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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley

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| TO: | CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE |
| FROM: | G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL |
| SUBJECT: | APPLICANT/APPELLANT: SUNNINGDALE GOLF & COUNTRY LTD. 379 SUNNINGDALE ROAD EAST APPEALS TO THE ONTARIO MUNICIPAL BOARD MEETING ON OCTOBER 23, 2017 |

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| RECOMMENDATION |
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That, on the recommendation of the Senior Planner, Development Services in response to appeals to the Ontario Municipal Board, dated May 24, 2017 submitted by Corlon Properties – Dave Schmidt on behalf of Sunningdale Golf & Country Ltd. (attached Appendix “D”) on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and a non-decision by Municipal Council within 120 days relating to an Official Plan Amendment and Zoning By-law Amendment applications concerning a portion of lands located at 379 Sunningdale Road:

- a) the Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the request to amend the Official Plan from Multi-Family Medium Density Residential to Multi-Family, High Density Residential **BE REFUSED** as the requested change for Multi-Family, High Density designation over the entire site is unwarranted and generally not consistent with the policies within the Plan;
- b) the Ontario Municipal Board **BE ADVISED** that Municipal Council supports draft approval (as red-lined amended) of the proposed plan of subdivision and the draft conditions attached as Appendix “A”, submitted by Sunningdale Golf & Country Ltd. (File No. 39T-16504), which shows four residential blocks (Blocks 1, 2, 3 and 4), an open space block (Block 5), and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north);
- c) the Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the proposed by-law attached hereto as Appendix “B” for the Official Plan **BE AMENDED** to add a Specific Area Policy(Chapter 10) to permit a maximum density of 35 units per hectare on Blocks 1,2 and 6; a maximum density of 150 units per hectare and maximum height of ten(10) stories on blocks 3 and 4; street oriented development to be encouraged to provide for a strong street edge and to eliminate the need for noise walls; a graduated “step down” of the building height for Block 3; surface parking discouraged along Sunningdale Road with street frontages to establish a strong building/street interface; and holding provisions to guide the layout and form of future development;
- d) the Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the proposed by-law attached hereto as Appendix “C” of Zoning By-law No. Z.-1 **BE AMENDED** in conformity with the Official Plan as amended in part (c) above **FROM** an Open Space (OS1) Zone, a holding Open Space (h-4.OS1) Zone and an Urban Reserve (UR4) Zone **TO:**
 - a Holding Residential R9 Special Provision (h.h-100.h-53.R9-7(_)) Zone to permit apartment buildings with ten (10) storeys at a maximum density of 150 units per hectare;
 - a Holding Residential R5/R6 Special Provision (h.h-100.h-53.R5-3(_)/R6-5(_)) Zone to facilitate vacant land condominiums and to support medium density residential uses such as cluster single detached dwellings, semi-detached dwellings, stacked townhouses, apartment buildings and senior citizen apartment buildings at a maximum density of 35 units per hectare, and a maximum building height of 13 metres (42.6 feet);

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- a Holding Office/Residential Special Provision (h.h-100.h-53.R5-3(_)/R6-5(_)/OF1) Zone to permit an office building and or medium density residential uses at a maximum density of 35 units per hectare, and a maximum building height of 13 metres (42.6 feet);
- an Open Space OS1 Special Provision (OS1()) Zone to permit a block for access to the golf course to the north with a reduced lot frontage and lot area; and
- an Open Space (OS4) Zone for the Medway Valley lands being dedicated to the City.

The holding provisions will address the following:

- (h) - holding provision is implemented to address servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer, and the entering of a subdivision agreement.
 - (h-100) - holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the City Engineer.
 - (h-53) - to encourage street oriented development and discourage noise attenuation walls along arterial roads; and,
- e) that the City Solicitor **BE DIRECTED** to provide legal and planning or expert witness representation at the Ontario Municipal Board hearing in support of Municipal Council's position.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

January 26, 2004 – Report to Planning Committee in relation to the North Sunningdale Community Plan and associated background studies.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

This report has been prepared to establish a Municipal Council position in response to appeals from Sunningdale Golf & Country Ltd. on a lack of decision by Council regarding an Official Plan Amendment and Zoning By-law Amendment application; and lack of decision by the Approval Authority regarding an application for draft plan of subdivision approval. It is also the purpose of this report to seek direction from Municipal Council to support its position through legal, planning, and environmental representation before the Ontario Municipal Board.

Since a public meeting has not previously been held with respect to the Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications, notice of this matter has been sent to members of the public that have responded to the Notice of Application to provide an opportunity for input. However, since the application is under appeal to the Ontario Municipal Board, this is not a statutory public meeting under the *Planning Act*. Any comments received at the public meeting may be provided to the Ontario Municipal Board, together with the position of Municipal Council.

The recommendation in clause (b) serves to advise the Ontario Municipal Board that Council supports draft approval as the proposed subdivision conforms to the Provincial Policy Statement, the City of London Official Plan, as amended, and The London Plan.

The recommendation outlined in clause (c) is intended to advise the Ontario Municipal Board that Council recommends the proposed Official Plan Amendment to include a Chapter 10, Specific Area Policy for this site.

The recommendation outlined in clause (d) is intended to advise the Ontario Municipal Board that Council recommends the proposed Zoning By-law Amendments as the proposed Zoning meets the intent of the City of London Official Plan, as amended in (c) and the London Plan.

As a result of the appeal, jurisdiction of the Approval Authority and Municipal Council to make decisions has been removed and the matter is now before the Board. A prehearing date has been set for November 2, 2017.

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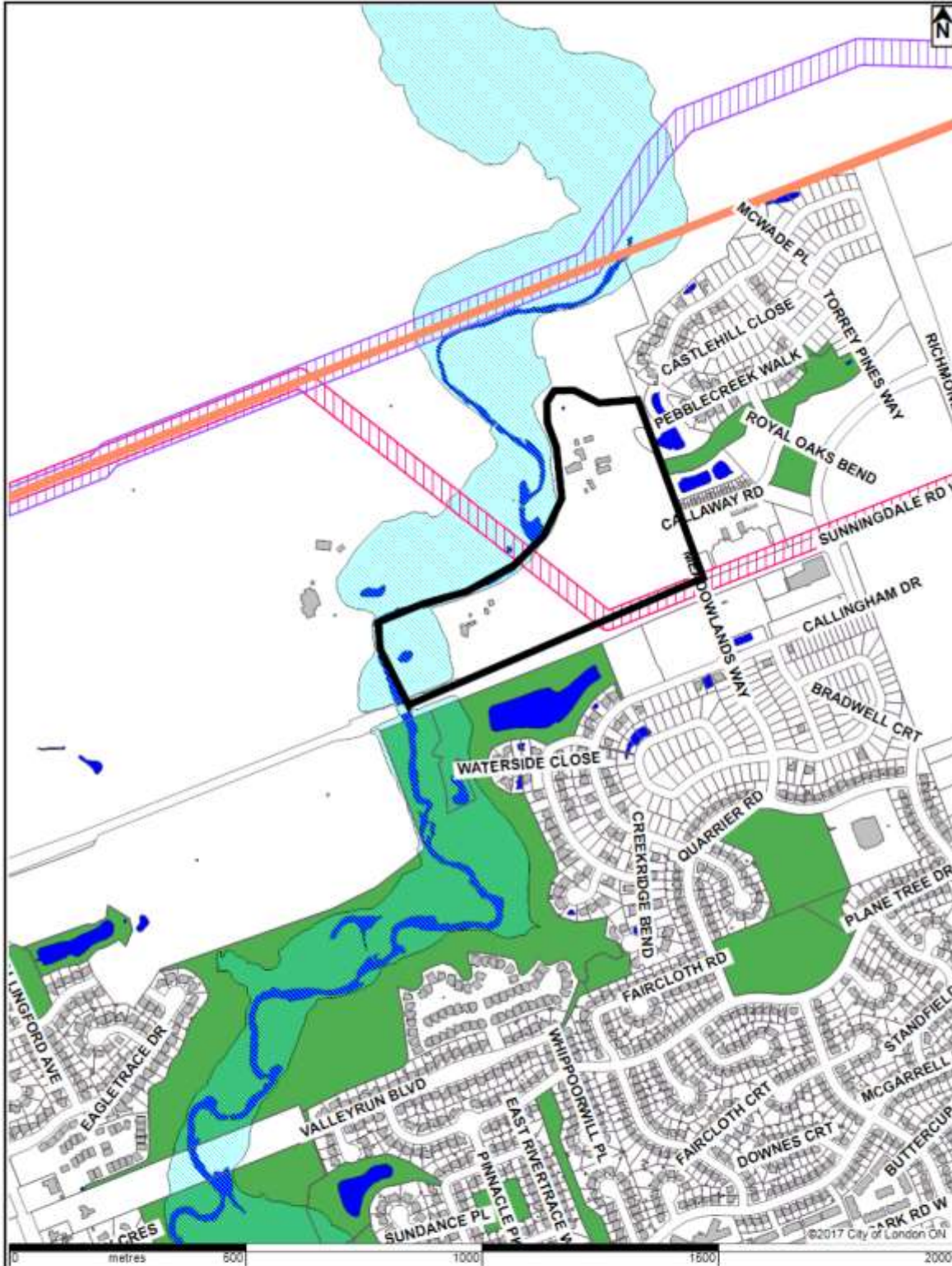
RATIONALE

1. The proposed draft plan of subdivision as redline amended and recommended amendments are consistent with the policies of the *Provincial Policy Statement, 2014*
2. The proposed draft plan of subdivision as redlined amended and recommendations are consistent with the *Planning Act*.
3. The red-lined draft plan and recommended amendments are consistent with the policies of the City of London Official Plan.
4. The recommended amendments will protect the existing identified Natural Heritage Features (Medway Valley).
5. The proposed Chapter 10, Policies for Specific Area to be added for this site would provide the necessary guidance for future developers and Staff, and would direct the tallest and more intense residential uses to the north and west limits of the property adjacent to the golf course with a transition to less intensive forms of uses adjacent to the existing low density residential and medium density residential neighbourhoods to the south and east. The overall density of this parcel would be in keeping with the Multi-Family, Medium Density Residential density targets for a parcel of this size.
6. The conditions of draft approval will ensure that development will occur in an orderly manner and on full municipal services.
7. The recommended amendments encourage the development of a plan of subdivision that includes densities and built form regulations that are compatible and provide a good transition with surrounding land uses. This represents good planning.

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LOCATION MAP

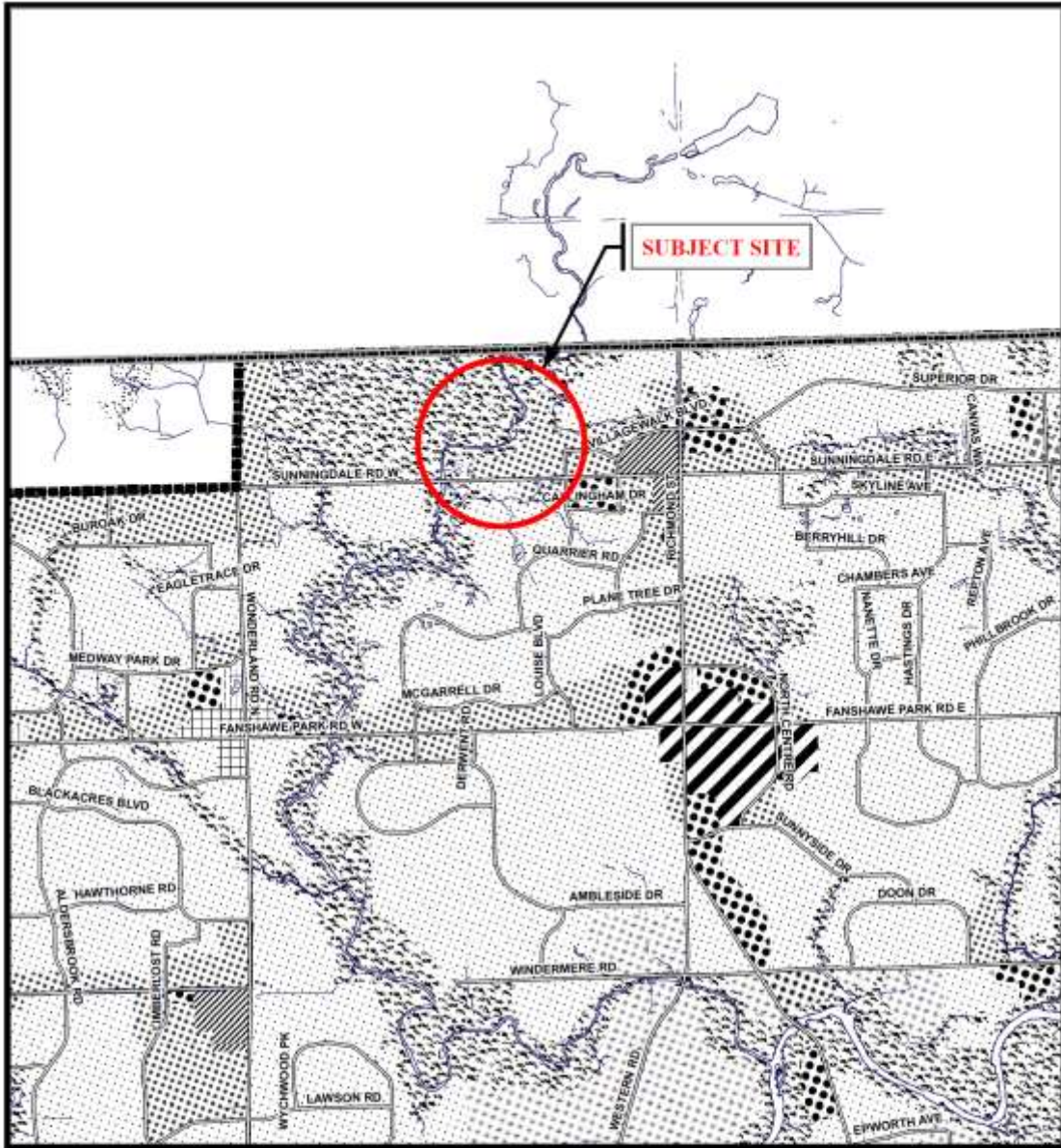


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| <p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 379 Sunningdale Road W Applicant: Sunningdale Golf Club Ltd. File Number: 39T-16504 Planner: Alanna Riley Created By: Alanna Riley Date: 2017-10-16 Scale: 1:10100</p> | <p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">□</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">□</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table> | ■ | Subject Site | ■ | Parks | □ | Assessment Parcels | □ | Buildings | 123 | Address Numbers |
| ■ | Subject Site | | | | | | | | | | |
| ■ | Parks | | | | | | | | | | |
| □ | Assessment Parcels | | | | | | | | | | |
| □ | Buildings | | | | | | | | | | |
| 123 | Address Numbers | | | | | | | | | | |
| <p>Corporation of the City of London Prepared By: Planning and Development</p> | | | | | | | | | | | |

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OFFICIAL PLAN MAP



| Legend | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New Format Regional Commercial Node | Office/Residential | Commercial Industrial |
| Community Commercial Node | Regional Facility | Transitional Industrial |
| Neighbourhood Commercial Node | Community Facility | Rural Settlement |
| Main Street Commercial Corridor | Open Space | Environmental Review |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth | Agriculture |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth | 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-16504</p> <p>PLANNER: AL</p> <p>TECHNICIAN: WR</p> <p>DATE: 2017/10/11</p> |
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PROJECT LOCATION: e:\planning\projects\ip_official\plan\work\conso\00\excerpts\mxd_templates\schedulea_b&w_8x14_with_SWAP.mxd

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| BACKGROUND | |
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| Application Accepted: June 16, 2016 | Applicant: Sunningdale Golf & Country Ltd. |
| <p>REQUESTED ACTION:</p> <p>Consideration of a Plan of Subdivision consisting of two medium density residential blocks(Blocks 1 & 2), two high density residential blocks (Blocks 3&4), an open space block (Block 5), and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north).</p> <p>Possible Official Plan Amendment to change the designation of a portion of these lands from “Multi-Family Medium Residential” to “Multi-Family High Density Residential” to permit apartment buildings at a maximum density of 150 units per hectare. The applicant is proposing four (4) ten storey apartment buildings and two (2) six storey apartment buildings within this area.</p> <p>Possible change to Zoning By-law Z.-1 from an Open Space (OS1) Zone and a holding Open Space (h-4.OS1) to:</p> <ul style="list-style-type: none"> • a Residential R9 (R9-7.H10) Zone to permit apartment buildings with ten (10) storeys; • a Residential R9 (R9-7.H6) Zone to permit apartment buildings with six (6) storeys; • a Residential R5/R6 (R5-3/R6-5) Zone to facilitate vacant land condominiums and to support medium density residential uses such as single detached dwellings, semi-detached dwellings, stacked townhouses, apartment buildings and senior citizen apartment buildings at a maximum density of 75 units/ha(30 units/acre), and a maximum building height of 13 metres(42.6 feet); • an Office OF1 (R5-3/R6-5/OF1) Zone to permit an office building; and • an Open Space OS1 Special Provision Zone to permit a block for access to the golf course to the north with a reduced lot frontage and lot area. <p>The City may consider applying holding provisions in the zoning to ensure the adequate provision of municipal services and that a subdivision agreement or development agreement is entered into; street orientation of building and the provision of urban design features.</p> | |

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| SITE CHARACTERISTICS: |
| <ul style="list-style-type: none"> • Current Land Use – Residential and Agriculture • Area – approx. 9.3 hectares |

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| SURROUNDING LAND USES: |
| <ul style="list-style-type: none"> • North – Hazard lands(Medway Valley corridor), Golf Course • South – Sunningdale Road West, SWM Pond, Residential • East – Residential • West – Hazard lands(Medway Valley corridor), Golf Course |

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| OFFICIAL PLAN DESIGNATION: (refer to attached map) |
| <ul style="list-style-type: none"> • Schedule A - Multi Family Medium Density Residential |
| EXISTING ZONING: (refer to attached map) |
| <ul style="list-style-type: none"> • Open Space (OS1) Zone and a holding Open Space (h-4.OS1) |

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PLANNING HISTORY

The Sunningdale North Area Plan was adopted by Municipal Council on November 27, 2006, as a guideline document pursuant to Section 19.2.2 of the Official Plan. As a guideline document, the Area Plan provides direction and assistance in the review of planning and development applications, the planning of public facilities and services, and serves as the basis for amendments to the Official Plan and Zoning By-law and guide for subdivisions within the Sunningdale Community.

