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39T-11505/Z-7994
A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: VISTA WOODS ESTATES LTD. 751 FANSHAWE PARK RD W PUBLIC PARTICIPATION MEETING ON MAY 7, 2012

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the application of Vista Woods Estates Ltd. relating to the property located at 751 Fanshawe Park Road West:

- (a) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft plan of subdivision of Vista Woods Estates Ltd. relating to the property located at 751 Fanshawe Park Road West;
- (b) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, as submitted by Vista Woods Estates Ltd. (File No. 39T-11505 prepared by Whitney Engineering Inc., certified by Jeremy Matthews, OLS, as redline revised which shows 10 single detached dwellings served by one (1) new street and Eagletrace Drive, **SUBJECT TO** the conditions contained in the attached Appendix "39T-11505";
- (c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the subject property **FROM** a Holding Compound Residential R5/R6 (h-54 R5-4/R6-5) Zone **TO** a Holding Residential R1 (h. R1-4) Zone to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 360 square metres (3,875 square feet).

RELATED ESTIMATED COSTS AND REVENUES

Estimated Costs – This Agreement	
Claims from Urban Works Reserve Fund – General	Nil
Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
Total	Nil

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Estimated Revenues - This Agreement (2012 rates)	
CSRF	\$164,500
UWRF	\$66,270
Total	\$230,770

1. There are no expenditures associated with this subdivision that have implications for funds administered by the City.
2. Estimated Revenues are calculated using 2012 DC rates. 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.

It should be noted that that there will be increased operating and maintenance costs for works being assumed by the City.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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October 2011 - Staff report to remove Holding Provisions (H-7904)

June 2011 – Special Provisions report for Phase I

November 2004 – Staff Report to Planning Committee relating to Vista Woods Subdivision (39T-03505/Z-6463)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of these applications is to permit the lands to be developed for 10 single detached dwellings.

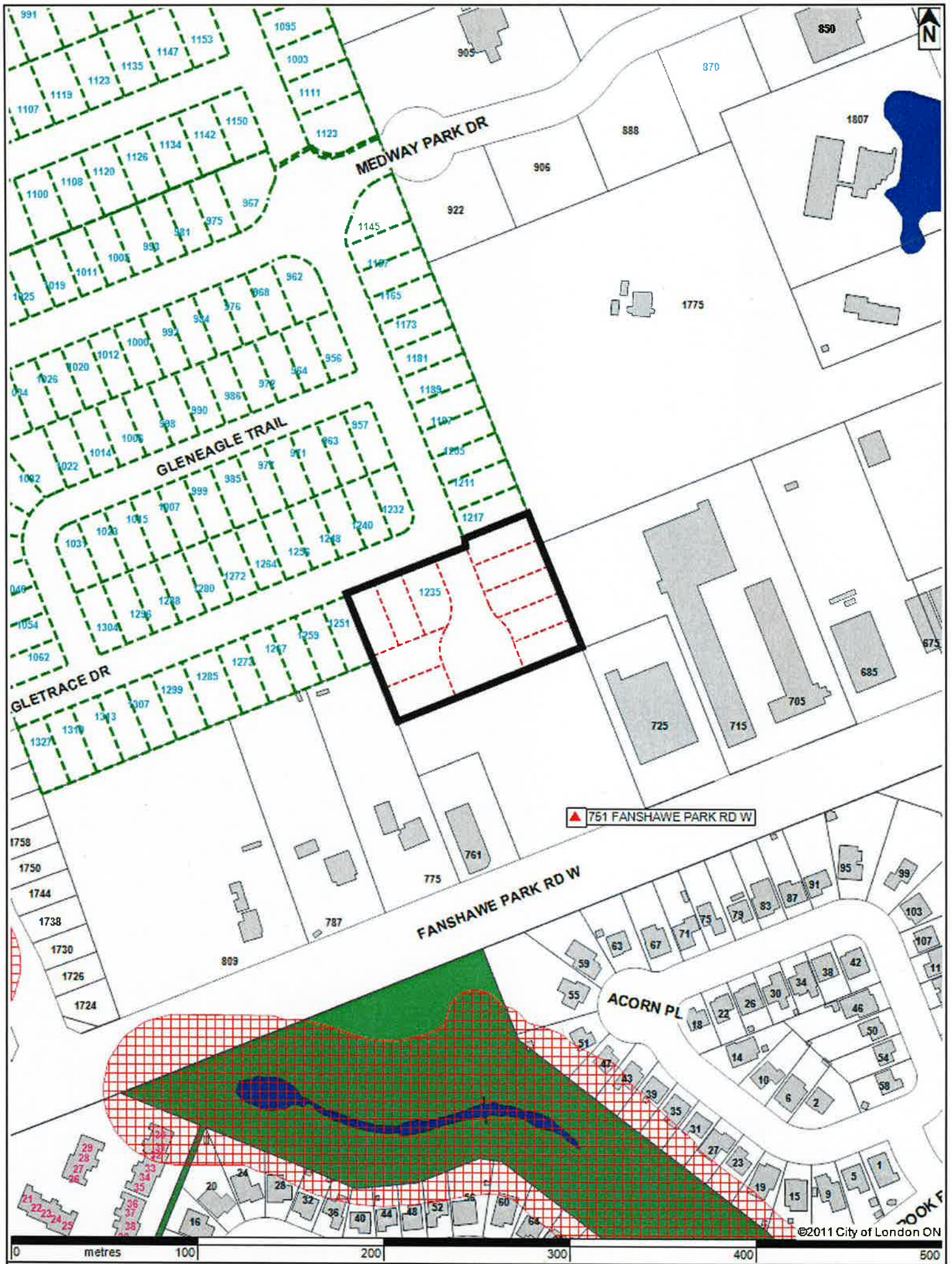
RATIONALE

1. The proposed development is consistent with the Provincial Policy Statement.
2. The proposed amendments to the Z-1 Zoning By-law are appropriate and implement the draft plan of subdivision.
3. The recommended draft plan and associated conditions of draft approval represent sound land use planning.

