

Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS DIRECTOR OF DEVELOPMENT &amp; COMPLIANCE DIVISION AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: THE SHREW SPORTS CORPORATION 2310, 2330, 2350, 2362 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON MAY 28, 2012 NOT BEFORE 4:30 PM</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Plan of Subdivision application of The Shrew Sports Corporation relating to the properties located at 2310, 2330, 2350, and 2362 Dundas Street:

- (a) on the advice of the Administrative Planning Advisory Group, the Approval Authority **BE REQUESTED** to approve the draft plan of subdivision, as submitted by The Shrew Sports Corporation (File No. 39T-12502) prepared by Zelinka Priamo Ltd. and certified by David Bianchi, Holstead & Redmond Ltd. (Drawing No. SMK/LON/11-01, dated January, 2012), as redlined, which shows eight (8) commercial lots served by two local roads, **SUBJECT TO** the conditions contained in the attached Appendix "39T-12502";
- (b) on the advice of the Administrative Planning Advisory Group, the Draft Approval of the commercial plan of subdivision as submitted by The Shrew Sports Corporation (File No. 39T-12502) **BE APPROVED, SUBJECT TO** the City's conditions contained in the attached Appendix "39T-12502"; and
- (c) the applicant **BE ADVISED** that the Executive Director, Planning, Environmental and Engineering Services has projected claims and revenues information shown below:

**Claims and Revenues Information**

Estimated Costs – This Agreement - Developer Built	
Claims from Urban Works Reserve Fund – General	NIL
- Sanitary Sewer – subsidy for oversizing	NIL
- Storm sewer – subsidy for oversizing	**
- Roadworks – channelization	
- Roadworks – pavement widening (internal street)	
Urban Works Reserve Fund – Stormwater Management	NIL
Capital Expense	NIL
Other	NIL
<b>Total</b>	**
Estimated Revenues This Agreement	
CSRF	\$4,272,648
UWRF	\$2,386,422
<b>Total</b>	<b>\$6,659,070</b>

Agenda Item #	Page #

**File: 39T-12502  
Planner: Nancy McKee**

**NOTE:**

- i) Estimated Revenues are calculated using 2012 DC rates. The revenue estimate 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.
- ii) Estimated claims are based on information provided by the applicant. Actual claims will be determined in conjunction with the subdivision agreement and the applicable by-law.
- iii) The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

**OZ – 7283** - The purpose and effect of this application was to change the Official Plan land use designation from "General Industrial" and "Restricted Service Commercial" to "Restricted/Highway Service Commercial" and to rezone the subject lands from a Restricted Service commercial (RSC1/RSC5) Zone and a Holding General Industrial (h\*GI1) Zone to a Holding Highway Service Commercial Restricted Service Commercial (h\*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone. Report and Public Meeting on February 26, 2007. This application was approved.

**OZ – 7919** - The purpose and effect of this application was to permit the development of an Auto Mall – Report and Public Meeting on August 15, 2011. This application was approved.

