low-rise, low density housing forms including single detached, semi-detached and duplex dwellings(at a maximum density of 30 units per hectare) as the main permitted uses. The proposed zoning amendment is consistent with the existing approved uses and complies with Low Density Residential policies of the Official Plan.

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Multi-Family Medium Density Residential

The Multi-Family Medium Density Residential designation which applies to the north portion of this parcel permits multiple-unit residential developments having a low rise profile, with a maximum density of 75 units per hectare (uph). Uses may include row houses, cluster houses, low-rise apartment buildings and certain specialized residential facilities such as small scale nursing homes. The proposed townhouses are consistent with the Multi-Family Medium Density Residential policies and provide an appropriate mix of housing types and density.

The proposed revision and zoning amendments comply with the Low Density and Multi-Family Medium Density Residential policies of the Official Plan.

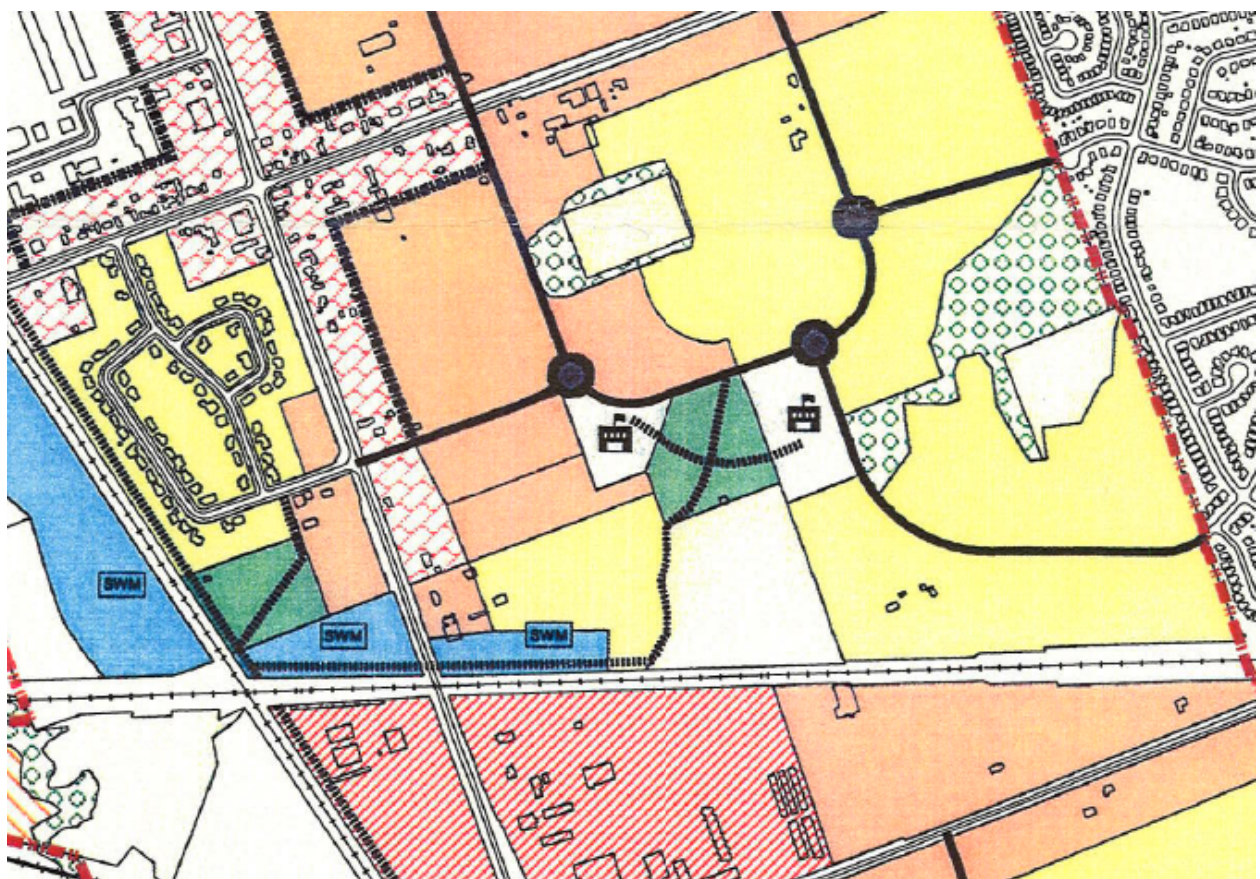
Hyde Park Community Plan

The Hyde Park Community Plan was adopted by Council pursuant to Section 19.2.1. of the Official Plan as a guideline document for the review of planning and development applications, for the planning of public facilities and services, and as the basis for amendments to the Official Plan and Zoning By-law and guide for subdivisions within the Hyde Park Community. The goals for the Hyde Park Community Plan, which was adopted by Council in December 2000, are:

- to provide an appropriate mix of housing types and to allow for choice in housing.
- to provide the required community facilities (ie: parks, schools, passive recreational facilities, etc.) for future residents.
- to provide appropriate linkages with adjacent existing and planned communities.
- to promote compatibility with the existing developed areas including the residential neighbourhoods of Whitehills and Gainsborough Meadows, the Hyde Park hamlet and the existing land uses west of Hyde Park Road, and
- to ensure adequate access to and utilization of community-wide public facilities.

The adopted Community Plan provided direction for the locations for school sites; storm water management sites; the collector road system; a district park and neighbourhood parks, and other open space areas.

Excerpt of Community Plan adopted by Council December 2, 2000.