BACKGROUND

Date Application Accepted: November 17, 2011	Agent: Kyle McIntosh, Whitney Engineering.
REQUESTED ACTION: Approval of a draft plan of subdivision to permit the lands to be developed for 10 single detached dwellings including an associated Zoning By-law amendment application.	






SITE CHARACTERISTICS:



LOCATION MAP

Subject Site: 751 Fanshawe Park Rd
 File Number: 39T-11505/Z-7994
 Created By: Allister MacLean
 Date: 2011-12-07
 Scale: 1:2500

LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



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|---|
| <ul style="list-style-type: none"> • Current Land Use - vacant • Frontage – 69.34 m (227.5 ft) • Depth – 72.74 m (238.65 ft) • Area – 0.8 ha (1.98 acres) • Shape - rectangular |
|---|

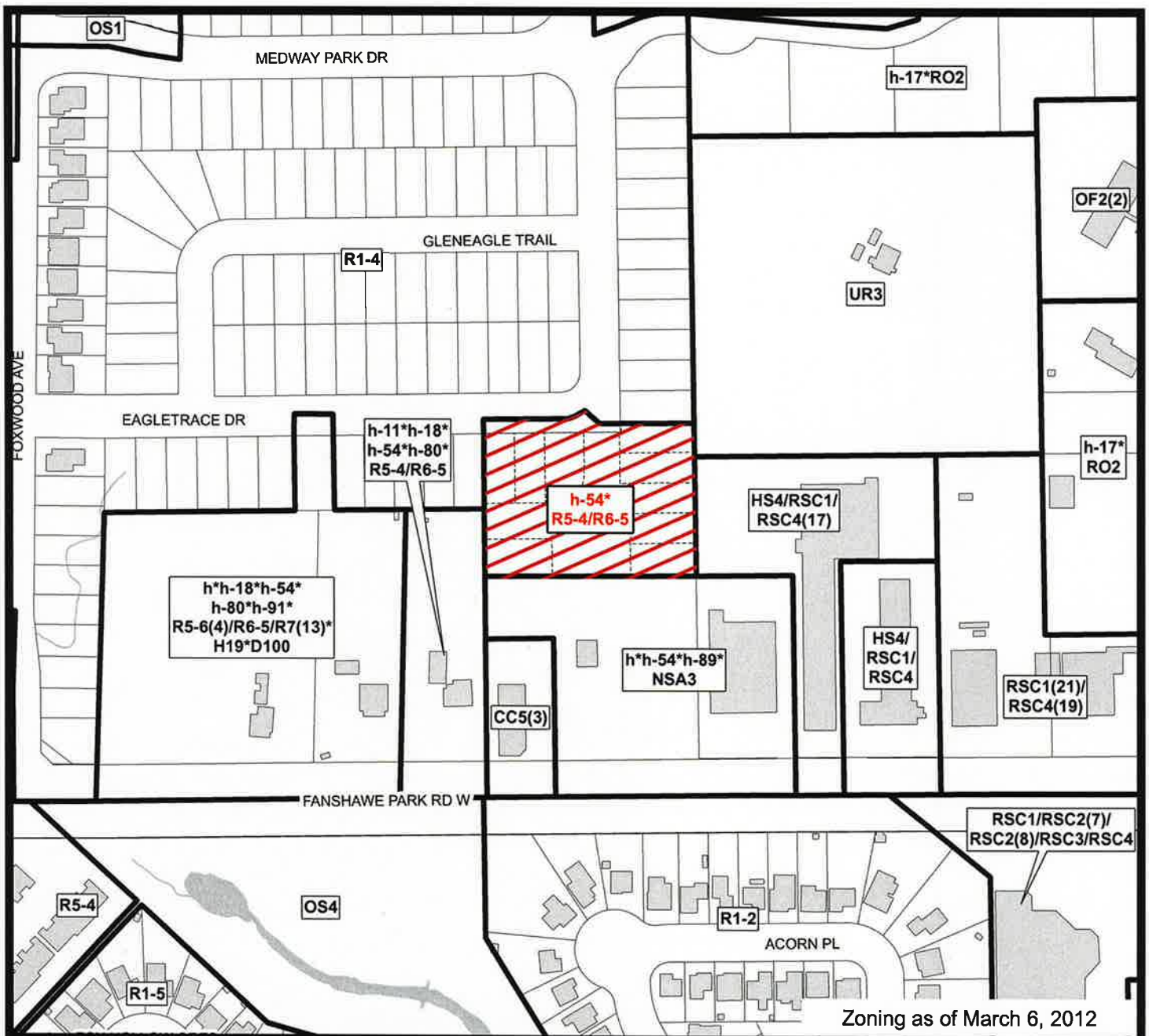
- | |
|---|
| <p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North – future single detached dwellings (Vista Woods Phase I - 33M 639) • South –future commercial • East – motel(The Lighthouse Inn) • West – single detached dwellings |
|---|

- | |
|---|
| <p>OFFICIAL PLAN DESIGNATION: (refer to map)</p> <ul style="list-style-type: none"> • Multi-Family Medium Density Residential |
| <p>EXISTING ZONING: (refer to map)</p> <ul style="list-style-type: none"> • h-54 R5-4/R6-5 |

<p>PLANNING HISTORY</p>

The subject lands are located within the Foxhollow Community Planning Area. This Community Planning Area is generally bounded by Sunningdale Road West, Wonderland Road North, Fanshawe Park Road West and Hyde Park Road. The community plan and associated amendments to the Official Plan were adopted by Council in March 1999.