On February 10, 2016 a pre-consultation proposal summary meeting was held with the City, the applicant and commenting agencies. On February 22, 2016 a record of pre-consultation was provided to the applicant.

On June 3, 2016 the applicant submitted an application for Draft Plan of Subdivision approval, an Official Plan Amendment and a Zoning By-law Amendment including all required reports/studies identified during pre-consultation. Staff reviewed and accepted the applications as complete on June 6, 2016.

On July 13, 2016 the notice of application was circulated to all commenting agencies and all property owners within 120 metres of the property. The notice of application was advertised in the Londoner on July 23, 2016.

On May 24, 2017, the City’s Clerk’s Office received appeals to the Ontario Municipal Board, from the Applicant on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and a non-decision by Municipal Council within 120 days relating to a Zoning By-law and Official Plan Amendment applications concerning lands located at 379 Sunningdale Road West.

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| PUBLIC LIAISON: | On July 7, 2016, Notice of Application was sent to property owners in the surrounding area and also published in The Londoner. | 9 Replies |
| Responses: | | |
| See attached Appendix “F” | | |

SIGNIFICANT DEPARTMENTAL/AGENCY AND PUBLIC COMMENTS

Comments have been received from municipal departments, public review agencies and members of the public in response to the notice of application. While some of the comments are detailed and technical in nature, they have been summarized below for the purpose of establishing a position in response to the appeals.

ENVIRONMENTAL AND ENGINEERING SERVICES DEPARTMENT

Summarized comments provided by Environmental and Engineering Services Department on August 25, 2016 in response to the Draft Plan and amendment applications (full comments attached as Appendix “G”

Sanitary

The Owner is required to construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 525 mm diameter sanitary sewer located on the south side of Sunningdale Road West This sewer will ultimately connect to the Medway Trunk sanitary trunk sewer. 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. Also, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide/Greenway 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

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registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement

Stormwater

The Owner is required to construct storm sewers to serve this plan, located within the Medway Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1500 mm diameter storm sewer stub located on the south side of Sunningdale Road ultimately outletting the major and minor storm drainage flows for this plan to the existing Sunningdale SWM Facility # 4 located on the south side of Sunningdale Road at 330 Sunningdale Road West. Also, the Owner must 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

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.

Water

The Owner is required to construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 200 mm diameter watermain on Callaway Road, the 200 mm diameter watermain on Meadowlands Way and the 300 mm diameter watermain on Sunningdale Road West.

Transportation

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 its 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.

The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:

- i) Meadowlands Way
- ii) Street 'A'

General Servicing Provisions should be implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement; and the 'h-100' holding provision should implemented with respect to water services and appropriate access so that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available.

Staff Response: These and other engineering related issues have been addressed through redline amendments to the plan and in the conditions of draft approval.

ENVIRONMENTAL AND ECOLOGICAL PLANNING ADVISORY COMMITTEE (EEPAC):

Summarized comments provided by EEPAC on September 15, 2016 in response to the Environmental Impact Study (full comments attached as Appendix "H")

Recommendation 1: - The proponent prepare a detailed functional plan that maintains infiltration at pre development levels for approval by the City and UTRCA.

Recommendation 2: If not already contained in other reports not seen by EEPAC, the proponent demonstrate to the satisfaction of the City and UTRCA that the development will not cause a negative impact on the wetland feature or its ecological functions.

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Response to 1 and 2: A Hydrogeological Assessment was completed by Stantec with recommendations to include draft conditions that require the following:

- a) monitoring program (during construction and post construction on Block No.3) of ground water levels in the wetland and associated reporting methodology; and
- b) to complete a post-development water balance, in association with the finalization/ approval of a site plan on Block No. 3 to confirm the quantity and quality of water that will need to be directed to the wetland, in the event that a deficit is predicted.

Recommendation 3: A holding provision be assigned to R9 zoned portions of the land subject to a study of the possible impacts of shading on the wetland feature. EEPAC notes that the 2006 work by Bergsman and DeYoung determined that only 12.65 % of vegetated patches in London are SWD.

Recommendation 4: The condo corporation(s) must include with owner information and its articles a copy of the latest copy of the City's "Living with Natural Areas." Wherever possible, it should also be displayed in public locations of the high rise buildings.

Response to 3 and 4: Staff and the UTRCA have not raised this matter as a concern and therefore a holding provision is not required.

Recommendation 5: Appropriate signage be posted or an information kiosk be installed indicating why the adjacent area is an important part of the City's Natural Heritage System and why it is important to keep pets on a leash, stay on pathways and not plant invasive species.

Response to 5: Environmental buffers are to be dedicated to the City.

Recommendation 6: The proponent obtain a minimum warranty period of 3 fall seasons from planting for planted vegetation.

Recommendation 7: Annual monitoring and reporting to the City Ecologist, Development Services and EEPAC be done for three fall seasons from completion of the planting.

Response to 6 and 7: The EIS requires that a qualitative vegetative monitoring program is to be completed annually for 2 years following the implementation of the buffer rehabilitation and tree preservations plans. These conditions will be implemented through the conditions of draft approval.

Recommendation 8: The entire border of the property be fenced to discourage unmanaged access to the Natural Heritage System and the slopes.

Response to 8: This has been addressed through draft plan conditions.

Recommendation 9: The pathway be outside the buffer and erosion allowance and not adjacent to the wetland feature.

Response to 9: A draft plan condition has been created to ensure an easement will be created if a Section 28 permit is not granted by the UTRCA.

Recommendation 10: The naturalization plan for the detail design phase be approved by a City Ecologist.

Response to 10: A planting plan will be submitted through detailed design review.

Recommendation 11: All exterior area lighting installed by the developer be full cut off lighting. All outside unit lighting installed by the builders be equipped with motion detectors to minimize the time that they are on.

Response to 11: This will be considered through detailed design review.

Recommendation 12: The City seek a legal opinion from its legal staff as to what matters between a condo corporation and its owners can be enforced by the City, particularly those related to encroachment.

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Response to 12: This has been addressed through draft plan conditions.

Recommendation 13: A complete list of recommendations should be included in Section 9 (which is not a complete list) as well as in the detail design documents and conditions of development.

Response to 13: This has been addressed through draft plan conditions.

Recommendation 14: An onsite ecologist with the power to stop work be on site at all times where work near to the buffers and significant components of the Natural Heritage system are taking place. When not on site, a number to contact the ecologist be posted prominently at the construction site.

Response to 14: Measures have been taken to ensure development limits are clearly visible and protected. Also, this has been addressed through draft plan conditions.

Recommendation 15: The Clean Equipment protocols be followed.

Response to 15: No work is proposed in the Natural Heritage area.

Recommendation 16: Previous inventories be reviewed for locations of any species with SRANKs of S3 or higher so that development impacts may be avoided.

Response to 16: An Environmental Impact Study was completed to the satisfaction of the City.

Recommendation 17: The Official Plan and London Plan be revised to reflect the changes in delineation of the components of the Natural Heritage System recommended by the Scoped EIS, including deleting the ‘h-’ for the section zoned h-4 OS1.

Response to 17: An Environmental Impact Study was completed to the satisfaction of the City

UPPER THAMES RIVER CONSERVATION AUTHORITY (UTRCA):

The UTRCA has reviewed the May 18, 2016 Updated Sunninglea Scoped Environmental Impact Study prepared by Stantec and is generally satisfied with the descriptions and delineations of the natural heritage features on the site, as well as with the size of the buffer. Our two biggest concerns are:

i) Section 7.1.1 makes reference to “a future 3m wide multi-use pathway alignment could be accommodated within the 6 m access allowance.” Section 6.0 also makes reference to “the potential for a future multi-use trail to extend along the northern boundary of the proposed development. Although not part of this development application, a future trail location has been identified as being available within the proposed setback area”. Please be advised that the UTRCA does not permit development within the 6 metre erosion access allowance which is part of the natural hazard. Accordingly, we recommend that the potential trail location be ghosted on the draft plan or on a figure in the EIS to confirm that there is sufficient space for the trail to be located outside of the natural hazard lands which includes the 6 metre erosion access allowance.

ii) Please provide additional details to demonstrate how water quality and quantity will be maintained to vegetation community SWD 4-1, including pre and post calculations to confirm that runoff from rooftops and rear yards of the proposed residential units will be adequate to maintain this vegetation community. According to our review of the Hydrogeological Assessment, “it is difficult to conclusively assess the recharge areas for the natural heritage features. All measures should be taken to maintain recharge to the natural heritage features”.

Also, the UTRCA has indicated additional changes and updates need to be provided regarding the slope assessment, the Environmental Impact Study and the Hydrogeological study.

Given all of the outstanding issues, the UTRCA is not in a position to offer conditions of draft plan approval. We recommend that the application be deferred to provide the applicant with an opportunity to address the noted concerns or alternatively be refused.

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On October 11, 2017, a site visit was conducted with representatives of Corlon Properties, the UTRCA and City Staff from Environmental Parks and Planning and Development Services to walk the area between the development limits and top-of slope. The UTRCA provided the following Comments on October 12, 2017:

We wish to thank Corlon Properties - specifically Gordon Thompson and David Schmidt for arranging to have the development limit staked out, showing the extent of the slope stability setbacks established by the geotechnical investigations undertaken by Golder Associates (October 24, 2008). Conservation Authority staff appreciated having an opportunity to view the precise location of the setbacks on October 11 and this site visit followed a recent meeting with City of London officials to discuss development setbacks from erosion hazards in general, with special consideration given to the current Sunninglea application by Corlon.

The UTRCA completes a peer review of geotechnical investigations undertaken by qualified professionals in support of new development. On a property-specific basis, geotechnical studies confirm the location and extent of three erosion hazard components - toe erosion setback, a long-term stable slope angle and an erosion access allowance. The extent of the hazard is determined by understanding and accepting the combination of these three elements and we emphasize that the 6-metre erosion access allowance is part of the erosion hazard. We note in the case of the Golder report for the Sunninglea application that an additional setback consideration is made - the "Habitable Structure Setback" which assesses how a 3:1 stable slope ratio influences setbacks.

In visiting the site yesterday, reviewing the Golder report further and in consideration of the many discussions on this matter, we offer the following comments at this time.

a) Between survey stakes 100 and 104 (along the western boundary of the subject lands) there appears to be an area outside of the erosion hazard limit as identified by the Golder report and accepted by the UTRCA which would be acceptable for placement of the proposed pathway.

b) For the balance of the development limit, running primarily in an East-West direction (where the outer limit of the 6-metre erosion access allowance appears to essentially be coincident with the "Habitable Structure Setback" identified by Golder), there does not appear to be sufficient space to keep the proposed pathway outside of the 6-metre erosion access allowance as plotted.

There has been considerable discussion regarding the location of new development and specifically pathways relative to erosion hazards - in particular as it relates to the 6-metre erosion access allowance. While we can certainly see an opportunity for pathway development outside of the erosion hazard as confirmed through satisfactory geotechnical analyses for the western portion of the site, we respectfully submit that the balance of the proposed pathway alignment is contrary to UTRCA policy and practice for greenfield development.

Further, we acknowledge that there are numerous examples where, through Environmental Assessments undertaken by the Municipality, through completion of conservation master plans for ESA's and in various other "non-greenfield" cases where the UTRCA has been able to approve pathway construction. These tend to be examples where all viable alternatives are carefully considered and where there are no practical alternatives. We anticipate that the City of London concurs with the UTRCA that it is prudent to avoid construction/development in natural hazard areas associated with flooding and/or erosion.

We submit that in the case of the current application, there are pathway alignment options to consider, including refinement of the development limit to accommodate the proposed pathway fully outside the erosion hazard including the 6-metre erosion access allowance. Alternatively the pathway could be routed internal to the proposed development.

Staff response to comments: Conditions of draft approval have been included to deal with the slope assessment and additional information, the Environmental Impact Study and the Hydrogeological study identified above.

City Staff are of the opinion that placing a pathway within City parkland and within the hazard land, including the 6 metres access allowance is in accordance with past practices and current UTRCA policies. City Staff will be required to obtain a Section 28 Permit to install/construct a pathway system within the regulated area from the UTRCA. This is a common practice and has occurred throughout the City's parkland and natural heritage systems.

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City Staff remain concerned with the UTRCA approach to define trails and pathways as being “Long-Term Infrastructure” and in Risk Category D for “Infrastructure and Public Use”, which includes: “structures or buildings (hospitals, schools, stadiums), cemeteries, bridges, high voltage power transmission lines, towers, storage/warehousing of hazardous materials, waste management areas”, rather than being in Risk Category B called “Light”, for “recreational parks” among other much lower risk facilities and amenities. As Category D, pathways and trails could not be permitted to be built in the 6m access allowance. Again, Staff disagrees with this interpretation of this public use as Risk Category D and the UTRCA’s position to not permit pathways and trails within the 6 metre access allowance.

The 6 metre erosion access allowance is defined as “the allowance of 6 metre that is needed for the purpose of maintaining sufficient access for emergencies, maintenance, and construction activities within Apparent and Not Apparent Valley Systems”. In the opinion of City Staff, it seems completely counter-productive to the purpose of “sufficient access” to restrict permanent and open access along a stable and safe public pathway or trail.

This issue will impact not only the subdivision development limit in this file but those of many future development proposals. Non-use of the access allowance for public access will result in additional lands being requested through parkland dedication from developable table land for pathways and trails, resulting in less dense developments, rather than supporting growing “up and in”. It will also restrict the City from acquiring natural heritage lands using our 5% parkland dedication and those lands remaining in private ownership, rather than part of a City-wide managed natural heritage system.

To protect the Municipal interest in the event that a Section 28 Permit is not granted for the installation of a pathway in the hazard area, City Staff have included a condition of draft approval for the provision of an easement over private lands, outside of the hazard area, in favour of the City for a multi-use pathway. If a Section 28 Permit is granted, this easement will not be required. This is not the preferred approach of both the City and the Applicant. This option could potentially have negative implications, including private ownership of the natural heritage system and the Municipality not fully controlling ownership of key portions of the overall pathway system.

ENVIRONMENTAL AND PARKS PLANNING DIVISION (E&PP):

Summarized comments provided by E&PP are provided in response to the Environmental Impact Study, Slope Stability Report and Water Balance reports (full comments attached as Schedule “I”).

Summary of Main Issues for the Environmental Impact Study

Overall, Staff are in general acceptance of the submitted EIS and the proposed setback from the Open Space (OS4) Zone. However, additional buffering and or setbacks may be required at a few locations – in particular the lands adjacent to the golf course maintenance yard.

Section 6.0 of the EIS makes reference to “the potential for a future multi-use trail to extend along the northern boundary of the proposed development. As noted within the comments of the UTRCA, they state that they do not permit “development” within the 6m erosion access allowance which is part of the natural hazard. Recent correspondence from the UTRCA states that pathways and wood chip trails are considered “development” under the Conservation Act and not permitted in the hazard lands. Development being defined as “the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.”

Staff take issue with that position as we do not believe that is supported by the UTRCA’s Environmental Planning Policy Manual, which says.

Section 3.2.2 – General Natural Hazard Polices related to Municipal Plan Review

- New development and site alteration generally will directed away from hazard lands.
- Any development and site alteration which is permitted in hazard lands must meet the following conditions to the satisfaction of the UTRCA:
 - a) Appropriate floodproofing measures, protection works and safe or dry access during time of flooding, erosion and other emergencies are provided;
 - b) No new hazards will be created and existing hazards will not be aggravated;
 - c) No adverse environmental impact will occur.