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The proposed revised draft plan proposes a road network that has more connectivity than the current draft approved plan. The proposed road network provides a window street along north side stormwater management facility. A proposed multi use path system will provide for pedestrian links to Hyde Park Road along the north side of the stormwater management facility to the lands to the east. The proposed revised plan and zoning amendment is consistent with the existing approved uses and complies with the Hyde Park Community Plan.

The London Plan

The City of London Municipal Council adopted The London Plan on June 23, 2016. The London Plan is a comprehensive revision and update of the City’s current Official Plan.

The London Plan is currently being reviewed by the Province. The proposed Zoning By-law amendment and revised Plan of Subdivision have been reviewed with regard to the London Plan.

The proposed development is consistent with the classification of streets and their intended character, goals and functions as it:

- Provides for a high level quality pedestrian realm along the neighbourhood connector and the neighbourhood streets that includes the window street and pedestrian pathway on the north side of the stormwater management facility.
- The proposed street townhomes provide for a quality pedestrian realm and high standard of urban design along the neighbourhood connector (South Carriage).

The proposed development is consistent the policies of the Neighbourhood place type as it:

- Provides for attractive streetscapes, buildings, and public spaces.
- Provides for a diversity of housing choices.
- Provides for a well-connected neighbourhood, from the Hyde Park Commercial corridor to the neighbourhoods and open spaces to the east.
- Provides for easy access to daily goods and services provided along the Hyde Park Commercial corridor within walking distance.
- Provides for parks, pathways, and recreational opportunities.

The proposed development is consistent with the policies of the London Plan.

Zoning By-law Amendment

Planning Impact Analysis

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

- it is compatible with the surrounding land uses and will not impact development on present and future land uses in the area.
- the size and shape of the parcel can accommodate the intensity of the proposed use;
- the property is located within close proximity to the Hyde Park Commercial corridor, has access to public open space and recreational facilities, community facilities, and transit services.
- the proposed zoning will permit height, location and spacing of buildings consistent with the surrounding land uses;
- the location of vehicular access points comply with the City’s road access policies.
- the proposed development is consistent with the City’s Official Plan and Zoning By-law,

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Staff has reviewed the proposed zoning of the subject property to implement the revised draft plan and recommends that it is appropriate and represents good land use planning.

The proposed Zones will allow for development that is compatible with the zoning of surrounding lands and will not negatively impact future land uses in the area.

Proposed Holding Provisions

To ensure for the orderly development of lands the following holding provisions are included in the proposed zoning amendment.

h-Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

The h- Holding provision is appropriate to be included on all of the residential zoned lands to ensure for the orderly development of lands, that sufficient security is deposited and a development agreement is entered into with the City prior to development.

h-100 Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

The subdivision has access to South Carriage Drive and Coronation Drive. The first phase of the subdivision has only one public access onto Coronation Drive and cannot provide a looped water system. The second access and water looping is dependent on the completion of the second phase of the subdivision. The proposed holding provision will allow for a maximum of 80 units to be developed in the subdivision prior to the provision of water looping and a second access connection.

Urban Design

The Hyde Park Community Plan Community and Urban Design Guidelines were adopted by the City in 2001 to provide for an identifiable character, sense of place, and a high quality of design for the Hyde Park Community.

Section 3.6 of the Hyde Park Community Plan Community and Urban Design Guidelines states that Collector or Local streets that have open space on one side will be known as Park Side Drives. Park Side Drives serve to provide a high quality of public access and visibility of the open space feature. The proposed road network provides a window street along the north side stormwater management facility.

The proposed revision will allow for the realignment of the road network and includes the creation of a window street along the north side of the stormwater management block that will provide better connectivity through the subdivision. Sidewalks will be provided within the subdivision to connect to the City Park and school site to the east and allow for pedestrian movement to the shopping opportunities to the west. The plan of subdivision can be serviced with existing infrastructure without the costly need for extensions. This subdivision will be integrated into the existing neighbourhood and will not put an undue strain on municipal services such waste collection and disposal, public utilities, fire and police protection, parks, schools, and other community facilities.

The proposed subdivision design is consistent with the Official Plan policies and Hyde Park Community Plan in the general layout and arrangement of the land uses.

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Public Circulation Comments

- Three-story townhomes would block the view from our homes westward, and would rob the home owners on the west end of our community of their privacy.
- Construction of blocks of townhomes immediately beyond our fence line would very likely exacerbate drainage issues in the area.
- A change from single family homes to blocks of townhomes would constitute an adverse influence on our property values.

View and Privacy

The condominium is located within an area that is designated for multifamily forms of residential development. A reasonable expectation is that the abutting lands will develop residentially in a form that is compatible. Compatibility is not inclusive to or the same as existing development but is consistent and in harmony with existing uses. The lands immediately to the west of the condominium (1144 Coronation Drive) include a special provision zone that permits single storey development to a maximum height of five (5) metres. The proposed zoning for townhomes along South Carriage Road maintains the special provision for single storey development to a maximum of five (5) metres. The proposed zoning permits development that is compatible with the existing condominium.

Stormwater Management

The City of London Drainage By-law WM-4 requires through a subdivision agreement that all stormwater is maintained and controlled in the plan of subdivision. Through the subdivision approval process a development agreement will be entered into with the developer requiring stormwater to be managed in conformity with the City's By-law.

Decreased property values

Conclusive information regarding the impact on property values associated with higher density forms of housing or tenure characteristics is difficult to determine. Very often the impact on property values is related to such matters as the design of the higher density development, property upkeep and maintenance, property management, and the quality of construction. These issues relate more to the design and management of the use rather than the actual use itself. Municipal planning is not based on property values, but rather on assessing issues such as planning impact, appropriate land use, scale, density, massing and design.