This parcel formed part of draft plan 39T-03505 which was draft approved in 2004. The lands were rezoned at that time to permit medium density residential development. This parcel was created on December 13, 2011 and is identified as Block 94 in plan 33M-639. The southern portion of the original draft approved block(which fronts Fanshawe Park Rd) was rezoned to permit commercial uses.



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-54*R5-4/R6-5

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
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

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

2)  **ANNEXED AREA APPEALED AREAS**

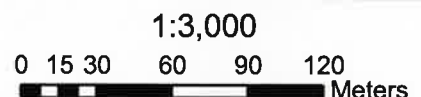
CITY OF LONDON
 PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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

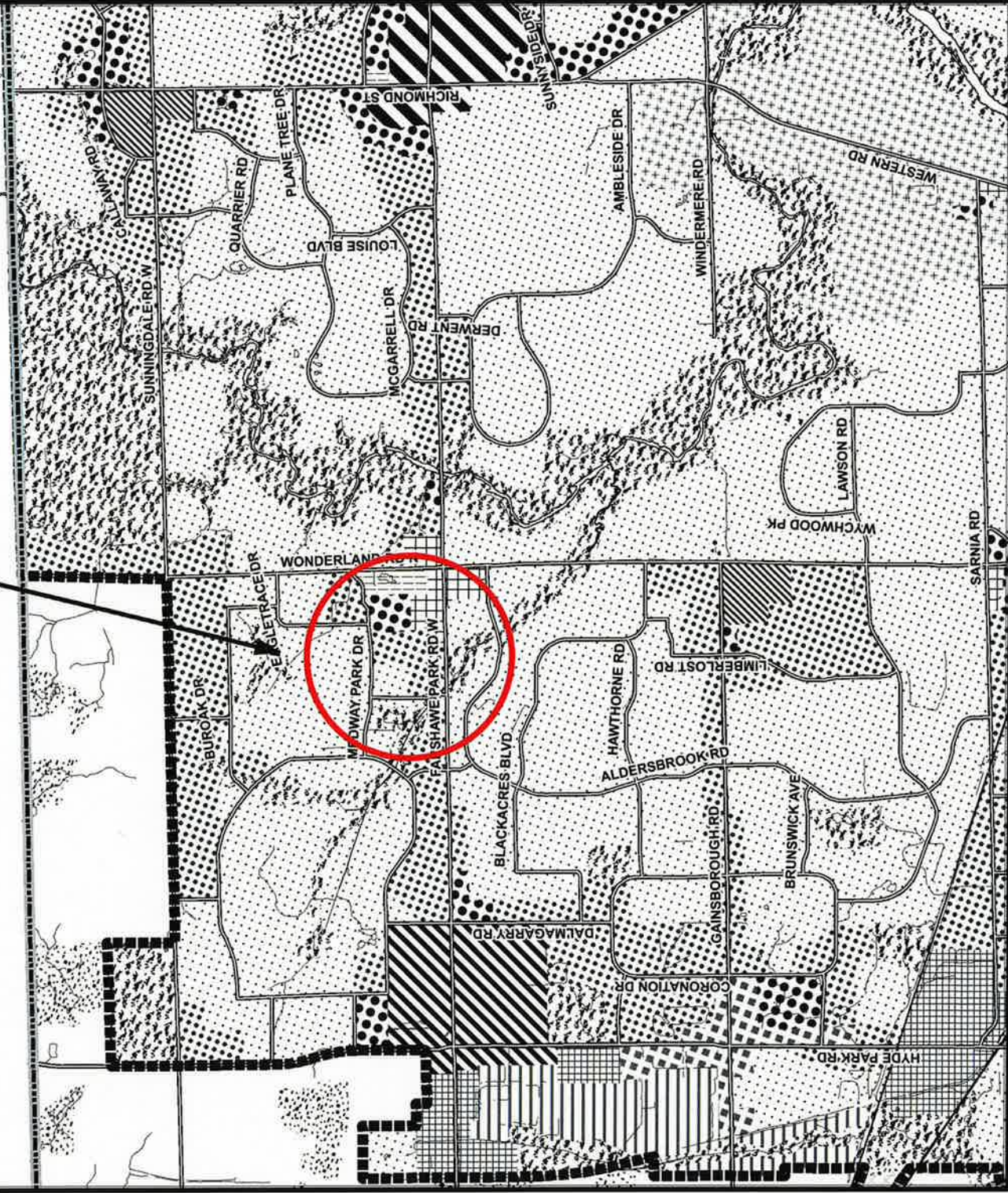


FILE NO:
 39T-11505, Z-7994 AM

MAP PREPARED:
 April 25, 2012 JS



SUBJECT SITE



Legend

- Downtown Area
- Enclosed Regional Commercial Node
- New Format Regional Commercial Node
- Community Commercial Node
- Neighbourhood Commercial Node
- Main Street Commercial Corridor
- Auto-Oriented Commercial Corridor
- Multi-Family, High Density Residential
- Multi-Family, Medium Density Residential
- Low Density Residential
- Office Area
- Office/Residential