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It is our position that trails and pathways in the 6m allowance, or elsewhere in the hazard can satisfy all of these Policies. Their current position also seems to oppose their general approach to public use projects as stated below:

Section 2.2.3 - Guiding Principles for Natural Hazards – lists several to guide decision making, including:

“Development and site alteration for passive public uses will be provided more flexibility because of the public good that may be achieved.”

This has been the guiding principle used by the UTRCA to support many important park and open space projects within the hazard lands associated with the Thames and its tributaries for many years. Including more active public uses like sports fields within the natural hazard is a common practice, as there is no definition of “passive use” in the Manual. When applying the Goals and Objectives below, it also seems clear that pathways and trails along the 6 metres access allowance can easily satisfy these points:

Section 2.2.2 - Goals and Objectives for Natural Hazards:

- *To protect life and property from the risks associated with natural hazard protection.*
- *To ensure that no new hazards are created by development and site alteration*
- *To ensure that no adverse environmental impacts will result from development and site alteration in natural hazard areas.*

At a recent meeting, the UTRCA defined trails and pathways as being “Long Term Infrastructure” and in Risk Category D for “Infrastructure and Public Use”, which includes: “structures or buildings (hospitals, schools, stadiums), cemeteries, bridges, high voltage power transmission lines, towers, storage/warehousing of hazardous materials, waste management areas”, rather than being in Risk Category B called “Light”, for “recreational parks” among other much lower risk facilities and amenities. As Category D, pathways and trails could not be permitted to be built in the 6m access allowance. Again, the City disagrees with this interpretation of this public use as Risk Category D and the UTRCA’s position to not permit pathways and trails within the 6m access allowance.

Considering that the 6m erosion access allowance is defined as “the allowance of 6m that is needed for the purpose of maintaining sufficient access for emergencies, maintenance, and construction activities within Apparent and Not Apparent Valley Systems”, it seems completely counter-productive to the purpose of “sufficient access” to restrict permanent and open access along a stable and safe public pathway or trail.

Consideration could be given to provide a mid-block connection between Blocks 1-2 and 4 over the existing gas easement setback. This ~30 meter corridor could provide views to the treed open space lands and provide street connection to the multi-use pathway. A look-out or gathering feature could be located at the intersection of the open space block and the gas easement along the multi-use pathway.

Staff Response: See Response to UTRCA comments. Conditions of draft approval have been included to address pathway issues.

Union Gas

Union Gas has requested that the necessary easements be provided to address their requirements.

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

Canada Post

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program. Conditions to be added for Canada Post Corporation’s purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post :

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a) *include on all offers of purchase and sale, a statement that advises the prospective purchaser:*

- i) *that the home/business mail delivery will be from a designated Centralized Mail Box.*
- ii) *that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.*

b) *the owner further agrees to:*

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

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.*

Staff Response: Canada Post conditions are captured in the standard subdivision agreement.

Public Comments:

Comments were received from 12 area residents in response to the proposed draft plan of subdivision and Official Plan and Zoning by-law Amendment applications, and can be generally summarized as follows:

Scale of the development: Special provisions have been recommended to address maximum height and densities.

Offices do not conform: Small scale offices are permitted as secondary uses in the Multi-Family, Medium Density Residential designation in the Official Plan.

High rise shall be located closest to activity nodes: A Community Commercial Node is located at the corner of Richmond Street and Sunningdale Road. The proposed residential development will contribute to the planned function of this proposed node.

Urban design: A holding provision has been included to address urban design matters.

Traffic: Transportation has not identified any concerns relating to a substantial increase in traffic on adjacent roads.

Transit: The London Transit Commission will plan transit services for the immediate area including specific route design, level of transit service and timing of service implementation.

Wildlife/Trees/Green Space: An EIS was conducted by Stantec Consulting Ltd. to evaluate the potential impacts of the subject development on the Natural Heritage system. This report was submitted and reviewed by the City and UTRCA. Subsequent to this report, further memos and letters were submitted to resolve issues identified by staff. The buffers identified are considered sufficient to establish the lot lines adjacent to the natural heritage features for this development.

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Noise Pollution: Noise has not been identified by staff as a concern for this development. However, building orientation has been accounted for as well as appropriate setbacks from roadways to mitigate any traffic related noise as reasonably possible.

Density: Concerns have been raised by area residents about the proposed density on the multiple residential blocks. Special provisions have been recommended to address maximum height and densities. Also holding provisions have been recommended to address Urban Design.

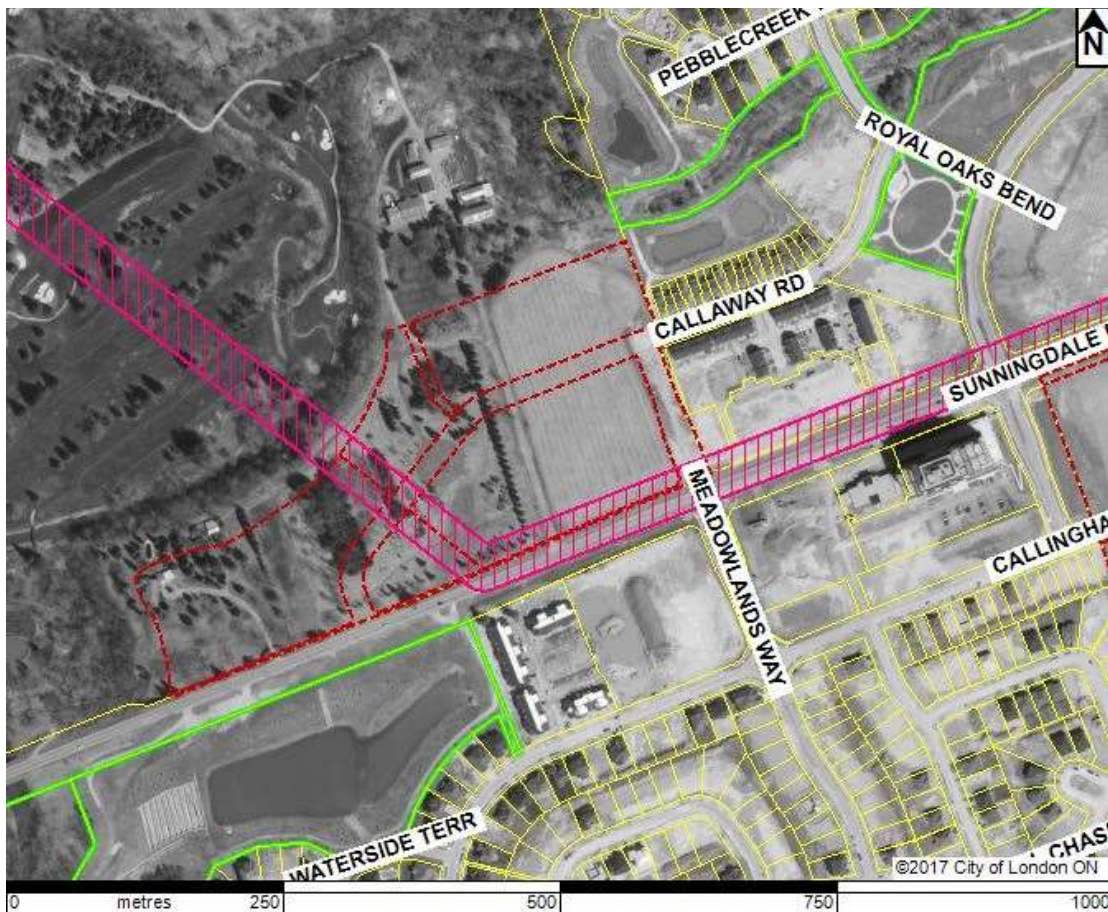
Safety: Community amenity areas will be strategically located adjacent to the northwest edge of the proposed development. Large open space block is also proposed to create a connection through the site from Sunningdale Road West to the Medway Valley.

Property Values: There is no Planning-based information that land values will be affected by this development proposal.

ANALYSIS

SUBJECT SITE

The subject site is situated in the northwest quadrant of the City of London on the north side of Sunningdale Road West, west of Richmond Street. The property is within the City of London’s North Sunningdale Area Plan. The subject site is a 9.3 hectare parcel of land known municipally as 379 Sunningdale Road West. There are several residential building located on the property that are currently being used as office space for Corlon Properties and rental properties, with the balance of the property currently being farmed. The Medway Valley Heritage Forest is located directly to the west and north of the subject lands. The lands generally slope downward from east to west toward Medway Creek.



The application consists of a Plan of Subdivision with four residential blocks (Blocks 1, 2, 3 & 4), an open space block (Block 5), and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north). Concurrent Official Plan and Zoning By-law Amendment applications were submitted along with the proposed plan of subdivision.

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All the stormwater flows will be directed to the existing storm water management facility locate to the south of Sunningdale Road. Sanitary flows will be directed to the Medway Trunk Sanitary Sewer which is presently located across the frontage of the subject lands. Watermans will be looped from the 200mm stub located at Sunningdale Road.

CURRENT REPORT & RECOMMENDED ACTION

Since both the submission of this application and the appeal by the applicant to the OMB, both City Staff and the Applicant have held several without prejudice discussions regarding the major issues between the parties which include the following:

1. the request to amend the Official Plan designation to Multi-Family, High Density Residential; and,
2. the delineation and securing of a multi-use pathway link to the overall pathway system planned for this area.

1) Request to Amend the Official Plan designation:

The subject lands are designated Multi-Family, Medium Density Residential (MF-MDR) in the City's current Official Plan (1989). This designation permits various forms of housing including low rise apartments at a maximum density of up to 75 units per hectare. The applicant has requested a change to the designation of these lands from the existing MF-MDR to a Multi-Family, High Density Residential (MF-HDR) designation. City Staff are of the opinion that the requested change is unwarranted and generally not consistent with the policies within the Plan. In an effort to find a suitable solution, both the Applicant and City Staff have landed on an approach that maintains the overall density limits and built form criteria of the MF-MDR designation, while also providing the Applicant with the flexibility and built form options they are seeking. The Chapter 10, Policies for Specific Area (described further in this Report) proposed as part of this report is acceptable to both City Staff and the Applicant

2) Securing of a multi-use pathway link to the overall pathway system through this site:

A multi-use pathway system that connects the open space lands (storm pond) immediately east of the subject site to the Medway Creek bridge on Sunningdale Road, through this site and along the top-of-bank is vital to the overall pathway system in this part of the City. This pathway alignment is consistent with the Sunningdale North Area Plan.

The Upper Thames River Conservation Authority (UTRCA) has indicated that the proposed multi-use trail through this site should be located outside of the 6 metre erosion access allowance. This position by the UTRCA has generated significant concern and discussions between all parties. All lands within the hazard area, including the 6 metre access allowance is planned to be dedicated to the City as parkland through this approval. City Staff have taken the position that placing a pathway within City parkland and within the hazard land, including the 6 metres access allowance is in accordance with past practices and current UTRCA policies. City Staff will be required to obtain a Section 28 Permit to install/construct a pathway system within the regulated area from the UTRCA. This is a common practice and has occurred throughout the City's parkland and natural heritage systems. As part of our past discussions between parties, City Staff remain concerned that a Section 28 Permit may not be issued to install/construct a pathway system within the parkland area including the 6 metre access allowance in this instance.

In an effort to guard against this scenario, while also securing a vital linkage along or as close to the top-of-bank as possible, City Staff have provided options that shall be included within the draft plan of subdivision conditions. Amongst these options include draft plan conditions that provide / secure a linear park/block outside of the 6 metre access allowance and parkland / hazard area through a multi-use easement over private lands in favour of the City. An 8 metre easement is being recommended and redlined on the draft plan to ensure that if a Section 28 Permit is not granted, the multi-use trail will be included in this easement. This is not the preferred approach of both the City and the Applicant. This option could potentially have negative implications including private ownership of the natural heritage system and the City not controlling ownership of lands where key portions of the overall pathway system are located.

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Notwithstanding the above position of the UTRCA and the inclusion of options for an easement over private lands in favour of the City for the construction of a pathway system, the City and/or Applicant intend to submit a Section 28 Permit Application to construct the pathway within the hazard area, including within the 6 metre access allowance. Should the UTRCA approve a Permit for a multi-use pathway within the access allowance / parkland block, the easement over private lands would not be required.

After reviewing the proposed Chapter 10, Policies for Specific Area and the City's options to secure establishing a pathway linkage along the northerly limits of this plan, the City and the Applicant have come to a possible resolution on the development application for plan of subdivision approval and amendments to the Official Plan and Zoning By-law. Staff are prepared to attend the OMB in support of the revised development application.

PROVINCIAL POLICY STATEMENT (PPS)

These applications have been reviewed for consistency with the 2014 Provincial Policy Statement. It is Staff's position that the recommended draft plan of subdivision will provide for a healthy, livable and safe community. The redlined plan draft plan of subdivision accommodates a range of residential units and densities, such as zoning to permit cluster single detached dwellings, townhouses, various other forms of cluster housing and apartment housing zones (consistent with development patterns in the area). The proposed subdivision layout allows for pedestrian walkability and efficiency in services by providing a direct link to the proposed Medway Valley trail system to be located along the northern portion of the property and connecting west to continue south under the bridge across Sunningdale Road towards the residential uses.

The subject lands are within the Urban Growth Boundary (settlement area) as identified in the Official Plan and are designated to permit a mix of uses.

An Environmental Impact Study was submitted as part of the complete application. The agreed upon development limit does not propose development within the significant natural heritage features and provides adequate buffering to further protect the features. Also, the study which addresses all natural heritage issues will be implemented through the recommended zoning and conditions of draft approval.

The proposed uses achieve objectives for efficient development and land use patterns, development of a vacant parcel of land which is located within the City's urban growth area, utilizes existing public services and infrastructure, supports the use of future public transit, and maintains appropriate levels of public health and safety. Additionally this proposal would facilitate residential forms which are compatible with the existing development pattern and provide for a pedestrian oriented development.

There are no Natural or Human Made Hazards associated with this plan.

Overall, the plan has been reviewed and it has been determined to be consistent with the 2014 Provincial Policy Statement. The recommended Official Plan and Zoning By-law amendment is consistent with the PPS and will ensure that no negative impacts occur on the identified Natural Heritage system.

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.

Development Services have reviewed the requirements under Section 2 of the *Planning Act* and regard has been given to matters of provincial interest. As previously noted it is Staff's position that the proposed draft plan is consistent with the 2014 Provincial Policy Statement. There is access to nearby parks and recreational facilities, fitness facilities, medical facilities, and emergency and protective services. No issues have been identified by the School Boards regarding this development and provision for adequate school facilities This area consists of residential uses to the east and south, the Medway Valley to the north and west. The broader area contains a mix of

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residential, open space, a golf course and agricultural uses. There is provision for a range of housing forms.

The Official Plan designates this area for medium density forms of housing. Improvements to the Sunningdale Road West will ensure that there will be convenient and safe access to this community. The proposed draft plan implements the land use policies in accordance with the City’s Official Plan. The proposed draft plan supports future public transit and promotes pedestrian movement through the adjacent areas.

The proposed zoning provides for a mix of medium density forms of residential uses.

A portion of the subject lands contain a significant natural heritage feature which has been assessed and the appropriate buffers and mitigation have been proposed and incorporated through the redlined revised draft plan and conditions of draft approval. There are no natural resources or natural hazards within the subject lands. As part of the draft plan, several walkways and a municipal pathway located at the northern boundary will be constructed to service the area. This municipal pathway will connect lands to the east and south. Cash in lieu-of-parkland will also be required in addition to parkland.

The owner will be required as a condition of draft approval to construct the necessary utilities and services. The development of the medium density residential uses and an office use will be addressed through the Site Plan Approval process.

Based on Development Service Staff’s review of the draft plan in conjunction with Section 51(24) of the Planning Act, the 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

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

Section 19.6 of the Official Plan provides policies to guide the review and evaluation for plans of subdivision. These policies include criteria which require the plan to be consistent with the objectives and policies of the Official Plan.

The subject site is currently designated for Multi-Family, Medium Density Residential. The Applicant’s submission included a request to change the designation of these lands to a Multi-Family, High Density Residential designation. The Official Plan provides criteria to consider when contemplating a change in land use. City Staff do not support an amendment from Medium to High Density Residential designation over the entire site, as proposed, given the extent of existing Low and Multi-Family, Medium Density Residential development in the immediate area, the fact that the applicant has no imminent plans to develop this site and Staff’s opinion the existing designation provides means to transition the intensity and form of residential development that both complements existing and future lands uses and provides the Applicant with development flexibility within the density limits of the existing residential designation.

In an effort to find a suitable solution, both the Applicant and City Staff have settled on an approach that maintains the overall density limits and built form criteria of the Multi-Family, Medium Density Residential designation, while also providing the Applicant with the flexibility and built form options they are seeking.

The Official Plan, through the Chapter 10 Policies for Specific Area provides a means to apply a solution to this development proposal. The adoption of Policies for Specific Areas may be considered where one or more of the following conditions apply:

1. The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.
2. The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.

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3. The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.
4. The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.