Servicing

To service this land, the Owner will be require to construct:

- watermains and connect them to the 300 mm (12") diameter watermain on South Carriage Road (high level), the existing 200 mm diameter watermain on Finlay Place, the existing 200 mm diameter watermain on Emma Chase and the existing 200 mm diameter watermain on Noah Bend;
- storm sewers, and connect to the existing municipal storm sewer system, namely, the 1800 mm (72") diameter storm sewer located on South Carriage Road and the 1200 diameter storm sewer outletting to the Hyde Park SWM Facility IBI; and
- sanitary sewers and connect to the existing municipal sewer system, namely, the 450 mm (18") diameter sanitary sewer located on South Carriage Road, the 200 mm diameter sanitary sewer on Emma Chase and the 200 mm diameter sanitary sewer on Finley Place.

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Note: the conditions of draft approval have been updated, as identified in Appendix "39T-08502", to reflect current municipal servicing and design standards.

Required Redline Revisions to the Draft Plan

- Identify all road widths (As specified in conditions)
- Identify and revise streetline radii, where needed, to meet City standards on all roads within this plan

CONCLUSION

The change in zoning for the revised draft plan and attached revised conditions of draft approval are appropriate. The proposed revision provides for the realignment of the internal road network through the creation of a window street along the storm water management facility providing better connectivity. The proposed conditions of draft approval will ensure that this subdivision is developed under today's standards.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
CRAIG SMITH SENIOR PLANNER-DEVELOPMENT PLANNING	ALLISTER MACLEAN MANAGER – DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
JENNIE RAMSAY MANAGER-DEVELOPMENT SERVICES AND ENGINEERING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

October 24, 2016
JCS/
"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2008\39T-08502 - 255 South Carriage Road (AMacL)\Revised Draft Plan
2016\PECreportRevisionExtention39T-08502.doc

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Appendix “A”

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 255
South Carriage Road

WHEREAS Kenmore Homes (London) Inc. has applied to rezone an area of land located 255 South Carriage Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 255 South Carriage Road, as shown on the attached map, from a Holding Residential R1 Special Provision (h*h-100*R1-3 (14)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-13 (6)) Zone, and a Holding Residential R1 Special Provision (h*h-100*R1-3 (4)) Zone to a Holding Residential R1 Special Provision (h*h-100*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-13 (6)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-3 (4)) Zone, a Holding Residential R4 Special Provision (h*h-100*R4-4 (_)) Zone and a Holding Residential R4 (h*h-100*R4-4) Zone.

- 1) Section Number 8.4 of the Residential R4 (R4-4) Zone is amended by adding the following Special Provision:
 - a) Regulations:
 - i) 1 Storey Street Townhomes
 - ii) Height – 5 metres (maximum)

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

PASSED in Open Council on November 8, 2016.