- Office Business Park
- General Industrial
- Light Industrial
- Regional Facility
- Community Facility
- Open Space
- Urban Reserve - Community Growth
- Urban Reserve - Industrial Growth
- Rural Settlement
- Environmental Review
- Agriculture
- Urban Growth Boundary
- Areas Under Appeal

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -



Scale 1:30,000



FILE NUMBER: 39T-11505, Z-7994

PLANNER: AM

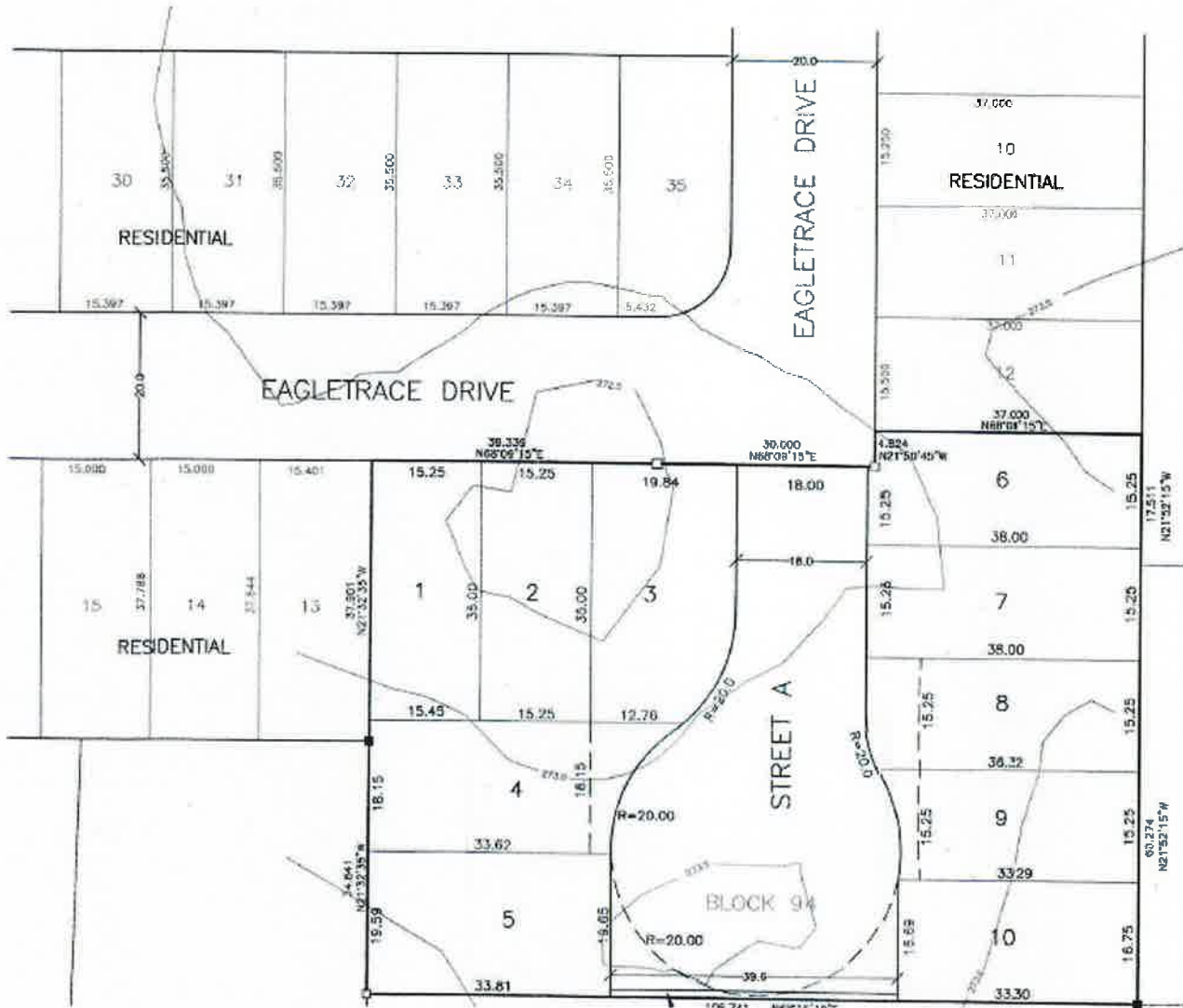
TECHNICIAN: JS

DATE: APRIL 25, 2012

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Submitted Draft Plan



SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Canada Post

This subdivision will receive mail service to centralized mail facilities provided through our Community Mailbox program. The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post :

- a) include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) the owner further agrees to :
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by

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Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

- ii) install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in affect for buildings and complexes with a common lobby, common indoor or sheltered space.

London Hydro

London Hydro has adequate 27.6 kV underground distribution along Eagletrace Drive for this development. The internal servicing of the development should present no foreseeable problems. The applicant will be responsible for the cost associated with the underground system expansion within the development, but they may receive rebates from London Hydro based on connected load over a five year connection window. Transformation lead times are minimum 16 weeks. London Hydro recommends you contact their engineering department to confirm transformer requirements and availability. The applicant will be responsible for the cost associated with the relocation of any existing infrastructure as a result of this development.

Bell Canada

Prior to commencing any work within the Plan, the developer must confirm that sufficient wire-line communication/ telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services). If there are any conflicts with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for re-arrangements or relocations.

PUBLIC LIAISON:	On December 9, 2011, 15 letters were sent to surrounding property owners advising of the application. Notice of the application was also published in the December 17, 2011 Living in the City section of the London Free Press.	None.
Nature of Liaison: Consideration of a Residential Plan of Subdivision with 10 single detached residential lots and a reserve block, served by Eagletrace Drive and one (1) new street.		