The proposal incorporates four multi-family residential blocks and one mixed use block which provides for a variety of housing types and mix for this area. The plan has been laid out in a manner that provides for the land use and residential density and built form transitions with existing and future adjacent land uses. This proposal includes a mix of density and built form that should achieve compatibility with surrounding residential development. The development of the residential blocks will transition in height and density moving eastward. The existing residential uses to the south of the subject land will be largely buffered from Sunningdale Road West and the existing Storm Water Management Pond. Special provision zoning and holding provisions will ensure that development is consistent with design objectives.

Staff are recommending that the existing Multi-Family, Medium Density Residential development remain in place and the following Chapter 10 policy be utilized:

In addition to the Multi-Family Medium Density Residential policies of section 3.3 of this Plan, the following policies apply to the lands at 379 Sunningdale Road West, Blocks 1-6 which form part of the Sunninglea Subdivision (39T-16504).

1. *Blocks 1, 2, and 6 may be permitted to develop at a maximum density of 35 units per hectare;*
2. *Blocks 3 and 4 may be permitted to develop at a maximum density of 150 units per hectare and a maximum height of ten (10) stories;*
3. *Street oriented development will be encouraged in order to provide a strong street edge and to eliminate the need for continuous noise walls in this area;*
4. *A graduated “step down” of building height will be encouraged between any proposed buildings on Block 3 that implement the maximum height provision of ii) above and the interface of Sunningdale Road;*
5. *Surface parking will be discouraged along the Sunningdale Road street frontages in order to establish a strong building/street interface in this area. Should surface parking be considered necessary, the parking area must be appropriately screened from the street; and,*
6. *Holding provisions will be applied to all zones in this area to guide site layout and building form.*

This Chapter 10 policy would provide the necessary guidance for future developers and staff and would direct the tallest and more intense residential uses to the north and west limits of the property adjacent to the golf course with a transition to medium density forms of uses adjacent to the existing low density residential and medium density residential neighbourhoods to the south and east. The overall density of this parcel would be in keeping with the MFMDR density targets for a parcel of this size.

The Multi-Family, Medium Density Residential policies of the Official Plan require residential development to be at a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. If the applicant utilized this maximum density on this parcel, the overall site could yield upwards of approximately 581 residential units

Office

The application proposes office uses within a mixed use block (Block 6) situated along Sunningdale Road West. The Official Plan permits small sale offices as secondary uses in the Multi-Family, Medium Density Residential designation in the Official Plan. Office uses are permitted where it can

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be demonstrated that such uses are compatible with surrounding land uses and will not have a serious adverse impact on the area. The proposed office is small in scale along a major arterial road and is part of a mixed use block. Staff are of the opinion that this is an appropriate location for office uses.

SUBDIVISION DESIGN

The proposed draft plan incorporates the following:

- Four residential blocks with a combined total development area of approximately 7.2 hectares(17 acres).
- One mixed use block situated along Sunningdale Road West. The total area is approximately 0.5 hectares (1.2 acres) in size and is proposed to provide office opportunities along with residential.
- Internal street layout integrating a local street connection from Callaway Road to Sunningdale Road West and Meadowlands Way to Sunningdale Road West.
- Open space that will be integrated into the open space corridor and linkages to the multi-use pathway system.

Road Pattern

The internal road pattern layout includes two accesses to Sunningdale Road West to provide excellent vehicular and pedestrian accessibility to the arterial road system, as well as safe and convenient access internally through the site. The proposed streets enhances internal connectivity, promotes active transportation, provides for street oriented design within this development.

Housing

The proposal incorporates a variety of housing choice by allocating lands for a variety of residential forms at appropriate locations within the subject site. These blocks will be developed for a range of cluster housing, townhouses and apartment complexes.

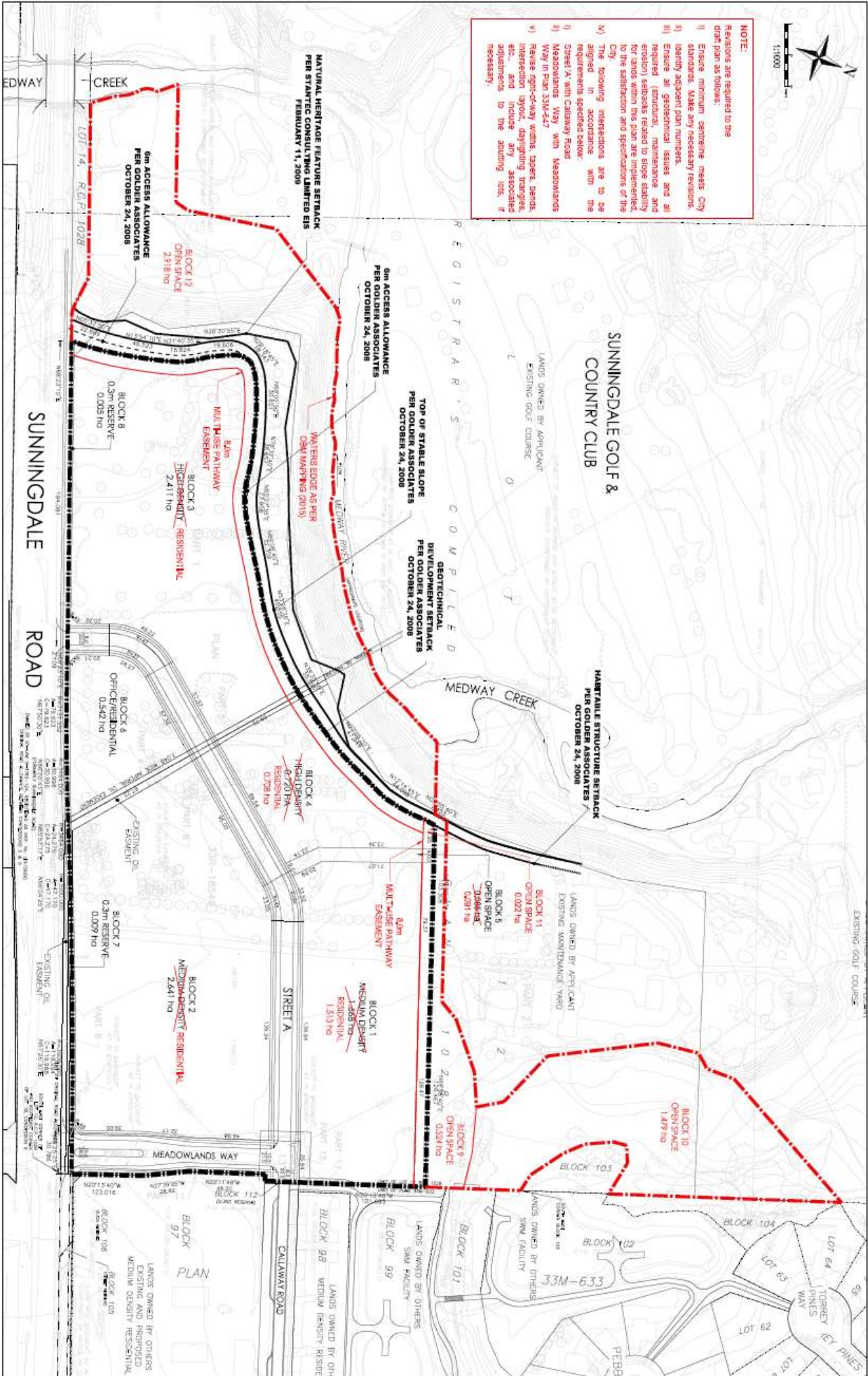
Multi-Use Pathway

The major issue between parties has been the location of the pathway to connect the Medway Valley System. As mentioned previously in the report, the UTRCA is opposed to this pathway being located in the hazard lands. To secure a pathway link along or as close to the top-of-bank as possible, conditions of draft approval have been provided to include an 8 meter easement as shown in Appendix “A” on the redlined plan, over private property, in favour of the City for a pathway in the event that a Section 28 Permit is not issued for the pathway on the hazard lands.

Placemaking and Urban Design

The Placemaking Guidelines were adopted by the City to ensure livable communities and provide an identifiable character, sense of place, and a high quality of life for new subdivision development. The proposed subdivision provides for mixed uses and range of housing types which will address the needs of the London housing market. Linkages to the Open Space and Park Blocks will allow the general public to access this area and provide for a potential connection in the future to the multi-use pathway system in the City. The development is proposed to be a high quality attractive community, designed with special attention to landscaping and the engagement of future buildings with the streetscape and adjacent to the natural area. Overall, this subdivision will be successfully integrated within this neighbourhood meeting the intent of the Placemaking Guidelines.

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ZONING

The subject lands are currently Zoned Open Space (OS1) and a holding Open Space (h-4.OS1).

The requested amendment to Zoning By-law Z.-1 are as follows:

- Blocks 1 and 2 - a holding Residential R5/R6 Special Provision (R5-3(_)/R6-5(_)) Zone to facilitate vacant land condominiums and to support medium density residential uses such as cluster single detached dwellings, semi-detached dwellings, stacked townhouses, apartment buildings and senior citizen apartment buildings at a maximum density of 75 units/ha(30 units/acre), and a maximum building height of 13 metres(42.6 feet);
- Blocks 3 and 4 - a holding Residential R9 Special Provision (R9-7(_)) Zone to permit apartment buildings with a maximum height of ten (10) storeys; a Holding Residential R9 Special Provision (R9-7(_)) Zone to permit apartment buildings with a maximum height of six (6) storeys;
- Block 6 – a holding Office OF1 (R5-3/R6-5/OF1) Zone to permit an office building;
- an Open Space OS1 Special Provision (OS1()) Zone to permit a block for access to the golf course to the north with a reduced lot frontage and lot area; and,
- an Open Space (OS4) Zone for the Medway Valley lands being dedicated to the City.

Residential

The applicant is proposing to develop these lands for townhouses and other forms of medium density cluster housing, and apartment buildings.

Office

Office zoning provides for and regulates small scale office uses which services the needs of the immediate neighbourhood. The applicant is proposing an Office (OF1) Zone to permit medical dental offices and offices which service the immediate neighbourhood. These proposed uses offer a form of mixed use development for the neighbourhood.

Open Space

An Open Space block for access to the golf course to the north and also for direct linkages to the proposed pathway system is included in the draft pan. This park link is proposed to be zoned OS1 with special provision for a reduced lot frontage and lot area requirements.

The main drainage corridor and lands in the vicinity of the Medway Valley are proposed to be zoned Open Space (OS4) to support conservation and passive recreational uses. An Environmental Impact Study (EIS) was prepared which identified any natural heritage features and functions on the site and potential direct and indirect impacts from the proposed development. Open Space (OS4) zoning has been recommended, based on findings of the EIS, to protect these ecological features and functions.

The Open Space (OS1 and OS4) Zone variations permit pathways, including multi-uses pathways as of right, within the Zone.

Planning Impact Analysis

A 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 recommended subdivision and associated Zoning Amendments are consistent with Section 3.7 as:

- they are 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 parcels can accommodate the intensity of the proposed use;
- the property 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;

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- the proposed development provides for the retention of a significant portion of the existing open space which will contribute to and enhance the character of the surrounding area;
- the location of vehicular access points comply with the City’s road access policies; and,
- the proposed development is consistent with the City’s Official Plan and Zoning By-law,

Holding Provisions

Holding provisions have been recommended as follows:

1. The ‘h’ holding provision is implemented to address servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer, and the entering of a subdivision agreement.
2. The ‘h-100’ holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the City Engineer.
3. The ‘h-53’ holding provision to encourage street oriented development and discourage noise attenuation walls along arterial roads;

Overall, the proposed zoning will meet the intent of the Official Plan, as amended.

THE LONDON PLAN

Although the application and appeal predates the approval of the London Plan, a review of the proposed subdivision using the policies of the London Plan was undertaken.

Overall, the subdivision reflects the intent of the policies and is generally consistent with the London Plan. The proposed subdivision supports the Neighbourhoods and Green Space Place Types, meets the vision for London, and is generally consistent with the London Plan.

CONCLUSION

The appeals from Sunningdale Golf & Country Ltd. are in response to the failure of Municipal Council and the Approval Authority to make decisions on applications for Official Plan Amendment, Zoning By-law Amendments and draft plan of subdivision approval within the statutory periods prescribed in the Planning Act. As a result of the appeals, the authority to decide on the applications now rests with the Ontario Municipal Board

Since both the submission of this application and the appeal by the applicant to the OMB, both City Staff and the Applicant have held several without prejudice discussions regarding the major issues between the parties which include the following:

1. the request to amend the Official Plan designation to Multi-Family, High Density Residential; and,
2. the delineation and securing of a multi-use pathway link to the overall pathway system planned for this area.

The proposed Chapter 10, Policies for Specific Area and the City’s options to secure establishing a pathway linkage along the northerly limits of this plan, have led to a possible resolution/settlement between the City and the Applicant on the development application for plan of subdivision approval and amendments to the Official Plan and Zoning By-law. Staff are prepared to attend the OMB in support of the revised development application.

The proposed revisions to the subdivision and subsequent Official Plan and Zoning By-law Amendment are consistent with the Provincial Policy Statement, the Planning Act, and the current Official Plan. The recommended Official Plan and Zoning By-law Amendments encourage the development of the plan of subdivision that includes placemaking elements, and protects significant natural heritage features.

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 Planner: Alanna Riley

This report has been prepared in consultation with the City Solicitor's Office.

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| RECOMMENDED BY: | REVIEWED BY: |
| | |
| ALANNA RILEY, MCIP, RPP SENIOR PLANNER, DEVELOPMENT SERVICES | LOU POMPILII, MPA, RPP MANAGER, DEVELOPMENT PLANNING, DEVELOPMENT SERVICES |
| CONCURRED IN BY: | SUBMITTED BY: |
| | |
| PAUL YEOMAN, RPP, PLE DIRECTOR, DEVELOPMENT SERVICES | G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL |

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Appendix "A"

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-16504 ARE AS FOLLOWS:

NO.

CONDITIONS

1. This draft approval applies to the draft plan as submitted by Sunningdale Golf & Country Ltd. (File No. 39T-16504), prepared by Stantec and certified by Jeremy Matthews (Project No. 161403302, dated April 20, 2016, as red-lined, which shows four residential blocks (Blocks 1, 2, 3 & 4), an open space block (Block 5), and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north).
2. This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall request that street(s) shall be named to the satisfaction of the City.
5. The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. 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 subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies once the plan of subdivision has been registered.
10. 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.
11. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City a complete submission consisting of all required clearances, fees, and final plans, and advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
12. Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

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Planning

13. The Owner shall carry out an archaeological survey and rescue excavation of any significant archaeological remains found on the site to the satisfaction of the Southwestern Regional Archaeologist of the Ministry of Culture; and no final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.
14. In conjunction with the Design Studies submission, the Owner shall submit a Noise Impact Study which recommends noise mitigation measures in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines that excludes the requirement for a continuous berm/barrier along the Pack Road and/or Colonel Talbot Road frontage, all to the satisfaction of the City.

Upper Thames River Conservation Authority (UTRCA) and Parks Planning

15. In conjunction with the Design Studies submission the Owner shall submit a final consolidated hydrogeological report /slope assessment to the satisfaction of the UTRCA.
16. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent shall obtain the necessary permit/approvals from the UTRCA.
17. In conjunction with the Design Studies submission, the Owner shall submit a slope assessment report to address all slope 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 associated with open watercourses that services an upstream catchment, all to the satisfaction of the City Engineer and the UTRCA. The Owner shall provide written acceptance from the UTRCA for the final setback.

Environmental & Parks Planning

18. The Owner shall dedicate Blocks 9, 10, 11 and 12 as redlined to cover a portion of the required parkland dedication. The remaining parkland dedication will be taken as cash-in-lieu as per By-law CP-9.
19. The owner shall provide an 8 metre wide easement in favour of the City along the west and northern limits of Blocks 3 and 4, adjacent to the Medway Creek natural heritage system and outside of the approved 6 meter UTRCA access allowance as a multi-use pathway easement. Lands within the easement may be considered towards parkland dedication and calculated once the easement is provided. In the event that the UTRCA grants a Section 28 permit for a multi-use pathway within the access allowance block, the above noted easement will not be required.
20. As part of Design Studies submission, the owner shall prepare and submit a conceptual plan delineating a pathway alignment and tree planting to the satisfaction of the City Planner.
21. In the event that the multi-use pathway system is to be incorporated within a portion of Street A, then a revised road standard, for that portion of Street A will be required as a part of the design studies submission.
22. As part of Design Studies, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.

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23. As part of Design Studies, the owner shall prepare and submit an implantation plan identifying the timing of implantation of the recommendations within the EIS prepared by Stantec (2016).
24. Within one (1) year of registration of this plan of subdivision, all lots/blocks abutting park blocks shall be fenced with 1.5 meter high chain link fence without gates in accordance with current City park standards (SPO 4.8) or approved alternate.
25. All park blocks lands shall be sufficiently protected from sediment throughout the construction period. A sediment barrier shall be established along the park block limits to the satisfaction of Development Services and the City Planner.
26. No grading shall occur within proposed parkland blocks except where determined to be appropriate by the City Planner.
27. As part of Design Studies submission, the Owner shall prepare 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 education package shall be provided to all units owners/tenants.
28. The owner shall provide an 8 metre wide easement in favour of the City with the Union Gas easement from Sunningdale Road to the the Medway Creek natural heritage system for the purposes of a multi-use pathway easement.