Matt Brown
Mayor

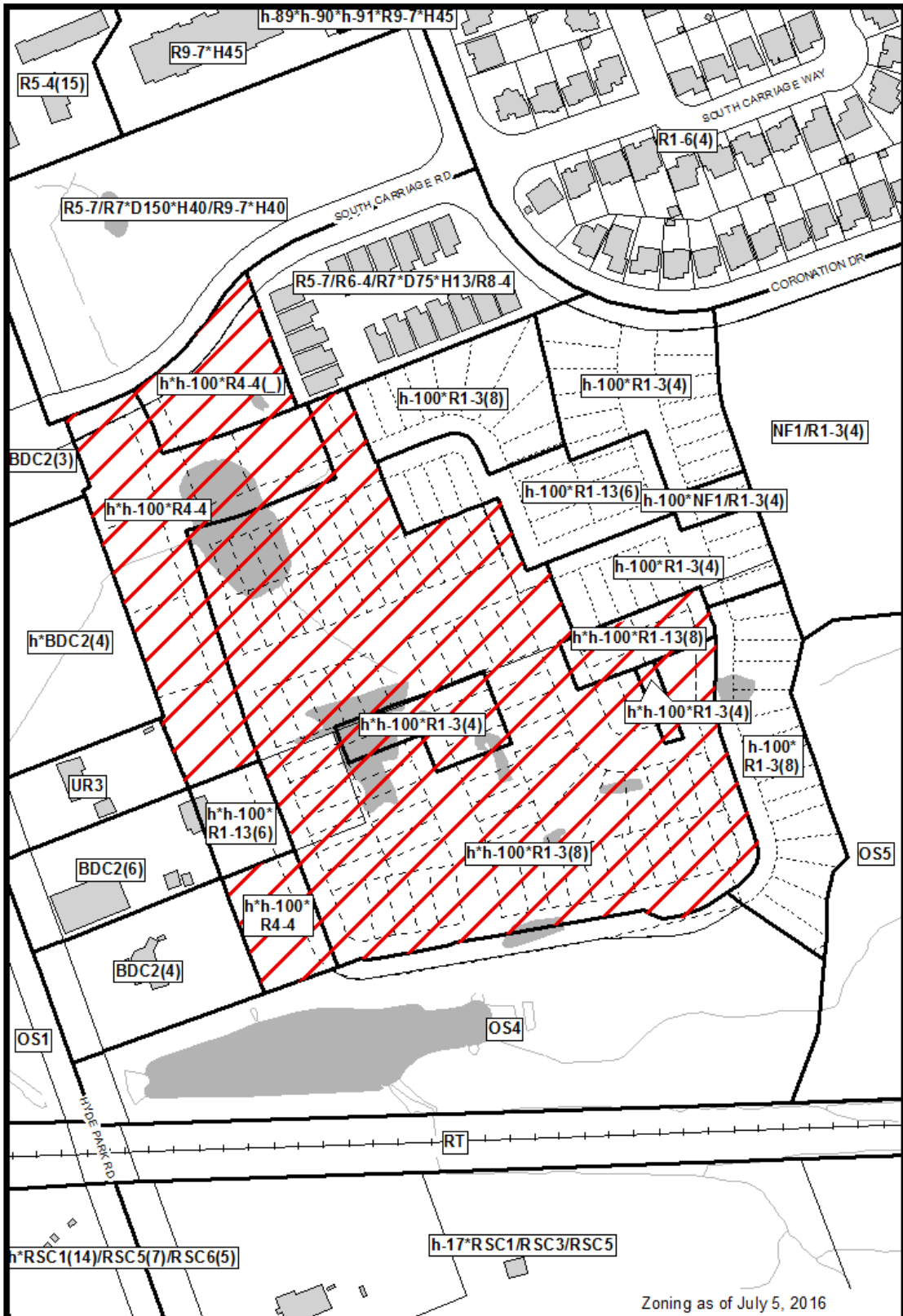
Catharine Saunders
City Clerk

First Reading - November 8, 2016
Second Reading – November 8, 2016
Third Reading - November 8, 2016

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



Zoning as of July 5, 2016

File Number: 39T-08502/Z-8614
 Planner: CS
 Date Prepared: August 22, 2016
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE

1:2,500

0 12.525 50 75 100 Meters

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Appendix "B"

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs ^{Note 1}	Estimated Cost ^{Note 3} (excludes HST)
Claims for developer led construction from CSRF - No claims identified.	\$0
Total	\$0
Estimated Total DC Revenues ^{Note 2} (2016 Rates)	Estimated Revenue ^{Note 3}
CSRF	\$3,091,938
UWRF	\$278,200
TOTAL	\$3,370,138

1 There are no claims identified in this phase of the subdivision.

2 Estimated Revenues are calculated using 2016 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.

3 The revenues and costs in the table above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.

Reviewed by:

Oct 7 / 16

Date

P. Christiaans

Peter Christiaans
Director, Development Finance

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Appendix “39T-08502”

**Conditions to be included for Draft Plan Approval
(Deleted conditions ~~Strikeout~~ New Conditions in **BOLD ITALIC LETTERING**)**

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THE SUBDIVISION, FILE NO. 39T-08502 ARE AS FOLLOWS:

No. CONDITIONS

1. ~~This draft approval applies to the draft plan submitted by Kenmore Homes (London) Inc. (File No. 39T-08502 prepared by Archibald, Gray & McKay Ltd, certified by Bruce Baker, OLS (Drawing No. 9-L-3755, dated December 1, 2011), **as redline revised** which shows 199 single detached lots, one (1) school block, one (1) open space block, one (1) commercial block, one (1) pathway block and various reserve blocks served by one (1) collector road and five (5) new local streets.~~

This draft approval applies to the draft plan submitted by Kenmore Homes (London) Inc. (File No. 39T-08502) prepared by Holstead and Redmond Limited, certified by David Bianchi, OLS (Drawing No. 13-0148E, dated April 1, 2016), as revised which shows 97 single detached lots, eight (8) townhouse blocks and various reserve blocks served by four (4) new local streets.

2. ~~The approval of this draft plan 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.~~

This approval of the draft plan applies until Sept 14, 2019, 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 within 90 days of draft approval submit proposed street names for this subdivision to the City.

5. The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.

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. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.

8. ~~The Owner shall enter into a subdivision agreement and shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.~~

9. The required subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.

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10. Phasing of this subdivision (if any) shall be to the satisfaction of the City.
11. 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. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City.
12. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied; and 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 the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.
13. Prior to final approval, the Owner shall request the City of London Finance Department to advise the Approval Authority that all financial obligations/encumbrances owed to the City on the said lands have been paid in full, including property taxes and local improvement charges.
14. ~~The Owner shall obtain and submit to the City a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. The Owner shall not grade or disturb soils on the property prior to the release from the Ministry of Culture.~~
15. The Owner shall not commence construction or installations of any services (e.g. 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; (e.g. 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 Environment, City; etc.)

Sanitary

16. ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:~~
 - ~~i) Provide a sanitary drainage area plan, including any external drainage area(s) and the proposed sanitary routing, to the satisfaction of the City;~~
 - ~~ii) Provide an analysis which shall indicate the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and an evaluation of additional measures, if any, which will need to be incorporated in the design and construction of the sewers to ensure that the sewers will meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.~~

In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:

- i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City; and***
- ii) Provide an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and***

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recommend additional measures, if any, which need to be undertaken, to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407;

iii) Demonstrate that servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City servicing which meet City of London standards and requirements.

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

- ~~i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 450 mm (18") diameter sanitary sewer located on South Carriage Road and the 375 mm (15") diameter sanitary sewer on Coronation Drive;~~
- ~~ii) The Owner shall construct an extension of the sanitary sewer on Hyde Park Road to serve Block 203 (the southerly portion of the site) and connect the proposed extension to the existing 200 mm (8") diameter sanitary sewer on Hyde Park Road;~~
- ~~iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and~~
- ~~iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City.~~

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

- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 450 mm (18") diameter sanitary sewer located on South Carriage Road, the 200 mm diameter sanitary sewer on Emma Chase and the 200 mm diameter sanitary sewer on Finley Place;***
- ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;***
- iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and***
- iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.***

18. ~~In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall:~~

- ~~i) Throughout the duration of construction within this draft plan of subdivision, 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;~~

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- ~~ii) Not allow any weeping tile connections into the sanitary sewers within this Plan; and~~
- ~~iii) Following construction, the Owner shall have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407. Also, if requested, the Owner shall permit the City to undertake smoke testing of the sanitary system at any time prior to assumption of the subdivision.~~

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

- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;***
- ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;***
- iii) Installing Parson Manhole Inserts (or approved alternative satisfaction to the City Engineer) in all sanitary 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.***

- ~~19. 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 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. 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.~~

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.