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Possible Amendment to Zoning By-law Z-1 to change the zoning from a Holding Compound Residential R5/R6 (h h-54 R5-4/R6-5) Zone to a Residential R1 (R1-4) Zone to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 360 square metres (3,875 square feet);
Responses: None.

ANALYSIS

This report will address include a review of the draft plan of subdivision and requested Zoning By-law amendment in conjunction with the Provincial Policy Statement(2005), and relevant Official Plan policies.

PROVINCIAL POLICY STATEMENT (2005)

This application has been reviewed for consistency with the 2005 Provincial Policy Statement. It is staff's position that the draft plan of subdivision will provide for a healthy, livable and safe community. The plan incorporates lots which are consistent in size with those recently registered in Plan 33M639 to the north. The single detached housing will assist in meeting projected housing needs and the planned infrastructure will allow for the development of these lands.

Based on staff's analysis, this draft plan is consistent with the 2005 Provincial Policy Statement.

PLANNING ACT - SECTION 51(24)

Section 51(24) of the Planning Act provides municipalities with criteria which must be considered prior to approval of a draft plan of subdivision. The Act notes that in addition to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality, regard shall be had for,

- the effect of development of the proposed subdivision on matters of provincial interest;
- whether the proposed subdivision is premature or in the public interest;
- whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- the suitability of the land for the purposes for which it is to be subdivided;
- the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- the dimensions and shapes of the proposed lots;
- the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- conservation of natural resources and flood control;
- the adequacy of utilities and municipal services;
- the adequacy of school sites;
- the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area.

As previously noted it is staff's position that the proposed draft plan is consistent with the 2005 Provincial Policy Statement. The proposed development is not premature given the infrastructure planned for the area. The recommended redline plan conforms to the Official Plan and will be integrated with adjacent subdivisions to the north. The Foxhollow Community Plan,

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which was prepared for this area, identified this as a suitable area for medium density forms of housing (which includes low density form of housing as well). The existing transportation infrastructure is designed to accommodate this development.

The proposed zoning provides for low density residential housing. There will be no restriction on adjoining land as a result of approving this draft plan of subdivision. There are no natural resources or flooding issues associated with these lands. The owner will be required as a condition of draft approval to construct the necessary utilities and services.

Based on staff's analysis, the recommended redline draft plan is consistent with all of the relevant criteria within Section 51(24) of the Planning Act.

OFFICIAL PLAN POLICIES

The subject lands are designated Multi-Family Medium Density Residential. This designation 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. Low density residential uses(as proposed by the applicant) may also be considered within the Multi-family Medium Density Residential land use designation.

The recommended draft plan of subdivision and the recommended residential Zoning By-law amendments conform to the low density residential policies in terms of building form and density.

SUBDIVISION DESIGN

There is one local street proposed within this draft plan. This street will provide access for the 10 lots and will abut future commercial development to the south. The lands immediately to the west (775 Fanshawe Park Rd W) are zoned to permit medium density residential development. A condition of draft approval for the original draft plan (39T-03505) required that access to 775 Fanshawe Park Rd W be provided through the Vista Woods draft plan in order to limit the access points to Fanshawe Park Rd. This access was to be provided through this parcel. It is recommended that this draft plan condition from 39T-03505 be carried forward and that lot 5 of this draft plan be withheld from development until such time as it is determined whether or not it is required to provide for private access to these lands.

It is also recommended that a walkway be provided at the south limit of Street "A" to provide for pedestrian access to the future commercial development to the south.

OPEN SPACE AND ACTIVE PARKLAND

Open Space and Active Parkland will be taken in future phases of the original draft plan 39T-03505.

SERVICING

The Owner will be required to construct private services to connect Lots 1 to 3 to the proposed 300 mm (12") diameter sanitary sewer on Eagletrace Drive and Lots 4 to 10 to the proposed 200 mm (8 inch) diameter sanitary sewer on Street 'A'.

The Owner will also be required to construct private services to connect Lots 1 to 3 to the proposed 450 mm (18") diameter storm sewer on Eagletrace Drive and Lots 4 to 10 to the proposed 525 mm (21 inch) diameter storm sewer on Street 'A'. The proposed sewer will outlet to the regional Fox Hollow SWM Facility # 4, located in the Fox Hollow Phase 1 Subdivision (to the west).

The Owner will be required to construct private services to connect Lots 1 to 3 to the proposed 200 mm (12") diameter watermain sewer on Eagletrace Drive and Lots 4 to 10 to the proposed 200 mm (8 inch) diameter watermain on Street 'A'. The proposed sanitary, storm sewers and

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watermains are to be constructed in conjunction with the recently registered Phase I - Vista Woods Subdivision (Plan 33M-639 immediately to the north).

PROPOSED ZONING

The subject lands are currently zoned Residential R5-4/R6-5. The applicant has requested an R1-4 zone to develop lots with a minimum lot frontage of 12 metres and a minimum lot area of 360 m2. This zoning is consistent with the zones which have been applied to the single detached lots to the north of this plan (in Vista Woods Phase I) and it implements appropriate use and standards for the development of these lots.