Engineering – Sanitary

29. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
 - ii) propose a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer; and,
 - iii) an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
30. 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 (including the extension of a minimum 300 mm (12”) sanitary sewer on Sunningdale Road East, at no cost to the City) and connect them to the existing municipal sewer system, namely, the 300 mm (12”) diameter sanitary sewer located on Sunningdale Road East, west of 920 Sunningdale Road East which connects to the 375 mm (15”) sanitary sewer that runs through an easement in the condominium complex at 620 Thistlewood Drive eventually connecting to the 525 mm (21”) municipal trunk sanitary sewer at Thistlewood Drive and Creekside Street;
 - 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; and,
 - iii) 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.

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 Planner: Alanna Riley

31. 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 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, 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. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City;
 - iii) having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407;
 - iv) installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance holes 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; and,
 - v) any additional measures recommended through the Design Studies stage.
32. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide 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.

Sanitary:

33. 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;
 - ii) Propose a suitable routing for the sanitary sewer to be constructed through this plan.
 - iii) Identify the proposed servicing of the existing golf maintenance facility to the north of this plan;
 - iv) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken; and
34. 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 525 mm diameter sanitary sewer located on the south side of Sunningdale Road West via the Maintenance Hole S24 as per the ultimate alignment of the Medway Trunk Sanitary Sewer Phase 2 (Project No. 1614-03109, Stantec 2011);
 - ii) Construct a sanitary private drain connection to Block 5 to service the existing golf maintenance facility to the north of this plan, external to the plan, as per the accepted Design Studies and in accordance with approved engineering drawings.
 - iii) 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;

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- iv) 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
- v) 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.

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

- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
- ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
- iii) Install Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.
- iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
- v) Implementing any additional measures recommended through the Design Studies stage.

36. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide/Greenway Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Storm and Stormwater Management (SWM)

37. 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) Identifying all overland flow routes and provide modelling of the conveyance capacities of both internal and external overland flow routes to the existing Sunningdale SWM Facility # 4. The overland flow route modelling shall include analysis to demonstrate overland flow route conveyance up to and include the 250 year event traversing Sunningdale Road to Sunningdale SWM Facility # 4;
- iv) 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.
- v) Identifying any modifications within the existing Sunningdale SWM Facility # 4 which may be required due to the proposed major and minor storm drainage servicing outlets design for this plan;

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 Planner: Alanna Riley

- vi) Identify the proposed servicing of the existing golf maintenance facility to the north of this plan and provide details of servicing;
- vii) 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. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;
- viii) 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
- ix) 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.

38. 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 Medway Creek Subwatershed Study and any addendums/amendments;
- ii) The The Schedule 'B' Municipal Class Environmental Assessment Report entitled Sunningdale Area Storm Drainage and Stormwater Management Servicing for Undeveloped Lands (AECOM April 2009) and any addendums/amendments;
- iii) The approved Functional Design Report for the Sunningdale SWM Facility # 4 and Compensation Area (Delcan April 2011) or any updated Functional Stormwater Management Plan;
- iv) The City's Design Requirements for Permanent Private Stormwater Systems 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 development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
- v) The Stormwater and Storm Drainage Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the File Manager process;
- 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 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.

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

- i) Construct storm sewers to serve this plan, located within the Medway Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1500 mm diameter storm sewer stub located on the south side of Sunningdale Road ultimately outletting the major and minor storm drainage flows for this plan to the existing Sunningdale SWM Facility # 4 located on the south side of Sunningdale Road at 330 Sunningdale Road West.
- ii) Construct a storm private drain connection to Block 5 to service the existing golf maintenance facility to the north of this plan, external to the plan, as per the accepted Design Studies and in accordance with approved engineering drawings.
- iii) Modify the existing Sunningdale SWM Facility # 4, if necessary, due to the proposed major and minor storm drainage servicing outlets design for this plan. The revised

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SWM Facility shall be constructed/reconfigured in accordance with the approved functional design and all applicable prior approvals for this development;

- iv) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
 - 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.
40. 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
 - iv) If necessary, the modified SWM Facility and related works must be constructed and operational in accordance with approved design criteria and accepted engineering drawings, to the specifications of the City Engineer, at no cost to the City. If applicable, a technical amendment will be required for any ECA for the MOECC. The Owner shall have its professional engineer certify to the City Engineer that the said facility was reconstructed and shall operate in accordance with the approved design criteria.
41. 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.
42. 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, including but not limited to, the following:
- i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
 - ii) identify any abandoned wells in this plan
 - iii) assess the impact on water balance in the plan
 - iv) any fill required in the plan
 - v) provide recommendations for foundation design should high groundwater be encountered
 - vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions
 - vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
 - ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site, all to the satisfaction of the City.
43. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
44. 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

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cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

45. The Owner acknowledges that any modifications within the existing Sunningdale SWM Facility # 4 Block (330 Sunningdale Road West) which may be required due to the proposed major and minor storm drainage servicing outlet(s) design for this plan of subdivision, shall be co-ordinated and reviewed in accordance with current City of London policies. All associated costs are to be borne entirely by the Owner and may include but not be limited to; design, construction, as well as maintenance, cleaning and repairing for a one (1) year period post construction. The Owner is responsible to facilitate any permitting and alterations thereto, by the relevant authorities, all to the specifications and satisfaction of the City Engineer.

Watermains

46. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:
- i) A water servicing report which addresses the following:
 - a) Identify external water servicing requirements;
 - b) Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;
 - c) Confirm capacity requirements are met;
 - d) Identify need to the construction of external works;
 - e) Identify the effect of development on existing water infrastructure – identify potential conflicts;
 - f) Water system area plan(s)
 - g) Water network analysis/hydraulic calculations for subdivision report;
 - h) Phasing report and identify how water quality will be maintained until full built-out;
 - i) Oversizing of watermain, if necessary and any cost sharing agreements.
 - j) Water quality
 - k) Identify location of valves and hydrants
 - l) Identify location of automatic flushing devices as necessary
 - m) Looping strategy
 - n) Adherence to the North London Water Servicing Strategy
 - ii) an engineering analysis to determine the extent of external watermains required to serve Blocks within this plan, at no cost to the City.
 - iii) Identify the proposed servicing of the existing golf maintenance facility to the north of this plan and provide details of servicing;
47. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City. The requirements or measure which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.
48. Prior to the issuance of any Certificate of Conditional Approval and in accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 200 mm diameter watermain on Callaway Road, the 200 mm diameter watermain on Meadowlands Way and the 300 mm diameter watermain on Sunningdale Road West;
 - ii) Construct a water stub, appropriately sized adjacent to Block 5 in this plan to service the existing golf maintenance facility to the north of this plan, external to the plan, as per the accepted Design Studies and in accordance with approved engineering drawings and allowing for the abandonment of the well currently servicing the external lands;
 - iii) Extend the existing 300 mm watermain on Sunningdale Road West at Meadowlands Way across the frontage of this Plan to the proposed Street 'A' in this plan;

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- iv) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
- v) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings; The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval;

49. 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 assumption. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.

50. 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

51. The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

52. 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, all to the specifications of the City, as follows:

- i) align Meadowlands Way in this plan with Meadowlands Way to the south, external to this plan
- ii) align Callaway Road in this plan with Callaway Road in Plan 33M-633, external to this plan

53. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 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. It should be noted tapers are not to be within an intersection.

54. 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, pavement marking plan, including all turn lanes, etc., and include any associated adjustments to the abutting lots.

55. The Owner shall construct Meadowlands Way to secondary collector standards on a right of way width of 21.5 metres, to the satisfaction of the City.

56. 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

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 Planner: Alanna Riley

conforms to the City of London Standard “Minimum Centreline Radii of Curvature of Roads in Subdivisions:”

57. The Owner shall have it’s professional engineer design and construct the roadworks in accordance with the following road widths:
 - i) Meadowlands Way has a minimum road pavement with (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.
 - ii) Street ‘A’ has a minimum road pavement width (exluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
 - iii) The Owner shall construct a gateway feature on Meadowlands Way at the intersection of Sunningdale Road West with a right of way width of 28.0 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City.
58. In conjunction with the Design Studies submission, the Owner shall submit a concept of the gateway feature on Meadowlands Way at Sunningdale Road West, to the satisfaction of the City.
59. The Owner shall ensure access to lots and blocks adjacent to gateway feature will be restricted to rights-in and rights-out only.

Sidewalks/Bikeways

60. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:
 - iii) Meadowlands Way
 - iv) Street ‘A’

Street Lights

61. 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.

Boundary Road Works

62. In conjunction with the Design Studies submission, the Owner shall update the decision sight distance in accordance with the City’s Design Specifications and Requirements Manual, to the satisfaction of the City Engineer.
63. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall complete any required road works to address the sight line requirements, to the satisfaction of the City Engineer, at no cost to the City.
64. The Owner shall be required to make minor boulevard improvements on Sunningdale Road West 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.
65. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Street ‘A’ with Sunningdale Road West, to the specifications of the City, at no cost to the City.
66. In conjunction with the Design Studies submission, the Owner shall have it’s professional consulting engineer submit design criteria for the left turn and right turn lanes on Sunningdale Road West at Meadowlands Way for review and acceptance by the City.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

- 67. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct left and right turn lanes on Sunningdale Road West at Meadowlands Way, to the satisfaction of the City Engineer, at no cost to the City.
- 68. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit a concept design for the rights-in/rights-out access at Street 'A' in accordance with the City's Access Management Guidelines (AMG), , to the satisfaction of the City Engineer, at no cost to the City.
- 69. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct Street 'A' as a rights-in/rights-out only access, in accordance with the City's Access Management Guidelines (AMG), to the satisfaction of the City Engineer, at no cost to the City.
- 70. The Owner shall reconstruct or relocate any surface or subsurface works (eg. hydro poles, catchbasins, etc.) or vegetation necessary to connect Street 'A' and Meadowlands Way to Sunningdale Road West, to the satisfaction of the City and at no cost to the City.

Road Widening

- 71. The Owner shall be required to dedicate sufficient land to widen Sunningdale Road West as per the Sunningdale Road Environmental Assessment.
- 72. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Meadowlands Way with Sunningdale Road West and Street 'A' with Sunningdale Road West in accordance with the Z-1 Zoning By-law.

Vehicular Access

- 73. The Owner shall ensure that no vehicular access will be permitted to any blocks fronting Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.
- 74. The Owner shall provide and construct an access to external lands to the north through Block 5, all to the satisfaction of the City.

Construction Access/Temporary/Second Access Roads

- 75. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Sunningdale Road West via Meadowlands Way or other routes as designated by the City.
- 76. 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.
- 77. The Owner shall remove the temporary turning circle on Callaway Road and adjacent lands, in Plan 33M-633 to the east of this Plan, including restoration of adjacent lands, and removal of the temporary sanitary maintenance access to Sunningdale Road West, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-633 for the removal of the temporary turning circle and the construction of this section of Callaway Road and all associated works, including the removal of the temporary sanitary maintenance access to Sunningdale Road West, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Callaway Road in Plan 33M-633 is constructed as a fully serviced road by the Owner of Plan 33M-633, then the Owner shall be relieved of this obligation.

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GENERAL CONDITIONS

- 78. 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.

- 79. 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.

- 80. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.

- 81. In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
 - i) servicing, grading and drainage of this subdivision
 - ii) road pavement structure
 - iii) dewatering
 - iv) foundation design
 - v) removal of existing fill (including but not limited to organic and deleterious materials)
 - vi) the placement of new engineering fill
 - vii) any necessary setbacks related to slope stability for lands within this plan
 - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,and any other requirements as needed by the City, all to the satisfaction of the City.

- 82. 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.

- 83. The Owner shall have the common property line of Sunningdale Road West 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 Sunningdale Road West are the future ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

- 84. 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.

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85. 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.

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

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

87. 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.

88. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

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

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

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

89. 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.
90. In conjunction with the Design Studies submission, the Owner shall have its 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.
91. 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".
92. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)
93. 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.
94. 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.
95. 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.
96. 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.
97. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
98. The Owner shall decommission any abandoned infrastructure at no cost to the City, all to the specifications and satisfaction of the City.
99. 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.
100. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
101. The Owner shall submit confirmation that they have complied with any requirements of Imperial Oil Pipeline with regards to the 20 metre buffer within this plan of subdivision and for the crossing of Street 'A' over the pipeline in this plan, to the satisfaction of the City.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

102. Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from development charges as defined in the DC By-law, and further, where such works are not oversized pipe works (sanitary, storm or water – the reimbursement of which is provided for in subsidy tables in the DC By-law), then the Owner shall submit through their consulting engineer an engineering work plan for the proposed works satisfactory to the City Engineer (or designate) and City Treasurer (or designate). The Owner acknowledges that:
- i) no work subject to a work plan shall be reimbursable until both the City Engineer (or designate) and City Treasurer (or designate) have reviewed and approved the proposed work plan; and
 - ii) in light of the funding source and the City's responsibility to administer development charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.
103. The following works required by this subdivision shall be subject to a work plan:
- iii) internal road widening
 - iii) channelization
104. Where the proposed development calls for the construction of a stormwater management facility or works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from development charges as defined in the DC by-law, then the Owner shall submit through their consulting engineer an engineering work plan including works completed to date and future works to be undertaken for the proposed works, satisfactory to the City Engineer (or designate) and City Treasurer (or designate). In light of the funding course and the City's responsibility to administer development charge funds collected, the City retains the right to request proposed for the work from an alternative consulting engineer.
105. Where Sunningdale Road West requires restoration due to the installation of services (sewers, water), the Owner shall construct Sunningdale Road West to the satisfaction of the City Engineer, at no cost to the city.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to a portion of 379 Sunningdale Road West

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13.*

PASSED in Open Council on

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading -
Third Reading -

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to include a Special Policy in Chapter 10 (Policies for Specific Areas) of the Official Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to portion of lands located at 379 Sunningdale Road West in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendments are consistent with the policies of the Provincial Policy Statement, 2014.

The recommended amendments are consistent with the Natural Heritage policies of the City of London Official Plan. The recommended amendments will protect the existing identified Natural Heritage Features (Medway Valley)

The recommended Chapter 10, Policies for Specific Area provide the necessary guidance for future developers and Staff, and would direct the tallest and more intense residential uses to the north and west limits of the property adjacent to the golf course with a transition to less intensive forms of uses adjacent to the existing low density residential and medium density residential neighbourhoods to the south and east. The overall density of this parcel would be in keeping with the Multi-Family, Medium Density Residential density targets for a parcel of this size.

The recommended amendments encourage the development of a plan of subdivision that includes densities and built form regulations that are compatible and provide a good transition with surrounding land uses. This represents good planning.

D. THE AMENDMENT

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

In addition to the Multi-Family Medium Density Residential policies of Section 3.3 of this Plan, the following policies apply to the lands at 379 Sunningdale Road West, Blocks 1-6 which form part of the Sunninglea Subdivision (39T-16504).

- I. Blocks 1, 2, and 6 may be permitted to develop at a maximum density of 35 units per hectare;*
- II. Blocks 3 and 4 may be permitted to develop at a maximum density of 150 units per hectare and a maximum height of ten (10) stories;*
- III. Street oriented development will be encouraged in order to provide a strong street edge and to eliminate the need for continuous noise walls in this area;*
- IV. A graduated “step down” of building height will be encouraged between any proposed buildings on Block 3 that implement the maximum height provision of ii) above and the interface of Sunningdale Road;*
- V. Surface parking will be discouraged along the Sunningdale Road street frontages in order to establish a strong building/street interface in this area. Should surface parking be considered necessary, the parking area must be appropriately screened from the street; and,*
- VI. Holding provisions will be applied to all zones in this area to guide site layout and building form.*

Two empty rectangular boxes for agenda item and page numbers.

File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

APPENDIX "C"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 379 Sunningdale Road West.