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Storm and Stormwater Management

20. ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and a SWM Servicing Report/Letter of Confirmation to address the following:~~

- ~~i) Identify the storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City;~~
- ~~ii) Identify major and minor storm flow routes for the subject lands, to the satisfaction of the City;~~
- ~~iii) Develop 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;~~
- ~~iv) Implement 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;~~
- ~~v) Provide a concept grading plan and road design to match the grading of the existing Stormwater Management Facility; and,~~
- ~~vi) Provide an overland flow capacity analysis and recommend any proposed modifications to the outlet into the east cell of the Hyde Park No. 1B1 SWM facility. Any modifications to the existing overland flow inlet of the SWM facility will be undertaken by the City or its contractor to the satisfaction of the City and all costs associated with potential modifications will be borne by the Owner.~~

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) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the existing Stormwater Management Facility built by the City abutting lands to the south of this plan;***
- iv) Providing a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to construction, grading and drainage of this subdivision and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City Engineer. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback, if necessary;***
- v) 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***

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- vi) **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.**

Should the proposed Storm/Drainage and SWM servicing works vary from the approved Functional SWM Plan for Hyde Park SWM Facility 1B1 and Hyde Park SWM Facility 1, an updated Functional SWM Plan may be required to address the above, in lieu of a SWM Servicing Letter/Report of Confirmation.

21. ~~The required Storm/Drainage and SWM Servicing Report/Letter of Confirmation Design Studies submission 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 Stanton Drain Subwatershed Study and any addendums/amendments;~~
- ~~ii) The accepted Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule 'B' Class Environmental Assessment and any addendums/amendments;~~
- ~~iii) The approved Functional Stormwater Management Plan for Hyde Park SWM Facility 1 and the approved Stormwater Management Functional Design Report for the Hyde Park SWM Facility 1B1, or any updated Functional Stormwater Management Plan;~~
- ~~iv) The requirements of the Hyde Park Road Improvements Environmental Assessment;~~
- ~~v) The accepted Stormwater Letter of Confirmation prepared in accordance with the file manager process and requirements for the subject development.~~
- ~~vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;~~
- ~~vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;~~
- ~~viii) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and~~
- ~~ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.~~

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 Stanton Drain Subwatershed Study and any addendums/amendments;**
- ii) The accepted Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule B Class Environmental Assessment;**

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- iii) The approved Stormwater Management Functional Design Report for the Hyde Park SWM Facility 1 and the approved Stormwater Management Functional Design Report for the Hyde Park SWM Facility 1B1;***
- iv) The pending approval and requirements of the Hyde Park Improvements EA;***
- 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 City’s Design Requirements for Permanent Private Stormwater Systems (PPS) approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.***
- viii) The Ministry of the Environment and Climate Change (MOECC) SWM Practices Planning and Design Manual, as revised; and***
- ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.***

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

- ~~i) Construct storm sewers, located within the Stanton Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1800 mm (72") diameter storm sewer located on South Carriage Road and the 1500 mm (60") diameter storm sewer on Coronation Drive;~~
- ~~ii) Construct private services to connect Lots 159-161 to the existing 1800 mm (72") diameter storm sewer on South Carriage Road;~~
- ~~iii) Make provisions to oversize the internal storm sewers to accommodate flows from upstream lands external to this plan, all to the specifications of the City;~~
- ~~iv) Grade the south boundary of the plan to blend in with the abutting SWM pond lands, to the satisfaction of the City, at no cost to the City; and,~~
- ~~v) Construct and implement erosion and sediment control measures as accepted in a Drainage Servicing Report for these lands satisfactory to the City and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.~~

In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:

- i) Construct storm sewers, located within the Stanton Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1800 mm (72") diameter storm sewer located on South Carriage Road and the 1200 diameter storm sewer outletting to the Hyde Park SWM Facility IBI.***
- ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;***

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- iii) **Grade and drain the boundary of roads and lots abutting the SWM Facility to the south of this plan to blend in, at no cost to the City;**
- vi) **Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and**
- vii) **Address forthwith any deficiencies of the stormwater works and/or monitoring program.**

~~23. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:~~

- ~~i) For lots and blocks in this plan, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;~~
- ~~ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;~~

Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:

- i) **For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;**
- ii) **Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;**
- iii) **Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and**

#) In conjunction with the design studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner and incorporated into the engineering drawings in accordance with the approved design criteria, to the satisfaction of the City, at no cost to the City.