REDLINE REVISIONS

The following redline revisions are recommended:

- i) Centreline of Street 'A' is to be aligned with the centreline of Eagletrace Drive (east leg)
- ii) Taper Street 'A' from an 18 metre right-of-way to a 20 metre right-of-way over 30 metres to align with Eagletrace Drive and adjust abutting lots accordingly
- iii) Revise the portion of the cul-de-sac so it is not located within the 0.3 metre reserve
- iv) Adjust streetline radii at throat of cul-de-sac to be 23.0 metres from 20.0 metres as per City standard SR-5.0.
- v) Label Lot 5 as a Future Access Block
- vi) Revise Legal description to identify "Block 94 Plan 33M-639"
- vii) Walkway required at south limit of Street "A"

CONCLUSION

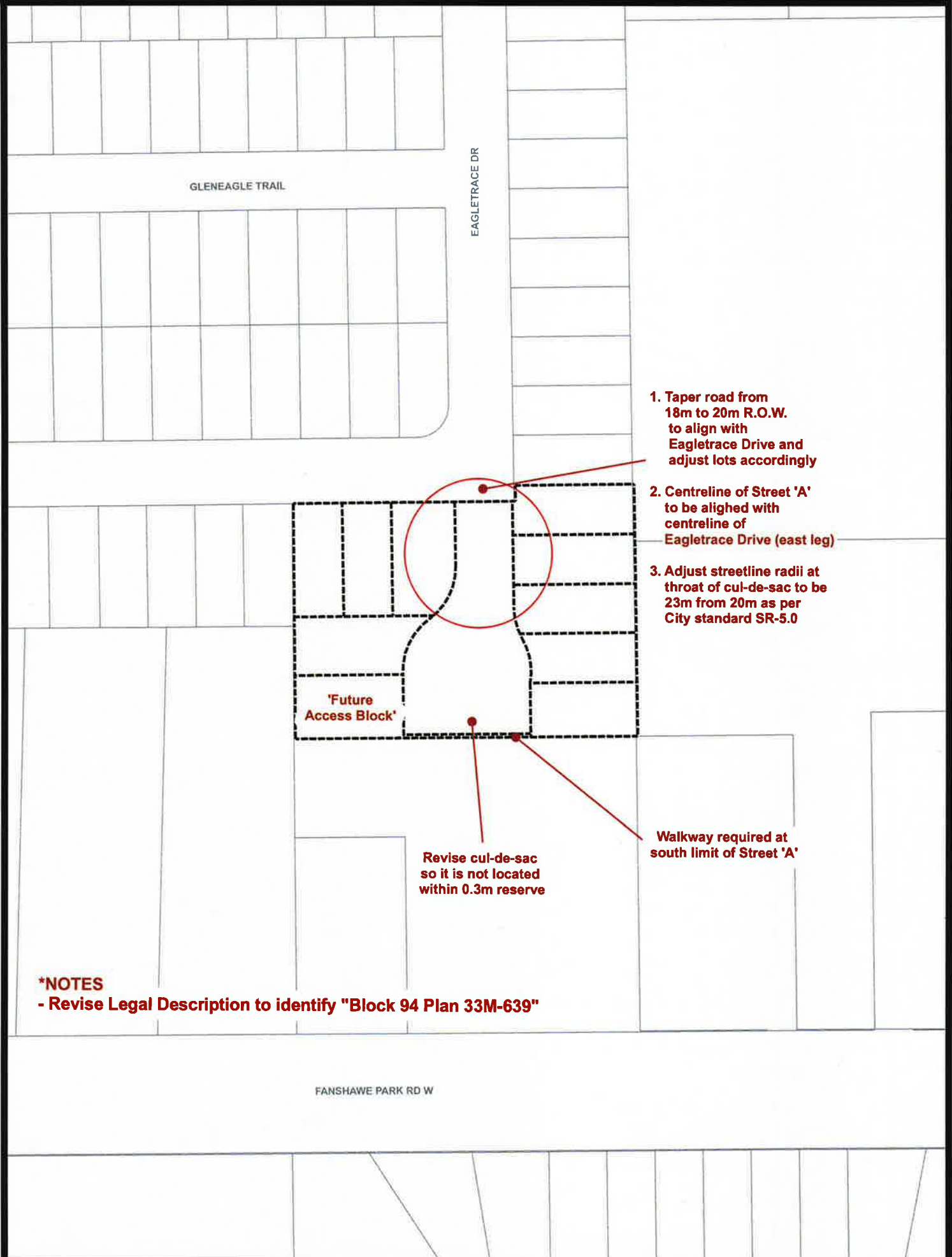
The proposed subdivision of land is consistent with the general intent of Provincial Policy Statement (2005) and City Official Plan policies. The proposed plan of subdivision, as redline amended, and the proposed Zoning By-law amendment are appropriate for the development of these lands.

RECOMMENDED BY:	REVIEWED BY:
	
ALLISTER MACLEAN SENIOR PLANNER-DEVELOPMENT PLANNING	D.N. STANLAKE DIRECTOR – DEVELOPMENT PLANNING
SUBMITTED BY:	
	
G. KOTSIFAS DIRECTOR – DEVELOPMENT CONTROLS	

April 26, 2012
AM/am
"Attach."



VISTA WOODS ESTATES LTD. (39T-11505) REDLINE AMENDED DRAFT PLAN



1. Taper road from 18m to 20m R.O.W. to align with Eagletrace Drive and adjust lots accordingly
2. Centreline of Street 'A' to be aligned with centreline of Eagletrace Drive (east leg)
3. Adjust streetline radii at throat of cul-de-sac to be 23m from 20m as per City standard SR-5.0

'Future Access Block'

Revise cul-de-sac so it is not located within 0.3m reserve

Walkway required at south limit of Street 'A'

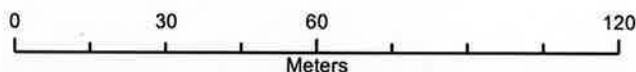
***NOTES**

- Revise Legal Description to identify "Block 94 Plan 33M-639"

FANSHAWE PARK RD W



1:1,500



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Responses to Public Liaison Letter and Publication in "Living in the City"

<u>Telephone</u>	<u>Written</u>
None	None

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
 2012

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to rezone an area of land at 751 Fanshawe Park Rd W. (Block 94 in Plan 33M-639)

WHEREAS Vista Woods states Limited have applied to rezone an area of land located at 751 Fanshawe Park Rd W.(Block 94 in Plan 33M-639), 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 at 751 Fanshawe Park Rd W. (Block 94 in Plan 33M-639), as shown on the attached map from a Holding Compound Residential R5/R6 (h-54 R5-4/R6-5) Zone to a Holding Residential R1 (h. R1-4) Zone.