WHEREAS Sunningdale Golf & Country Ltd as applied to rezone an area of land located at 379 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at , as shown on the attached map, **from** an Open Space (OS1) Zone and a holding Open Space (h-4.OS1) **to** a Holding Residential R9 Special Provision (h.h-100.h-53.R9-7()) Zone; a Holding Residential R5/R6 Special Provision (h.h-100.h-53.R5-3()/R6-5()) Zone; a Holding Office/Residential (h.h-100.h-53.R5-3/R6-5/OF1) Zone; an Open Space OS1 Special Provision (OS1()) Zone; and an Open Space (OS4) Zone for the Medway Valley lands being dedicated to the City.
- 2) Section 13.4 of the Residential R9 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
 - 13.4 g) ___ R9-7(**)
 - (a) Regulations
 - i) Density (Maximum): 150 units per hectare
 - ii) Height (Maximum): 10 storeys
- 3) Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
 - 9.4 c) ___ R5-3(*)
 - (a) Regulations
 - i) Density (Maximum): 35 units per hectare
 - ii) Height (Maximum): 13 metres (42.6 feet)
- 4) Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:
 - 10.4 e) ___ R6-5(*)
 - (a) Regulations
 - i) Density (Maximum): 35 units per hectare

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

- ii) Height (Maximum): 13 metres (42.6 feet)

5) Section 36.4 of the Open Space OS Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

36.4 a) ___ OS1(*)

(a) Regulations

- i) Lot Frontage (Minimum): 9 metres (29.53 feet)
- ii) Lot Area (minimum): 0.080 hectares (0.20 acres)

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 section 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

Matt Brown
Mayor

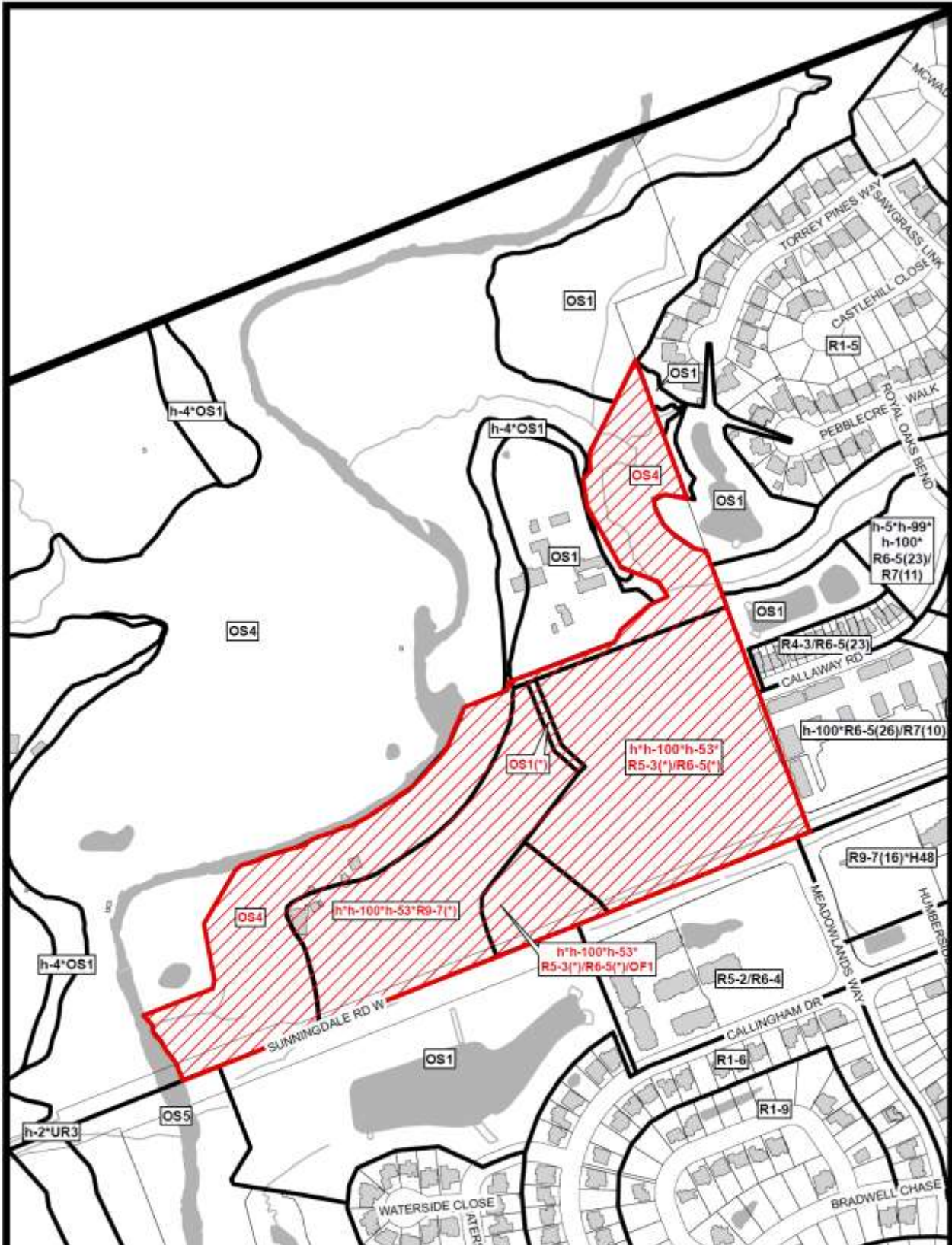
Catharine Saunders
City Clerk

First Reading -
Second Reading -
Third Reading -

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

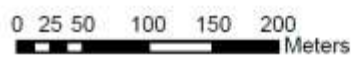
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: 39T-16504
 Planner: AR
 Date Prepared: 2017/10/12
 Technician: WR
 By-Law No: Z.-1-

SUBJECT SITE

1:5,000



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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley

Appendix “D”

Related Estimated Costs and Revenues

| Estimated DC Funded Servicing Costs | Estimated Cost (excludes HST) |
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| Claims for developer led construction from CSRF - Storm sewer oversizing (DC14-MS01001) | \$104,438 |
| Claims for City led construction from CSRF - None identified. | \$0 |
| Total | \$104,438 |
| Estimated Total DC Revenues | Estimated |
| CSRF | \$10,198,641 |
| UWRF | \$948,468 |
| TOTAL | \$11,147,109 |

- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 2 Estimated Revenues are calculated using 2017 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
- 3 The revenues and costs in the table above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
- 4 In anticipation of the Sunningdale Rd. Phase 3 project (DC14-RS00017), all minor roadworks connecting the proposed development are considered local servicing and/or temporary and shall be funded by the developer.
- 5 The extent of oversized sewers and watermains will be finalized through the detailed design process which may change the values noted.

Reviewed by:

Oct 12/2017
Date


 Matt Feldberg
 Manager, Development Finance

Agenda Item # Page #

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Appendix "E" – Appeals to the OMB

Re: Appeal to the OMB

Appeal Form and Money Order/Cheque for the s. 34(11) appeal enclosed.

May/23/2017 \$300.00

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley



Environment and Land Tribunals Ontario
Ontario Municipal Board
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
FAX: (416) 326-5370
www.eito.gov.on.ca

**APPELLANT FORM (A1)
PLANNING ACT**

**SUBMIT COMPLETED FORM
TO MUNICIPALITY/APPROVAL AUTHORITY**



Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

| SUBJECT OF APPEAL | TYPE OF APPEAL | PLANNING ACT REFERENCE (SECTION) |
|--|---|----------------------------------|
| Minor Variance | <input type="checkbox"/> Appeal a decision | 45(12) |
| | <input type="checkbox"/> Appeal a decision | 53(19) |
| Consent/Severance | <input type="checkbox"/> Appeal conditions imposed | 53(27) |
| | <input type="checkbox"/> Appeal changed conditions | 53(14) |
| | <input type="checkbox"/> Failed to make a decision on the application within 90 days | 34(19) |
| | <input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality | 34(11) |
| Zoning By-law or Zoning By-law Amendment | <input type="checkbox"/> Appeal the passing of a Zoning By-law | 38(4) |
| | <input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days | 17(24) or 17(36) |
| Interim Control By-law | <input type="checkbox"/> Appeal a decision | 17(40) |
| | <input type="checkbox"/> Failed to make a decision on the plan within 180 days | 22(7) |
| | <input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality | 51(39) |
| Official Plan or Official Plan Amendment | <input type="checkbox"/> Appeal a decision | 51(43) or 51(48) |
| | <input type="checkbox"/> Appeal conditions imposed | 51(34) |
| | <input checked="" type="checkbox"/> Failed to make a decision on the application within 180 days | |
| Plan of Subdivision | <input type="checkbox"/> Appeal a decision | |
| | <input type="checkbox"/> Appeal conditions imposed | |

Part 2: Location Information

379 Sunningdale Road West

Address and/or Legal Description of property subject to the appeal.

Municipality/Upper tier: **City of London**

Part 3: Appellant Information

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

First Name: _____ Last Name: _____

Corton Properties Inc.

Company Name or Association Name (Association must be incorporated – Include copy of letter of incorporation)

Professional Title (if applicable): _____

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: _____
Street Address Apt/Suite/Unit# City/Town

Province Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: Alan Last Name: Patton

Company Name: PATTON LAW

Professional Title: Lawyer

E-mail Address: alan@pattonlaw.ca
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 519-432-8282 Ext.24 Alternate Telephone #: _____

Fax #: 519-432-7285

Mailing Address: 140 Fullarton Street Suite 1512 London
Street Address Apt/Suite/Unit# City/Town

Ontario N6A 5P2
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: _____

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Part 5: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)
Municipal File No. 39T-16504

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)
The Application for a Plan of Subdivision was accepted by the Municipality on June 16, 2016.
The Application for Plan of Subdivision is:
1) Consistent with the PPS 2014;
2) Represents sound Land Use Planning without unacceptable or adverse impacts on either the subject land or adjoining lands;
3) Will provide for an appropriate and desirable mix of land uses, including:
 i) High Density Residential;
 ii) Medium Density Residential;
 iii) Low Density Residential;
 iv) Housing for Senior Citizens;
 v) An Office Building;
 vi) Open Space to include access to a golf course.
4) The land fronts onto an Arterial Road;
5) The lands are boundary serviced or serviceable with sanitary sewers, storm sewers, water and local roads.
6) The development will be adjacent to land designated for Medium Density Residential uses as well as Open Space land containing the Medway Creek Valley.
7) The Plan of Subdivision has regard to all criteria contained in section 51(24) Planning Act.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

- a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)
- b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley

Bill 73 - This question applies only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016.

1. Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?
 - a. **No X**
 - b. Yes

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES NO

Are there other planning matters related to this appeal? YES NO
(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)
Municipal File No. OZ8639

Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal? half day 1 day 2 days 3 days
 4 days 1 week More than 1 week – please specify number of days: Eight (8) Days

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Four (4)

Describe expert witness(es)' area of expertise *(For example: land use planner, architect, engineer, etc.):*
Land Use Planner, Civil Engineer, Traffic Engineer

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? To establish an Issues List and a Procedural Order for the proper and official conduct of the Appeal Hearing.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

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|---|
| The Application for Approval of an Official Plan Amendment was accepted by the Municipality on June 16, 2016. |
| Notice of the Application was circulated on July 7, 2016. |
| The Municipality has failed or refused to make a Decision within 180 days after the Application was accepted by the Municipality. |
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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

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Part 10: Required Fee

Total Fee Submitted: \$ 300.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Re: Appeal to the OMB

Appeal Form and Money Order/Cheque for the s. 34(11) appeal enclosed.

May/23/2017 \$300.00

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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.elt.o.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**



Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

| SUBJECT OF APPEAL | TYPE OF APPEAL | PLANNING ACT REFERENCE (SECTION) |
|--|--|----------------------------------|
| Minor Variance | <input type="checkbox"/> Appeal a decision | 45(12) |
| | <input type="checkbox"/> Appeal a decision | 53(19) |
| Consent/Severance | <input type="checkbox"/> Appeal conditions imposed | 53(27) |
| | <input type="checkbox"/> Appeal changed conditions | 53(14) |
| | <input type="checkbox"/> Failed to make a decision on the application within 90 days | 34(19) |
| Zoning By-law or Zoning By-law Amendment | <input type="checkbox"/> Appeal the passing of a Zoning By-law | 34(11) |
| | <input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days | |
| | <input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality | |
| Interim Control By-law | <input type="checkbox"/> Appeal the passing of an Interim Control By-law | 38(4) |
| Official Plan or Official Plan Amendment | <input type="checkbox"/> Appeal a decision | 17(24) or 17(36) |
| | <input type="checkbox"/> Failed to make a decision on the plan within 180 days | 17(40) |
| | <input checked="" type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days | 22(7) |
| | <input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality | |
| Plan of Subdivision | <input type="checkbox"/> Appeal a decision | 51(39) |
| | <input type="checkbox"/> Appeal conditions imposed | 51(43) or 51(48) |
| | <input type="checkbox"/> Failed to make a decision on the application within 180 days | 51(34) |

Part 2: Location Information

379 Sunningdale Road West
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: **City of London**

Part 3: Appellant Information

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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley

Part 3: Appellant Information

First Name: _____ Last Name: _____

Corlon Properties Inc.
 Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): _____

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: _____
Street Address Apt/Suite/Unit# City/Town
Province Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: Alan Last Name: Patton

Company Name: PATTON LAW

Professional Title: Lawyer

E-mail Address: alan@pattonlaw.ca
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 519-432-8282 Ext.24 Alternate Telephone #: _____

Fax #: 519-432-7285

Mailing Address: 140 Fullarton Street Suite 1512 London
Street Address Apt/Suite/Unit# City/Town
Ontario N6A 5P2
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: _____

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Part 5: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)

Municipal File No. OZ8639

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)

The Application for an Amendment to the Official Plan was accepted by the Municipality on June 16, 2016.

The Application for the OPA is:

- 1) Consistent with the PPS 2014;
- 2) Represents sound Land Use Planning without unacceptable or adverse impacts on either the subject land or adjoining lands;
- 3) Will provide for an appropriate and desirable mix of land uses, including:
 - i) High Density Residential;
 - ii) Medium Density Residential;
 - iii) Low Density Residential;
 - iv) Housing for Senior Citizens;
 - v) An Office Building;
 - vi) Open Space to include access to a golf course.
- 4) The land fronts onto an Arterial Road;
- 5) The lands are boundary serviced or serviceable with sanitary sewers, storm sewers, water and local roads.
- 6) The development will be adjacent to land designated for Medium Density Residential uses as well as Open Space land containing the Medway Creek Valley.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(if application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal.
**If more space is required, please continue in Part 9 or attach a separate page.

Two empty rectangular boxes for Agenda Item # and Page #.

Bill 73 - This question applies only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016.

- 1. Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?
 - a. **No X**
 - b. Yes

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES NO

Are there other planning matters related to this appeal? YES NO
(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)
Municipal File No. 39T-16504

Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal? half day 1 day 2 days 3 days
 4 days 1 week More than 1 week – please specify number of days: Eight (8) Days

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Four (4)

Describe expert witness(es)' area of expertise *(For example: land use planner, architect, engineer, etc.):*
Land Use Planner, Civil Engineer, Traffic Engineer

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? To establish an Issues List and a Procedural Order for the proper and official conduct of the Appeal Hearing.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

The Application for Approval of an Official Plan Amendment was accepted by the Municipality on June 16, 2016.

Notice of the Application was circulated on July 7, 2016.

The Municipality has failed or refused to make a Decision within 180 days after the Application was accepted by the Municipality.

Five empty horizontal lines for additional information.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

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Part 10: Required Fee

Total Fee Submitted: \$ 300.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Re: Appeal to the OMB

Appeal Form and Money Order/Cheque for the s. 34(11) appeal enclosed.

May/23/2017 \$300.00

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley



Environment and Land Tribunals Ontario
Ontario Municipal Board
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
FAX: (416) 326-5370
www.elt.o.gov.on.ca

**APPELLANT FORM (A1)
PLANNING ACT**

**SUBMIT COMPLETED FORM
TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality



Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

| SUBJECT OF APPEAL | TYPE OF APPEAL | PLANNING ACT REFERENCE (SECTION) |
|--|---|----------------------------------|
| Minor Variance | <input type="checkbox"/> Appeal a decision | 45(12) |
| | <input type="checkbox"/> Appeal a decision | 53(19) |
| Consent/Severance | <input type="checkbox"/> Appeal conditions imposed | 53(27) |
| | <input type="checkbox"/> Appeal changed conditions | 53(14) |
| | <input type="checkbox"/> Failed to make a decision on the application within 90 days | 34(19) |
| | <input type="checkbox"/> Failed to make a decision on the application within 120 days | 34(11) |
| Zoning By-law or Zoning By-law Amendment | <input checked="" type="checkbox"/> Appeal the passing of a Zoning By-law | 38(4) |
| | <input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days | 17(24) or 17(36) |
| | <input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days | 17(40) |
| Interim Control By-law | <input type="checkbox"/> Appeal the passing of an Interim Control By-law | 22(7) |
| | <input type="checkbox"/> Appeal a decision | 51(39) |
| | <input type="checkbox"/> Failed to make a decision on the plan within 180 days | 51(43) or 51(48) |
| Official Plan or Official Plan Amendment | <input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality | 51(34) |
| | <input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality | |
| Plan of Subdivision | <input type="checkbox"/> Appeal a decision | |
| | <input type="checkbox"/> Appeal conditions imposed | |
| | <input type="checkbox"/> Failed to make a decision on the application within 180 days | |

Part 2: Location Information

379 Sunningdale Road West
Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: City of London

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Part 5: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example, Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)
Municipal File No. OZ8639

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)
The Application for an Amendment to the Zoning By-law was accepted by the Municipality on June 16, 2016.
The Application for a ZBA is:
 1) Consistent with the PPS 2014;
 2) Represents sound Land Use Planning without unacceptable or adverse impacts on either the subject land or adjoining lands;
 3) Will provide for an appropriate and desirable mix of land uses, including:
 i) High Density Residential;
 ii) Medium Density Residential;
 iii) Low Density Residential;
 iv) Housing for Senior Citizens;
 v) An Office Building;
 vi) Open Space to include access to a golf course.
 4) The land fronts onto an Arterial Road;
 5) The lands are boundary serviced or serviceable with sanitary sewers, storm sewers, water and local roads.
 6) The development will be adjacent to land designated for Medium Density Residential uses as well as Open Space land containing the Medway Creek Valley.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley

Bill 73 - This question applies only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/were passed on or after July 1, 2016.

1. Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?
 - a. No X
 - b. Yes

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES NO X

Are there other planning matters related to this appeal? YES X NO

(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)
Municipal File No. 39T-16504

Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal? half day 1 day 2 days 3 days
 4 days 1 week More than 1 week – please specify number of days: Eight (8) Days

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Four (4)

Describe expert witness(es)' area of expertise *(For example: land use planner, architect, engineer, etc.)*:
Land Use Planner, Civil Engineer, Traffic Engineer

Do you believe this matter would benefit from mediation? YES NO X
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES X NO

(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? To establish an Issues List and a Procedural Order for the proper and official conduct of the Appeal Hearing.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

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|---|
| The Application for an Amendment to the Zoning By-law was accepted by the Municipality on June 16, 2016. |
| Notice of the Application was circulated on July 7, 2016. |
| The Municipality has failed or refused to make a Decision within 120 days after the Application was accepted by the Municipality. |
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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Appendix “F” – Pubic Comments

September 23, 2016

Zoning application 39T-16504/OZ-8639

City of London
Alanna Riley/Josh Morgan
300 Dufferin Ave.
PO Box 5035
London On
N6A 4L9

Dear Alanna and Josh

I am writing to express my concerns over the proposed zoning application 39T-16504/OZ-8639 submitted by Sunningdale Golf & Country Ltd. I have a number of concerns about the application which I have addressed below. I urge you to take these concerns into consideration while coming to a decision on the application as this proposed development will have a major impact not only on myself but my fellow neighbours. Unfortunately I did not receive formal notice from the City about the zoning application so have missed the stated comment deadline. As the missed deadline was due to no fault of my own I still urge you to hear my concerns.

1. No notification was provided by the City – I am saddened that the City did not notify us about the proposal to put up six apartment buildings and an office building that will have a clear line of sight directly across the street and into our backyards and homes. On a quick search I performed this morning I saw another application (39T-16503/OZ-8637) was made to extend Callingham drive and permit the development of a subdivision with single detached lots, a medium density block, two commercial blocks and two residential part blocks. I am once again disappointed that no communication was made to the residents about this zoning application either. As I live on Callingham Drive I feel that both of these matters concern not only myself but the other residents of the subdivision. I would like to request that it be looked into as to why no notification was received by any of the Meadowlands of Sunningdale residents on either of these matters and if there are other zoning applications that would directly impact us. I also request that the comment period be extended and the residents of the Meadowlands of Sunningdale be sent notices so that all concerned may have the ability to comment.
2. Safety with direct line of sight into our homes – These apartment buildings will provide a direct line of sight not only into our backyards effecting our privacy, ability to enjoy our property and the view we were sold on. But more concerning is that these apartments and their hundreds of tenants will be given a direct line of sight into our and our children’s bedrooms. I cannot think of anything more unsettling then knowing that all these people will have a direct view into homes, our lives and our privacy. This issue cannot simply be fixed with closing the blinds or curtains. We have every right to be able to enjoy the sunlight, we have every right to privacy in our own homes. We have every right to security and not feel violated by the hundreds of peering eyes. With these apartments going up it will feel like this security, privacy and the rights we’ve enjoyed and are entitled to, will be stripped away from us. Being a female who is often home on her own I would feel very unsafe in a place that I should feel most safe and secure...in my own home.

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3. Traffic and crossing safety – Even with the recent decrease of the speed limit on Sunningdale road there are still a number of excessive speeders on the road as well as large volumes of traffic. Adding the apartments will inevitably increase the volume of traffic making this a more dangerous crossing point for both humans and animals alike. The added residents will lead to greater congestion and the greater potential for vehicle accidents and injuries. Currently the parking lot for the Medway Valley trail can be seen overflowing, especially in the spring or on nice weather weekends. This has created havoc with traffic and it is not uncommon to hear honking horns and squeaking tires from vehicles trying to avoid accidents. With increased traffic my concerns are that these paths will be used more resulting in not only more foot traffic in front of my house further reducing my privacy but also the potential for more accidents with the increased congestion in the parking lots.
4. Misinformation – When I purchased my home I inquired into the zoning and future planned developments for my area. I did not want to purchase a home only to have a few years later commercial development or an apartment go up across the street from me. I was assured that the land mentioned in 39T-16504/OZ-8639 was zoned green space and would not be developed and if it was ever developed it would be detached houses. It is my understanding that the developer of my subdivision, Corlon Properties Inc., is the same one that has made this application. Now with their change of mind I find that I feel misled and lied to.
5. Green Space Disappearing – For a city that prides itself as the Forest City then why are we cutting down more trees? I realize there is some irony in this given that I am in a new subdivision that was once farmland. But in the time I have lived here I have noticed that there is a large variety of animals that call that space home. The City has even designated land close by Medway Valley as an Environmentally Sensitive Area (ESA). By re-zoning this land for apartments you are affecting the habitat of White-tailed Deer, Squirrel, Chipmunk, Rabbits, Muskrat, Mink, Frogs and the many species of birds that use this land as their nesting zones. Taking away and reducing their habitat to me sounds counter intuitive to protecting areas as ESA's. Not to mention the added danger of more animals being forced to cross more a congested road.
6. Value of property – I'm sure you have or will hear a vast number of concerns about how such a development will negatively affect the property values of our homes that will be in the line of sight of these proposed apartment buildings. I would like to point out that the value of one's property is more than just some monetary figure that MPAC assess it as or the amount it can be sold for. When we purchased our homes (yes at a premium for the view) we also purchased intrinsic value. We purchased the essential nature of the thing that gave us a sense privacy and security from strangers and other commercial developments. With these apartments going up it will essentially nullify this intrinsic value. I am not a real-estate agent so I cannot speak to how this will affect the market value of my home. Although I can say I would not have purchased my home if I had known that apartments buildings may peer into my backyard. I am sure that many others will feel the same. To me this will decrease the value of my home.
7. Golf Course – Although I am not a member of the Sunningdale Golf Course I am surprised that they would want to put such high buildings so close and overlooking their golf course. If I was a member I would be concerned about apartments going up. I'm surprised that one of London's more beautiful courses would consider adding such buildings overlooking its golf course destroying part of its beauty.

Unfortunately this is not the first time the City has made changes to zoning and planning where they have failed to notify residents in my subdivision in advance. I currently have a walkway behind my home that goes around the pond. When I purchased my house I was told this was just a utility vehicle access

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

road for the City only and would not become a walkway. It's now a walkway. I never received a request for input into changing this plan. I only received a letter notifying myself it would be done. A large number of people use this path on a daily basis. I constantly have people looking into my windows and trespassing onto my yard. I have great concerns that this trespassing and watching will increase with a high density development. I have also wondered why the City would not have installed a fence similar to the one added on the lots that back onto the Medway Valley ESA to prevent this trespassing issue. It makes one very uncomfortable when they are sitting in their own backyard while people stare at them as they walk by.

I'm sure the intention is to make these apartments lovely and possibly even upscale. But the feel and look still doesn't change the fact they will be towering over us. With lower density single story detached homes at least you have the ability to plant vegetation for some sense of privacy. I feel like these proposed changes will take away my ability to enjoy and feel comfortable in my own home and backyard. If these plans are approved I will feel as if I am being forced to move in order to feel comfortable, safe and secure in my own home. Above the monetary value of my home, above the intrinsic value of my home, I firmly believe that I should be allowed the privacy I was sold on and with it the feeling of security in my own residence. Approving this zoning request will systematically take all that away not only from myself but all the residents that call Meadowlands of Sunningdale their home. I love my home, I enjoy the natural habitable surrounding my community, I like my neighbourhood, I love my community. Please do not accept this application. Please do not force me to move leaving this all behind.

Thank you for your time and consideration,

Sherry Collier
Callingham Drive
Meadowland of Sunningdale Resident

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

From: Alp Sener
Sent: Tuesday, September 13, 2016 11:02 PM
To: Morgan, Josh <joshmorgan@london.ca>; Alp Sener
Subject: Proposed 379 Sunningdale Road West Development

Re: Proposed 379 Sunningdale Road West Development

Assessment Roll number: 090450157010000

Dear Councillor Morgan,

It was brought to our attention that there has been an application made for the development of the land (379 Sunningdale Road West) on Sunningdale Rd across from the storm water pond in our new neighborhood of Meadowlands of Sunningdale. Upper Richmond Village residents were notified by the city of this application however the residents of the Meadowlands of Sunningdale were not despite being significantly impacted by this proposed development. Currently this land is zoned as open space, however the developers wish to change this to high density residential.

We would like to express our disappointment with how this process was handled by the developer as well as on how it will affect our new community and the surrounding ecosystem.

Despite its obvious direct impact on our visual field of view from our homes and our privacy, this proposed development for high density housing has the potential to significantly impact our property values. The developer sold us these lots at a premium as they advertised that the space behind our homes and across the pond

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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley

would always be green space with a small chance that future developments may include low density housing and condos, but that there were no plans to move forward at the time. As you could imagine, we were completely surprised that in a short 2 years, there were plans in place calling for the building of six high density apartment towers. I am not surprised that this proposed development was not shared with our community (Meadowlands of Sunningdale) as no home owner would have purchased these lots at a premium if they knew of this proposal. The impact of this proposal moving forward will lead to a destruction of a beautiful community, lead to increased noise pollution due to the high population density and traffic in a very small space, and lead to a reduction in our property values. These were all things we moved to this area to get away from and it seems as though we were falsely reassured by the very people who marketed these lots.

The involved property will greatly alter and impact a large section of the banks of the Medway Valley and Creek at the northern borders of this environmentally significant area. I wonder if an independent environmental impact study been conducted? On a daily basis we see numerous animal and bird species including Bald Eagles that reside on that property. Currently under the Endangered Species Act of Ontario the habitat of Bald Eagles are protected and it is prohibited to interfere with or destroy the habitat of an endangered species which is exactly what this plan is proposing not to mention the numerous other indigenous flora and fauna species.

We urge you to reconsider the adoption of this proposed plan. We understand that development and growth of our beautiful city is important, but it cannot be at the expense of others and our environment. The developers and the city should consider lower-density housing. This would not have as great a negative impact on our community, our homes and on our ecosystem.

If you have any questions, I would be pleased to speak about this in person.

Respectfully Yours

Alp Sener MD, PhD FRCSC

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Riley, Alanna

From: Batch, Jonathan
Sent: Thursday, August 04, 2016 2:06 PM
To: Riley, Alanna
Cc: Morgan, Josh; emabbott emabbott
Subject: Assessment Roll: 090450157010000 - Draft Subdivision Plan - 379 Sunningdale Road West

Dear Alana,

We are writing to you in response to above noted application for a zoning amendment on Sunningdale Road West. We are homeowners in the Upper Richmond Village subdivision.

We have several concerns about the proposed amendment and subdivision plan as laid out on the pages provided. They can be summed up in the following points: 1) population density and traffic concerns; 2) ecological/environmental; 3) noise, esthetic and neighbourhood enjoyment.

Population Density:

While we appreciate the city's desire to have a mixed demographic and building type in our subdivisions, we believe that building multiple 10 storey high rise buildings in addition to multiple 6 storey high rise apartment buildings on a site of this size is inappropriate. Historically the north end of the city has been mainly single family residential with a limited number of high rise buildings. This is likely a primary reason that homeowners choose to live in this area, and why the house prices (and consequently the taxes) are above average. The addition of so many high rise buildings will negatively affect the house prices of all neighbourhoods within sight lines of the buildings. Closely grouped high rise buildings are appropriate for the downtown core or areas specifically built up for this purpose. Does it not make more sense to have buildings in a city core where public transportation hubs are close at hand? High density at the edges of the city limits only cause increased traffic congestion and pollution. We would encourage the city planners to reconsider allowing any more high rise buildings at the edge of city limits anywhere in the city, but especially in the north end. However, assuming that high density housing at city limits will occur, it is imperative to ensure public transportation and infrastructure are in place to service these areas prior to any development being occupied.

Ecological/Environmental:

The area under consideration is a heavily treed area, many of which would be very mature and frankly irreplaceable in our lifetimes. It appears from the plans provided that all of those trees are going to be removed. We would like to see the developer come back to the city with plans that preserve as many of the existing trees as possible. The proposed development shows no greenspace, and in fact due to the layout of the multiple storey apartment buildings only show large areas of parking, which one can only assume will be black asphalt. In the midst of a hot summer, we cannot help but be concerned about the further reduction of cooling green space to replace it with large

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

amounts of asphalt and concrete. This has a significant negative effect on both the enjoyment of our physical spaces and well as the general aesthetic of the north end of the city.

On a related note, we would also like to question the city's planning when it comes to the timing of the removal of trees and animal habitat in the face of development. The area on the west side of Richmond street across from Masonville mall, and the northeast corner of Richmond and Sunningdale are unfortunate perfect examples of this. Why are large swaths of trees clear-cut with no consideration for the timing of the build out of the property, nor the ability to incorporate existing trees into the new development? For a city calling itself the Forest City, we certainly seem to prefer ugly, empty, weed filled, treeless lots over well managed development. We fear that this new block of development will suffer the same fate, again significantly reducing the current attractiveness of the area.

Noise, Neighbourhood Esthetic and enjoyment:

While this is a little outside of the zoning amendment it remains no less a vital consideration in the process. The proposed development is being built next to two existing subdivisions (Sunningdale/Meadowlands & Upper Richmond Village) that are primarily single family dwellings. The amount of noise, dust, garbage and general reduction in enjoyment for existing residents would be substantial. Having lived in an on-going subdivision construction for the past 4 years we can tell you that in general, builders, developers and trades have little to no regard for homeowners. Garbage is left to build up and blow off building sites with no regard for the environment or homeowners. Construction goes on all times of day, week and year. Construction and trade vehicles are parked everywhere with no regard for the flow of traffic, including city service vehicles, such as garbage collection. No enforcement takes place to ensure those that produce the garbage are responsible for cleaning it up. There are no points in time when homeowners can enjoy their properties without it being disrupted by construction. A project of this size will impact hundreds of homeowners for many years. For that reason we would want to see the size of the project significantly reduced. We would also want the city to impose strict rules with accompanying strict penalties and regular monitoring for construction sites that are not kept clean and that are worked on outside of allowed times and dates. Other jurisdictions demand and maintain much higher standards on their development projects. We would hope London will start to do the same.

Finally, the addition of multiple high rise apartment buildings within close proximity to single family dwellings will have a significant negative impact on current homeowners. This was not the expectation of the many homeowners who contracted to build houses in this area. Houses with backyards with direct sightlines to the buildings with be particularly negatively impacted.

We appreciate the opportunity to voice our concerns around this plan.

Regards,

Elizabeth Abbott & Jonathan Batch

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Riley, Alanna

From: Joe Whitney
Sent: Sunday, October 30, 2016 12:01 PM
To: Riley, Alanna
Cc: Morgan, Josh
Subject: Fw: File 39T-16504/OZ8639 (Sunningdale Golf Development)

Hello Mr. Morgan and Ms. Riley,

I am writing in regards to the proposed development of the open space lands adjacent to Sunningdale golf course, on the north side of Sunningdale Road.

As a resident of Callingham Drive with a house backing onto the stormwater management pond and a view of the lands in question, I have serious concerns about the scale of this proposal.

Let me start by clearly stating that I am not opposed to some amount of development of the lands, as I am a proponent of density (many moons ago I was an economic consultant on the Places to Grow initiative).

I am not going to rehash all of the points that my neighbours have submitted re non-conformances, impact on traffic and wildlife, etc. I agree with all of them and share their concerns. Rather I believe Corlon/Sunningdale should be limited to what was originally indicated to me by one of their representatives - one to two storey luxury townhouses similar to what Domus has built on Callingham Drive. Also, in giving up the open space, some amount of nature should be preserved. I recommend a 25 meter zone between the road and the build area, where no trees can be removed.

There is no strong reason to require the level of development, especially the scale of the towers, for this area of London.

I appreciate your time and consideration.

Regards,

Joe Whitney
2163 Callingham Drive
[REDACTED]

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Riley, Alanna

From: Barb Legge
Sent: Monday, November 21, 2016 6:34 AM
To: Riley, Alanna
Cc: Morgan, Josh
Subject: Objections to File 39T-16504/OZ8639

Alanna,

As a follow-up to a previous phone conversation with you, we would like to submit our concerns regarding the proposed development on 379 Sunningdale Road West, File 39T-16504/OZ8639.