~~24. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify 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 the City, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages~~

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~~arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.~~

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

~~25. The Owner shall provide a security in the amount of \$60,000 for the Erosion and Sediment Control Plan. In the event of failure to properly implement and maintain the required ESCP, the ESCP security will be used to undertake all necessary cleanup work.~~

#) *The Owner shall have it's professional engineer ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.*

#) *The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.*

Watermains

~~26. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information:~~

- ~~i) A water servicing report which addresses the following:

 - ~~— Identify external water servicing requirements;~~
 - ~~— Confirm capacity requirements are met;~~
 - ~~— Identify need to the construction of external works;~~
 - ~~— Identify the effect of development on existing water infrastructure — identify potential conflicts;~~
 - ~~— Water system area plan(s)~~
 - ~~— Water network analysis/hydraulic calculations for subdivision report;~~
 - ~~— Phasing report;~~
 - ~~— Oversizing of watermain, if necessary and any cost sharing agreements.~~~~

- ~~ii) To address water quality requirements for the watermain system by the use of the following:

 - ~~— design calculations which demonstrate there is adequate water turnover to maintain water quality; and/or~~
 - ~~— the use of valving to shut off future connections which will not be used in the near term; and/or~~
 - ~~— the use of automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner; and/or~~~~

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~~—make suitable arrangements with Water Operations for the maintenance of the system in the interim.~~

In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:

- i) A water servicing report which addresses the following:***
 - Identify external water servicing requirements;***
 - Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;***
 - Confirm capacity requirements are met;***
 - Identify need to the construction of external works;***
 - Identify the effect of development on existing water infrastructure – identify potential conflicts;***
 - Water system area plan(s)***
 - Water network analysis/hydraulic calculations for subdivision report;***
 - Phasing report and identify how water quality will be maintained until full built-out;***
 - Oversizing of watermain, if necessary and any cost sharing agreements.***
 - Water quality***
 - Identify location of valves and hydrants***
 - Identify location of automatic flushing devices as necessary***
 - Looping strategy***
- ii) Submit a servicing layout to the lots for the street townhouse configuration which indicates adequate separation requirements will be met for all servicing***

~~27. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:~~

- ~~i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm (12") diameter watermain on South Carriage Road (high level) and the 300 mm (12") diameter watermain on Coronation Drive (high level);~~
- ~~iv) Construct watermains to serve Block 203 and connect them to the existing municipal system, namely, the existing 900 mm (36") diameter watermain on Hyde Park Road (low level) noting when the future high level watermain along Hyde Park Road is available, Block 203 is to be connected to the high level system; 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) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm (12") diameter watermain on South Carriage Road (high level), the existing 200 mm diameter watermain on Finlay Place, the existing 200 mm diameter watermain on Emma Chase and the existing 200 mm diameter watermain on Noah Bend;***
- ii) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering***

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drawings. The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval; and
iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units.

~~28. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations of the Water Servicing Report (identified in condition 26 i)) to address the water quality requirements for the watermain system, to the satisfaction of the City, at no cost to the City.~~

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.

#) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on engineering drawings. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their removal. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.

#) 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.

Transportation

~~29. In conjunction with the Design Studies submission, the Owner shall submit a transportation impact statement in accordance with the Transportation Impact Study Guideline to determine the impact of this development at the intersection of Hyde Park Road and South Carriage Drive to the satisfaction of the City. Prior to undertaking this study, the Owner shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study. The Owner shall undertake any recommendations of the study, to the satisfaction of the City and at no cost to the City.~~

In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City Engineer for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.

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In conjunction with Design Studies submission, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.

30. ~~For any construction within the South Carriage Road and Coronation Drive rights-of-way, the Owner shall restore the roads and relocate any utilities to the extent necessary for the lots fronting South Carriage Road and for the construction of any intersecting local street, as shown on the plan of subdivision, to the satisfaction of the City, at no cost to the City.~~

For any construction within the South Carriage Road right-of-way, the Owner shall restore the road, make revisions to traffic calming measures, street lights and relocate any utilities to the extent necessary for the blocks fronting South Carriage Road and for the construction of any intersecting local street, as shown on the accepted engineering drawings, to the satisfaction of the City, at no cost to the City

- #) ***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 submission of detailed design drawings, the Owner shall have his consulting engineer include minimum 30 metre tapers at all locations in the Plan where streets are reduced in width (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City. The road shall be equally aligned from the centreline.~~

In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions

32. ~~The Owner shall ensure a minimum of 5.5 metres (18') will be required along the curb line between the projected property lines of irregular shaped lots around the bends.~~

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.

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

- ~~i) Street 'A' (from Coronation Drive to Street 'B'), Street 'B', Street 'C' and Street 'D' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').~~
- ~~ii) Street 'A' (south of Street 'B') has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').~~

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

- i) Finley Crescent, Noah Bend, Emma Chase and Owen Lane have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').***

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

Road Allowance
20.0 m

S/L Radius
9.0 m

34. ~~At 'tee' intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre (20') tangent being required along the street lines of the intersecting road.~~

At 'tee' intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre (20') tangent being required along the street lines of the intersecting road.

35. ~~The Owner shall construct a 1.5 metre (5') sidewalk on both sides of the following streets:~~

- ~~i) Street 'A' from Coronation Drive to Street 'B'~~
- ~~ii) Street 'B'~~
- ~~iii) Street 'C' from South Carriage Road to Street 'B'~~

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

- ~~i) Street 'A' outside boulevard~~
- ~~ii) Street 'C' outside boulevard~~

Sidewalks/Bikeways

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

- i) Finley Crescent – outside boulevard***
- ii) Noah Bend – outside boulevard – north of Emma Chase***
- iii) Noah Bend – inside boulevard – south of Emma Chase***
- iv) Emma Chase – south boulevard***
- v) Owen Lane – east boulevard***

37. ~~The Owner shall install street lighting on all streets in this plan to the satisfaction of the City Engineer, at no cost to the City.~~

Street Lights

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

38. ~~The Owner shall dedicate sufficient land to widen Hyde Park Road to 18.0 metres (59.06') from the centreline of the original road allowance, to the satisfaction of the City.~~

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- #) ***The Owner shall make minor boulevard improvements on South Carriage Road adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.***
- #) ***The Owner shall reconstruct South Carriage Road fronting this plan to accommodate servicing to the satisfaction of the City Engineer, at no cost to the City, in accordance with approved design criteria and accepted engineering drawings.***

Vehicular Access

- ~~39. The Owner shall make arrangements with the City to have Block 12, as shown on Plan 33M-526, dedicated as public highway, at no cost to the City.~~

Prior to final approval, the Owner shall make all necessary arrangements, financial and otherwise, with the City to have the ownership of Block 12, Plan 33M-526, (the 0.3 m reserve) transferred to the Owner and include those lands by combining with the respective property owners of Blocks 100 and 101 and Finley Crescent in the final plan, to the satisfaction of the City, at no cost to the City.