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

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the Planning Act, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on May 22, 2012

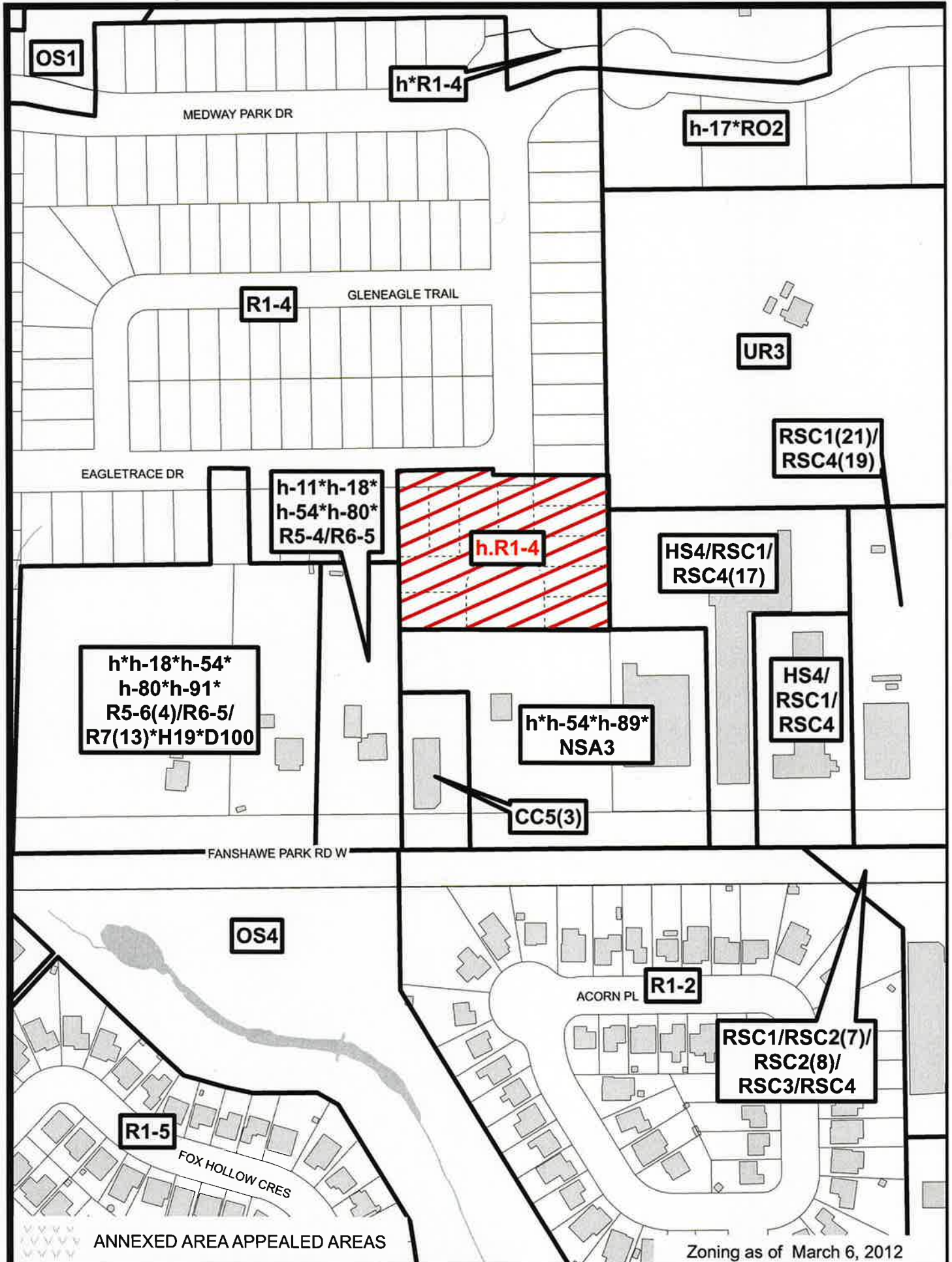
Joe Fontana
 Mayor

Catharine Saunders
 City Clerk

First Reading - May 22, 2012
 Second Reading - May 22, 2012
 Third Reading - May 22, 2012



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



File Number: 39T-11505, Z-7994

Planner: AM

Date Prepared: 2012/04/26

Technician: JS

By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



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APPENDIX 39T- 11505
(Conditions to be included for draft plan approval)

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-11505 ARE AS FOLLOWS:

NO.	CONDITIONS
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Standard

1. This draft approval applies to the draft plan submitted by Vista Woods Estates Ltd. (File No. 39T-11505 prepared by Whitney Engineering, certified by Jeremy Matthews, OLS (dated November 8, 2011), as redline revised which shows 10 single detached dwellings served by one (1) new street and Eagletrace Drive.
2. This approval of the 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.
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 a proposed street name for Street "A" to the City.
5. The Owner shall request that addresses be assigned to the satisfaction of the Director of Development Planning 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.
10. This subdivision shall be registered in one (1) phase.
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 reports and drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City Engineer and the Director of Building Controls.
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 Director of Building Controls a complete submission consisting of all required clearances, fees, and final plans, and to advise the Director in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Director, such submission will be returned to the Owner without detailed review by the City.
13. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies,

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reports, data, information or detailed engineering drawings, all to the satisfaction of the Director of Building Controls. The Owner acknowledges that, in the event that a submission does not include the complete information required by the Director, such submission will be returned to the Owner without detailed review by the City.