Sunningdale Golf and Country Ltd. are requesting a possible Official Plan Amendment to increase multi-family medium density residential to multi-family high density residential, and zone changes from open space to residential zoning and residential zoning to office zoning.

We are not in favour of this proposal, based on the following objections:

1. There is insufficient transition in scale between the proposed high-rises and the existing built fabric of the adjacent properties, namely the storm water management pond and pedestrian pathways on the south side of Sunningdale Road, Meadowlands of Sunningdale and Upper Richmond Village, which is contrary to the Official Plan (3.4.2 Compatibility i). We believe these proposed high-rises will adversely impact the character of the surrounding area. Changing the existing Open Space designation to Multi-family High Density Residential with 4 ten storey apartment buildings and 2 six storey apartment buildings would be an extreme change and drastically alter the area we call home.
2. The offices (Block 6) do not conform to the current Official Plan or the Sunningdale North Secondary Plan and an OPA has not been included in this application.
3. The Official Plan states that "high-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centers)". This proposal has the largest structures located furthest from the Sunningdale/Richmond commercial area.
4. The concept plan provided does not provide sufficient detail to ensure that a good site design or urban form will be achieved within the Blocks. A holding provision for public site plan consultation and urban design should be included.
5. Traffic to and from the proposed high-rise apartment buildings will have a significant impact on the stable low density residential areas, which is also contrary to the Official Plan (3.4.1. Traffic iii).
6. Current public transit is inadequate to accommodate the proposed plan, and contrary to the Official Plan(3.4.1. Proximity to Transit and Service Facilities v)

Agenda Item # Page #

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

As the City Staff reviews File 39T-16504/OZ8639, please take into consideration these objections and the negative impact that the proposed plan would have on our area. We are confident that a more suitable proposal for this land use can be achieved and we look forward to future participation in the planning process.

We would like to be kept informed and updated on the progress of this application by Sunningdale Golf & Country Ltd. and notified when decisions are made and/or public meetings scheduled. Please advise if anyone else needs to be notified of this request.

Sincerely,

Paul & Barb Legge,

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Riley, Alanna

From: Julian N. Novick
Sent: Tuesday, November 01, 2016 10:34 AM
To: Riley, Alanna
Subject: Notice of Application - 39T-16504

Alanna,

We received a Notice of Application for Draft Plan at 379 Sunningdale Road West.

We own land nearby, and would like to stay informed of any changes, meetings, decisions etc. Would you be able to add us to the circulation list?

Thanks,
Julian

Julian N. Novick, P.Eng.
Development Manager, Wastell Homes
Building Great Homes Since 1979

5-1895 Blue Heron Drive, London ON, N6H 5L9
519-850-0020 x104

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

Riley, Alanna

From: Casey Kulchycki
Sent: Wednesday, July 06, 2016 9:09 AM
To: Riley, Alanna
Subject: 379 Sunningdale Road West - Application Package

Hi Alanna,

Further to our phone conversation from this past Monday with regard to the applications for 379 Sunningdale Road West, in addition to receiving a copy of the Notice of Application if we can also receive digital copies of the submission materials (drawings, reports etc.) for our record it would be appreciated.

Thank-you,

Casey Kulchycki, B.A.A
Planner
ZELINKA PRIAMO LTD
A Professional Planning Practice
318 Wellington Road, London, Ontario N6C 4P4
TEL: (519) 474-7137 FAX: (519) 474-2284

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley



April 26th, 2017.

Ms. Alanna Riley
City of London
206 Dundas St
London ON N6A 1G7

Dear Ms. Riley:

Re: 379 Sunningdale Rd W - Subdivision/OPA/ZBA - City File Nos. 39T-16504, OZ-8639
Sunningdale Golf & Country Ltd.


Further to a Notice of Application circulated for Subdivision, Official Plan Amendment and Zoning By-law Amendment for the above-noted file, we support the proposal to permit the development of a Multi-Family Medium Density and Multi-Family High Density residential plan of subdivision at this location.

We have no objection to the proposed high density residential blocks as proposed in the application given that the Sunningdale Community Plan envisioned that a vibrant and mixed housing form was required in order to support the commercial lands at Sunningdale Rd and Richmond St and to provide a choice in housing in north London.

Sunningdale Golf & Country Ltd's proposal fulfills the vision of the community plan and provides a housing form that enables residents to age in place. We support this vision and do not see any adverse impacts upon our lands.

Should you have any questions with respect to our comments, please feel free to contact me.

Yours truly,
Auburn Developments Inc., acting as agent for;
Sunningdale Developments Inc.


per: Stephen Stapleton,
Vice President

c.c. Mr. David R. Schmidt, MCIP, RPP, Corion Properties Inc.

1 519 434 1808 f 519 434 5084
560 Wellington St. 2nd Floor
London, ON N6A 3R4

AuburnDev.com

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File: OMB-39T-16504/ OZ-8639
Planner: Alanna Riley

- i) Ensure minimum centreline meets City standards. Make any necessary revisions.
- ii) Identify adjacent plan numbers.
- iii) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan are implemented, to the satisfaction and specifications of the City.
- iv) The following intersections are to be aligned in accordance with the requirements specified below:
 - i) Street 'A' with Callaway Road
 - ii) Meadowlands Way with Meadowlands Way in Plan 33M-647
- v) Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.

Additional Comments

The decision sight distance analysis is to be updated to be in accordance with the City's Design Specifications and Requirements Manual, and use a driver eye height of 1.05 metres and a vehicle headlight height of 0.38 metres. The analysis is to be stamped by a Professional Engineer.

Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

Yours truly,

I. Abushehada, P.Eng.
Manager, Development Engineering
Development Services

/rm
Attach.

Cc: M. Feldberg
A. Langmuir
I. Abushehada
(all electronic)

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Appendix “H” – Environmental Ecological Planning Advisory Committee Comments

UPDATED – SUNNINGLEA SCOPED EIS

Updated - Sunninglea Scoped EIS

Dated May 16, 2016, provided to EEPAC September 15, 2016

Reviewers: S. Hall, S. Levin, R. Trudeau

I. IMPACTS OF DEVELOPMENT and STORMWATER MANAGEMENT ON INFILTRATION, PERCHED AQUAFER, WETLAND and SEEPS

EEPAC was not provided with the Golders report nor the Preliminary Hydrogeological Assessment by Stantec. Therefore, our recommendations and concerns about infiltration and the perched aquifer are based solely on material found in the Scoped EIS.

From the aerial photographs included and through review of the historical ones on the City’s public web site, it appears that the changes to the landscape south of Sunningdale have caused changes to the conditions north of Sunningdale. Without the hydrogeological report, EEPAC is unclear as to the location of the perched aquifer and the study’s conclusions, however, we are concerned that the largely impervious surfaces that will form this development, plus the plan to move storm water off site to the SWM facility south of Sunningdale, will have a negative impact on the perched aquifer and any role it plays in health of the wetland, woodlands, and vegetation maintained by the seeps. We agree with page 7.7 of the Scoped EIS that storm water infiltration post development should mimic pre development infiltration. We believe this is a tall order given the amount of impervious surface that will form the development.

Recommendation 1: - The proponent prepare a detailed functional plan that maintains infiltration at pre development levels for approval by the City and UTRCA.

Page 7.6 has a brief comment about the wetland and its relation to groundwater recharge. The consultants suggest changes in infiltration will have a negligible impact on the wetland. However, the report does not speak to changes to surface flows to the wetland caused by the almost complete change of the adjacent land to impervious.

Recommendation 2: If not already contained in other reports not seen by EEPAC, the proponent demonstrate to the satisfaction of the City and UTRCA that the development will not cause a negative impact on the wetland feature or its ecological functions.

II. SHADING IMPACTS ON WETLAND FEATURE

Despite the number of 10 story buildings show adjacent to the east side of the wetland feature, there is no mention of possible impact of shading on this ecosite. Page 4.7 of the Scoped EIS notes a relatively open canopy. Will the new buildings cause shading that will have an impact on this feature? Without any information on the matter, EEPAC recommends such information be collected prior to development.

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UPDATED – SUNNINGLEA SCOPED EIS

Recommendation 3: A holding provision be assigned to R9 zoned portions of the land subject to a study of the possible impacts of shading on the wetland feature. EEPAC notes that the 2006 work by Bergsman and DeYoung determined that only 12.65 % of vegetated patches in London are SWD.

III. CONDITIONS FOR DEVELOPMENT AND OTHER AGREEMENTS

Recommendation 4: The condo corporation(s) must include with owner information and its articles a copy of the latest copy of the City’s “Living with Natural Areas.” Wherever possible, it should also be displayed in public locations of the high rise buildings.

Recommendation 5: Appropriate signage be posted or an information kiosk be installed indicating why the adjacent area is an important part of the City’s Natural Heritage System and why it is important to keep pets on a leash, stay on pathways and not plant invasive species.

a. MONITORING PERIOD

We have the following recommendations to replace the consultant’s on page 8.4

Recommendation 6: The proponent obtain a minimum warranty period of 3 fall seasons from planting for planted vegetation.

Recommendation 7: Annual monitoring and reporting to the City Ecologist, Development Services and EEPAC be done for three fall seasons from completion of the planting.

b. FENCING

Recommendation 8: The entire border of the property be fenced to discourage unmanaged access to the Natural Heritage System and the slopes.

c. FUTURE PATHWAY

EEPAC **does not support** a pathway in the buffer or the 6 m erosion allowance. EEPAC points out that the pathway standard is 3 meters with 1 meter of mowed land on either side. Buffers should be part of the NHS. As the City can use the Planning Act to site the pathway, it should be outside the NHS and outside the buffer.

EEPAC also notes that Sunningdale Road will be widened at some point in the near future (the EA is complete) and is unclear where staff intend to connect the pathway that is south of Sunningdale. Therefore:

Recommendation 9: The pathway be outside the buffer and erosion allowance and not adjacent to the wetland feature.

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UPDATED – SUNNINGLEA SCOPED EIS

d. NATURALIZATION OF BUFFER

Recommendation 10: The naturalization plan for the detail design phase be approved by a City Ecologist.

e. LIGHTING

Recommendation 11: All exterior area lighting installed by the developer be full cut off lighting. All outside unit lighting installed by the builders be equipped with motion detectors to minimize the time that they are on.

IV. CONCERNS ABOUT ENFORCING CONDITIONS THAT APPLY BETWEEN THE CONDO CORPORATION AND CONDO OWNERS

Page 7.5 highlights the increase in human activity this development will cause. The consultants list encroachment, lighting and others that EEPAC has noted and commented on in the previous section. However, EEPAC wishes to raise a concern related to the consultant’s comment that “These impacts can (be) mitigated with the implementation of condominium agreements prohibiting these activities.” EEPAC is not aware of any mechanism by which the city can compel the condo corporation to enforce measures to protect city owned land from encroachment by its members, let alone environmentally significant lands owned by others.

Recommendation 12: The City seek a legal opinion from its legal staff as to what matters between a condo corporation and its owners can be enforced by the City, particularly those related to encroachment.

If such conditions are not subject to enforcement except by the condo corporation, the City must find a mechanism such that it can compel the corporation to follow through (e.g. if a condo member plants an invasive species adjacent to the woodland).

V. CONSTRUCTION MITIGATION AND VEGETATION REMOVAL AND RENATURALIZATION

EEPAC supports the construction mitigation and re-naturalization recommendations included in Sections 7 and 8, although noting the 0.1 ha increase of natural vegetation noted in Table 6 is only the land area of a large city lot.

Recommendation 13: A complete list of recommendations should be included in Section 9 (which is not a complete list) as well as in the detail design documents and conditions of development.

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UPDATED – SUNNINGLEA SCOPED EIS

Recommendation 14: An onsite ecologist with the power to stop work be on site at all times where work near to the buffers and significant components of the Natural Heritage system are taking place. When not on site, a number to contact the ecologist be posted prominently at the construction site.

Recommendation 15: The Clean Equipment protocols be followed.

VI. USE OF PREVIOUS STUDIES

Although the consultants allude to previous studies such as the 1998 and 2004 Community / Area Plans (p. 3.2), there is no information provided on the information gleaned from previous botanical and wildlife habitat surveys. The consultants rely only on information received from the NHIC (pp. 4.8-4.9). EEPAC agrees with UTRCA and City staff that no additional fieldwork is required, but:

Recommendation 16: Previous inventories be reviewed for locations of any species with SRANKs of S3 or higher so that development impacts may be avoided.

VII. LAND USE DESIGNATIONS AND ZONING

The wetland and forested areas determined to be significant components of the Natural Heritage System (as noted by the consultants on page 5.3) must be designated and zoned Open Space and noted on Schedule B1 as components of the Natural Heritage System.

Recommendation 17: The Official Plan and London Plan be revised to reflect the changes in delineation of the components of the Natural Heritage System recommended by the Scoped EIS, including deleting the 'h-' for the section zoned h-4 OS1.

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File: OMB-39T-16504/ OZ-8639
 Planner: Alanna Riley



London
CANADA

Appendix “I” – Parks Planning Comments

Memo

To: Alanna Riley
 Senior Planner - Development Services

From: Environmental and Parks Planning

Date: June 9, 2017/Revised October 6, 2017

RE: **39T-16504 Sunninglea (Corlon Properties)
 Final Comments**

Environmental and Parks Planning has reviewed the submission for the above noted plan of subdivision and offers the following comments:

NATURAL HERITAGE SYSTEM

Overall, staff are in general acceptance of the submitted EIS and the proposed setback from the OS5 Zone. However additional buffering and or setbacks may be required at a few locations – in particular the lands adjacent to the golf course maintenance yard. Additional staff require the proposed setback limit and top of slope limit and the proposed plan of subdivision overlaid on a recent air photo of the subject lands.

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of E&PP that the required parkland dedication will be satisfied through the combination of parkland and the payment of cash-in-lieu of parkland. Red line revisions will be required to the proposed plan.
- Staff have indicated that the multi-use pathway system is to connect from the existing storm pond on lands immediately east of the subject site to the Medway Creek bridge on Sunningdale Road. This linear park/open space block is to be located adjacent to the Medway Creek natural heritage system outside of the approved 6 meter UTRCA access allowance as a multi-use easement in favour of the City. Lands within the easement will be considered towards parkland dedication and calculated once the block is provided.
- If the UTRCA will permit a multi-use pathway within the access allowance block, the above noted easement will not be required.
- To accommodate this connection staff are proposing the park block be located on the north and west perimeter of the subject lands between blocks 1, 3 and 4 and the access allowance.
 - The revised alignment is consistent with the discussions to date with the applicant.
 - The revised pathway alignment is consistent with the Sunningdale North Area Plan.
 - The revised pathway alignment will provide a logical extension of the pathway constructed on lands east of the site.
 - The pathway corridor will be landscaped and will function as a buffer between the proposed residential lots in Block 1 and the operations yard.
 - The proposed alignment will provide an enjoyable, desired, functional and safe multi-use pathway that will assist in completing an existing network.

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 Planner: Alanna Riley

- Based on selected alternative, appropriate parkland land dedication requirements will be calculated and the table listed below revised.
- Consideration could be given to provide a mid-block connection between Blocks 1-2 and 4 over the existing gas easement setback. This ~30 meter corridor could provide views to the treed open space lands and provide street connection to the multi-use pathway. A look-out or gathering feature could be located at the intersection of the open space block and the gas easement along the multi-use pathway.
- The table below summarizes the information as per the submitted plan of subdivision. The Medium and high density unit counts are based on the maximum zoned use as requested by the applicant. In the current request, the applicant is seeking a medium density residential zone, R5 and R6 Zone with a maximum density of 75 units per hectare and a high density zone R9-7 with a maximum density of 150 units per hectare.

| Land Use | Area (ha) | Density (units) | | Expected Dedication (ha) |
|--|-----------|----------------------------|------------------|--------------------------|
| Medium Density Residential (Block 1 and 2) | 4.254 | R5-3/R6-5 @ 75uph (323) | 1/300 (1/500) | 1.064 (0.646) |
| High Density Residential (Blocks 3 and 4) | 3.119 | R9-7 @ 150uph (469) | 1/300 (1/500) | 1.556 (0.938) |
| Office Residential (Block 6) | 0.542 | R9-7 @ 75uph (40) | 1/300 (1/500) | 0.133 (0.08) |
| Total Dedication required | | | | 2.756 (1.674) |
| Total Dedication on Plan (Blocks 5, 9, 10, 11, 12) | | | | 0.186 |
| Outstanding Balance | | | | 2.570 (1.674) |

- As part of Design Studies submission, the owner shall prepare and submit a conceptual plan delineating a pathway alignment and tree planting to the satisfaction of the City Planner.
- If the multi-use pathway system is to be incorporated within a portion of Street A, then a revised road standard, for that portion of Street A will be required as a part of the design studies submission.
- As part of Design Studies, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- As part of Design Studies, the owner shall prepare and submit an implantation plan identifying the timing of implantation of the recommendations within the EIS prepared by Stantec (2016).