Alternatively, prior to final approval, the Owner shall make all necessary arrangements, financial and otherwise, with the City to have Block 12, as shown on Plan 33M-526, dedicated as public highway with South Carriage Road, at no cost to the City, to the satisfaction of the City Engineer.

- #) ***In conjunction with the Design Studies submission, the Owner shall provide a concept plan identifying the location of a joint access to service the future residential areas west of Block 104, to prevent the creation of accesses onto Hyde Park Road, to the satisfaction of the City.***

Construction Access Roads

- ~~40. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hyde Park Road via South Carriage Road or other routes as designated by the City.~~

The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hyde Park Road via South Carriage Road or other routes as designated by the City Engineer.

- ~~41. 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.~~

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.

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42. ~~The Owner shall construct a temporary turning facility for vehicles at north limit of Street 'C', adjacent to Lots 43-46, to the specifications of the City.~~

~~Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements and /or security. 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

43. ~~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.~~

44. ~~Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage must be completed and operational, all to the specification and satisfaction of the City.~~

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.

45. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services situated on private lands outside this plan, and shall provide satisfactory easements over the sewers, as necessary, all to the specifications and satisfaction of the City.

46. 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.

47. 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**.

48. ~~The Owner shall have the common property line of Hyde Park Road and Block 203 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 Hyde Park Road are the future centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City.~~

49. 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:

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- 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.

50. 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 Engineer, 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.

51. 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.

52. 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.

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

~~54. In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.~~

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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.

55. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for “Guidelines for Notification to Public for Major Construction Projects”.
56. ~~In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, to the satisfaction of the City Engineer. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction, as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.~~

In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, identifying any possible existing contaminants, foundation design, removal of existing fill (including but not limited to organic and deleterious materials), the placement of new engineering fill, any necessary setbacks related to slope stability for lands within this plan and any other requirements as needed by the City, all to the satisfaction of the City. The report shall also provide recommendations on soil conditions, disposal and fill needs with recommendations on any required remediation and/or mitigation measures to the satisfaction of the City Engineer. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.

57. ~~Prior to the issuance of any Certificate of Conditional Approval, any remedial or other works as recommended in the above accepted hydro geological report shall be implemented by the Owner, to the satisfaction of the City Engineer, at no cost to the City.~~
58. ~~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.~~

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.

59. ~~In conjunction with the Design Studies submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall complete the following:~~
- ~~i) Submit a phasing plan, all to the specifications and satisfaction of the City Engineer.~~

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- ~~ii) If any temporary measures are required in conjunction with the phasing, these temporary measures shall be constructed to the specifications and satisfaction of the City, at no cost to the City.~~
- ~~iii) 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, to the satisfaction of the City.~~

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.

- 60. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements 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.
- 61. 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.
- 62. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
- 63. 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.
- #) ***In conjunction with Design Studies submission, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to street townhouse blocks shown on this plan. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.***
- #) ***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

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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.

- #) ***In conjunction with the Design Studies submission, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.***
- #) ***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.***
- #) ***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.***
- #) ***Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate the existing earth stockpile generally located on the southerly lots adjacent to the SWMF, all to the satisfaction of the City and at no cost to the City.***
- #) ***Prior to the issuance of any Certificate of Conditional Approval for Lot F1, F2 and Block 98 the Owner shall construct the proposed retaining wall adjacent to the rear property line of the said Lots and Block 98 as shown on the accepted engineering drawings and have its professional engineer certify that the said walls were constructed in accordance with the accepted engineering drawings, all to the satisfaction of the City.***
- #) ***The Owner shall register against the title of Lot F1, F2 and Block 98 in this Plan, and include in the Agreement of Purchase and Sale for the transfer of the said Lots and Block, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Lots and Block shall be responsible for the maintenance of the retaining wall in the future located on the said Lot, at no cost to the City.***
- #) ***Prior to assumption, the Owner's professional engineer shall certify to the City, the retaining wall on Lot F1, F2 and Block 98 in this Plan are in a state of good repair and functioning as intended, all to the satisfaction of the City.***
- #) ***The Owner shall dedicate Block 61 to the City, at no cost to the City.***

Planning

- 64. ~~The Owner shall set aside Block 200 as a school site for a period of three (3) years after registration of the first phase of this subdivision. This Block shall be included within the 1st phase to be registered.~~
- 65. ~~Prior to the submission of engineering drawings, the Owner shall have a Tree Preservation Report and Plan and a final lot layout prepared and accepted by the Manager of Forestry. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the preservation of quality specimen trees, and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree~~

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~~Preservation Reports and Tree Preservation Plans. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.~~

- ~~66. In conjunction with the Design Studies submission, the Owner shall prepare a tree hazard report and implement the accepted recommendations along the periphery of the woodlot within one year of registration of the first phase of the plan all to the satisfaction of the Manager of Forestry.~~
- 67. As part of the Design Studies submission, the Owner shall submit a parking plan to the satisfaction of the City. The accepted parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan. Should the parking plan be unacceptable, a relotting of the draft plan will be required to ensure sufficient on street parking spaces are accommodated.
- 68. In conjunction with the Design Studies submission, the Owner shall submit a noise and vibration report prepared by a qualified consultant in accordance with Provincial guidelines to investigate the extent to which noise and vibration from the adjacent railway will impacts on this residential plan of subdivision. The report shall be circulated the applicable rail operator. The recommendations of this report shall be constructed or installed by the Owner or may be included as a provision or set of provisions in the subdivision agreement, entered into between the Owner and the municipality, that is to be registered on title.