14. 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

15. In accordance with City standards or as otherwise required by the City, the Owner shall construct private services to connect Lots 1 to 3 to the proposed 300 mm (12") diameter sanitary sewer on Eagletrace Drive and Lots 4 to 10 to the proposed 200 mm (8 inch) diameter sanitary sewer on Street 'A'.
16. In conjunction with the Servicing Drawings submission, the Owner shall have his consulting engineer prepare and submit a revised sanitary drainage area plan to be serviced south of this plan, to the satisfaction of the City.
17. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall undertake the following:
 - 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;
 - ii) Not allow any weeping tile connections into the sanitary sewers within this Plan;
 - iii) Permit 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; and,
 - iv) Have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.
18. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to modify the reserve capacity at the Greenway/Adelaide 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.

Storm

19. 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:

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- i) Construct private services to connect Lots 1 to 3 to the proposed 450 mm (18") diameter storm sewer on Eagletrace Drive and Lots 4 to 10 to the proposed 525 mm (21 inch) diameter storm sewer on Street 'A'.
 - ii) Grade and drain the north and west boundary of this plan to blend in with Plan 33M-639, to the satisfaction of the City, at no cost to the City; and,
 - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and a SWM Servicing Letter/Report of Confirmation for these lands satisfactory to the City and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.
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 Letter/Report of Confirmation to address the following:
- i) Identify the storm/drainage 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) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Confirm the erosion/sediment control plan for the subject lands will be consistent with the accepted plans of the Vista Woods Phase 1 Subdivision (Plan 33M-639) and will be 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
 - 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.
21. The Owner shall have its consulting professional engineer prepare the above-noted Storm/Drainage and SWM Servicing Letter/Report of Confirmation, in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
 - ii) The accepted Fox Hollow Development Area Municipal Class EA Schedule 'C' for Storm/Drainage and Stormwater Management Servicing Works (October 2006) and any addendums/amendments;
 - iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands or any updated Functional Stormwater Management Plan;
 - iv) The approved Functional Stormwater Management Plan for the Fox Hollow Regional SWM Facility # 4;
 - v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - vii) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
 - viii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

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22. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City, 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;
23. Prior to final approval, 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 Engineer, 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.

Watermains

24. 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 200 mm (8") diameter watermain on Eagletrace Drive;
 - i) Construct private services to connect Lots 1 to 3 to the proposed 200 mm (12") diameter watermain sewer on Eagletrace Drive and Lots 4 to 10 to the proposed 200 mm (8 inch) diameter watermain on Street 'A'.
25. 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.

26. 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.

Transportation

27. In conjunction with the Servicing Drawings submission for this plan of subdivision, for any construction within the Eagletrace Drive right-of-way, the Owner shall restore the roads and relocated any utilities, including street lights and traffic calming measures, to the extent necessary for the lots fronting Eagletrace Drive and for the construction of the proposed intersection with Street 'A', to the satisfaction of the City, at no cost to the City.

28. The Owner shall construct a cul-de-sac on Street 'A' in accordance with City of London Standard DWG. SR-5.0 applying the raised circular centre island (R=8.0m) within the cul-de-sac standard.

29. The Owner shall align the right-of-way of Street 'A' in this plan with Eagletrace Drive to the north of this plan 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, to the satisfaction of the City.

30. In conjunction with the Servicing Drawings 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 18.0 metre right-of-way, all to the satisfaction of the City. The roads shall be tapered equally aligned based on the alignment of the road centrelines.

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

- i) Street 'A' has a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').

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

33. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Medway Park Drive via Wonderland Road North as the primary access and Foxwood Avenue via Medway Park Drive or Eagletrace Drive in Plan 33M-564 as the secondary access (if Wonderland Road North is not accessible due to its future reconstruction), except as otherwise approved by the City, all to the satisfaction of the City.

General

34. Prior to the issuance of a Certificate of Conditional Approval for this subdivision, all servicing works 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.

35. 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, at no cost to the City.

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36. 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.
37. 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.
38. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

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

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

39. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
- i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
 - ii) continue until the time of assumption of the affected services by the City.
40. 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.
41. 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

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

42. 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.
43. The Owner shall have it's professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
44. Prior to the issuance of any Certificate of Conditional Approval, any remedial or other works as recommended in the accepted hydro geological report for Vista Woods Phase 1 Subdivision, Plan 33M-639, shall be implemented by the Owner, to the satisfaction of the City, at no cost to the City.
45. 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.
46. 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.
47. 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.
48. 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.
49. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
50. 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.
51. The Owner shall transfer Lot 5 to the City as a Future Access Block abutting 775 Fanshawe Park Rd W. as needed, at no cost to the City. Should the adjacent lands develop for residential use and Lot 5 is required for access purposes, Lot 5 shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this plan (39T-11505) within 30 days of such sale. Should the City determine that Lot 5 is not needed for access purposes, then the City would transfer the lot back to the Owner of this plan for a nominal fee.
52. The Owner shall construct a walkway at the south limit of Street "A" to provide for a pedestrian connection to the future commercial development to the south.