Should the noise report substantiate the need for a warning clause to be applied to this subdivision, the following warning clauses shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for the affected lots:

“Purchasers are advised that despite the inclusion of noise control measures within the subdivision and within the individual building unit, noise levels may continue to be of concern, occasionally interfering with some activities of the dwelling occupants. There may be alterations to or expansions of the Rail facilities on such right-of-way in the future including the possibility that the Railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual dwellings; and the Railway will not be responsible for any complaints or claims arising from the use of its facilities and/or operations.”

“Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision.”

- 69. Prior to submission of engineering drawings, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise and adjacent stationary noise sources on Blocks 101-105 and Lots F35-47 which considers noise abatement measures that are to be applied in accordance with the requirements of the M.O.E. and the City Official Plan policy to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.
- 70. Should a noise wall not be required along the rear of on Blocks 101-105, the Owner shall install a consistent fencing treatment which is graffiti proof (i.e. a living wall) along the rear of these lots.

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~~71. Within one (1) year of registration of the 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 private lots and blocks adjacent to existing and/or future Park and/or Open Space Blocks. Fencing shall be completed to the satisfaction of the Manager of Parks Planning and Design.~~

~~72. The Owner shall convey up to 5% of the lands included in this plan and as required in the Consent agreement (B.12/10) for the abutting lands to the south to the City of London for park purposes. This shall include the pathway access block to the woodlot; the sight triangle at lot 98 and a portion of the woodlot Block 201.~~

No parkland dedication is required as it has been satisfied through a previous registered plan (33m-700, Phase 1) of this subdivision.

~~73. The Owner shall sell a 0.037 hectare overdedication of parkland to the City in accordance with the parkland dedication By-law CP-9-1004 within 1 year of registration of the phase containing Block 201 at a total cost of \$13,714.05.~~

~~74. Within one (1) year of registration of this plan, the Owner shall prepare and deliver to all homeowners adjacent to Block 201 an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City Planner.~~

~~75. 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 Lots 1, 122, 123 and 158, of this Plan, are required to have a side entry garage, with driveway access from Street "A", a main entry of the home which fronts the collector road and limited chain link or decorative fencing along the exterior side yard abutting the collector road. Further, the owner shall obtain approval of their proposed design from the Manager, Community Planning & Urban Design prior to any submission of an application for a building permit for Lots 1, 122, 123 and 158 in this Plan.~~

The Owner 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, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior side yard road frontage. Further, the owner shall obtain approval of their proposed design from the Manager of Urban Design prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan

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- 76. ~~The Owner shall prepare a report pertaining to the removal of the Van Horik Drain. The report shall address the impacts of the removal of the watercourse features on conveyance and capacity and confirm how these issues will be resolved. Compensation for the loss of the features also needs to be addressed all to the satisfaction of the UTRCA.~~

- 77. The Owner, in consultation with the LTC, shall indicate on the approved engineering drawings the possible 'Future Transit Stop Areas". The Owner shall install signage as the streets are constructed, indicating "Possible Future Transit Stop Area" in the approximate stop locations. The exact stop locations shall be field located as the adjacent sites are built, at which time the developer shall install a 1.5 metre wide concrete pad between the curb and the boulevard at the finalized stop locations.

- 78. ~~As part of the Design Studies submission, the Owner shall detail how the recommendations of the EIS (prepared by EarthTech, dated March 28, 2008) and subsequent addendum (dated August 28, 2008) will be incorporated into the plan, all to the satisfaction of the City.~~

- 79. ~~As part of the Design Studies submission, the Owner shall prepare a pathway concept, prepared by a register landscape architect, from the existing park block at 1260 Coronation Drive to Street C. The consultant shall pre-consult with the Parks Planning and Design Department to determine the appropriate budget for the pathway. In addition, the owner shall submit, with the standard engineering servicing drawings submission, full design and construction plans to the satisfaction of the City Planner.~~

- 80. ~~The Owner shall construct the pathway from the existing park block at 1260 Coronation Drive to Street C, within one (1) year of registration of the plan containing the pathway, all to the satisfaction of the City. Works will be claimable from the Capital Works budget based on the approved concept plans and cost estimates.~~

- 81. ~~The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the Manager of Parks Planning and Design.~~

- 82. ~~In conjunction with Design Studies, the Owners consulting engineering shall confirm the land area required to accommodate the overland flow route and the pathway adjacent to SWM facility 1B1. Based on this review, the Owner shall transfer all or a portion of lots 52 and 97 to the City at no cost to the City as an enlargement of the stormwater management pond to accommodate overland flows and to facilitate the construction of a pathway.~~

- 83. ~~The Owner shall grade, service and seed a portion of Block 201, lot 52 and 97 as defined at the design studies stage, within one (1) year of registration of the phase containing these lands, in accordance with City standards and to the satisfaction of the Manager of Parks Planning and Design~~