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

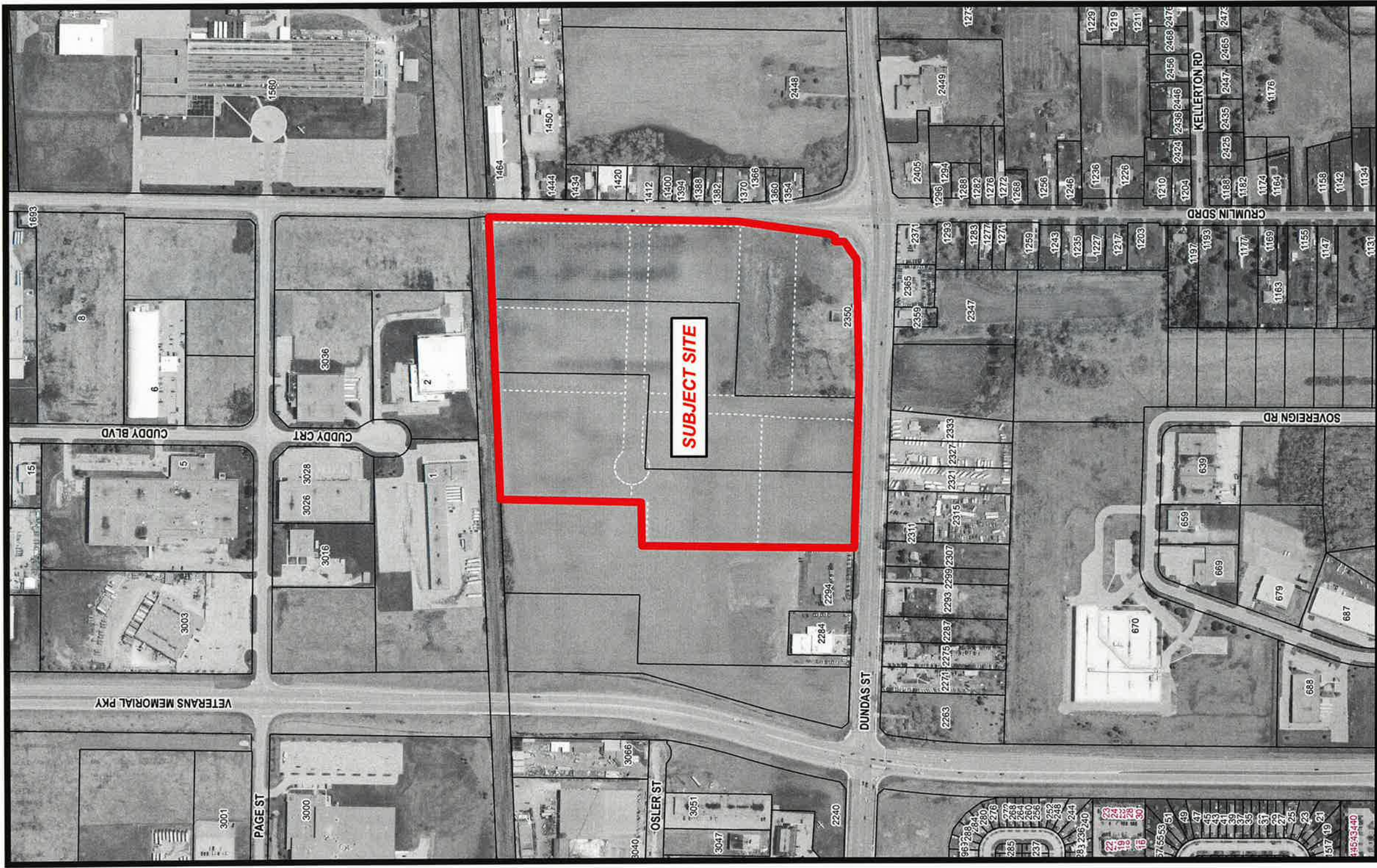
The purpose and effect of the proposal is to develop a commercial subdivision (Auto Mall) with 8 blocks served by 2 new public streets.

**RATIONALE**

1. The proposed redlined draft plan of subdivision is consistent with the Provincial Policy Statement.
2. The recommended redline plan conforms to the policies of the Official Plan for Auto Oriented Commercial Corridor and the approved zoning for the site.
3. The recommended redline draft plan and conditions of draft approval ensures appropriate municipal infrastructure and future roadway and servicing connections to vacant lands to the west.
4. The recommended conditions of draft approval will ensure appropriate urban design considerations at the site plan stage.

**BACKGROUND**

<b>Date Application Accepted:</b> February 22, 2012	<b>Agent:</b> Michelle Doornbosch, Zelinka Priamo Ltd.
<b>REQUESTED ACTION:</b> application for a draft plan of subdivision to permit the development of an auto mall served by a local road.	



**SUBJECT SITE**

**2310 - 2350 Dundas Street  
39T-12502**



**APRIL 2011 AERIAL PHOTO**  
**Note: Parcel linework, when shown, is not for official or legal use.**

Agenda Item #

Page #

File: 39T-12502  
Planner: Nancy McKee

**SITE CHARACTERISTICS:**

- **Current Land Use** - Vacant land with a portion being farmed
- **Frontage** - 334 m (Dundas Street)
- **Depth** - 417 m (Crumlin Sideroad)
- **Area** - 14.65 hectares

**SURROUNDING LAND USES:**

- **North** - CP Rail line/Industrial
- **South** - Industrial/ Commercial/ Residential
- **East** - Single Detached Dwellings /Industrial
- **West** - Kia Dealership/vacant land currently used for commercial

**OFFICIAL PLAN DESIGNATION:** (refer to map on page 5)

- Auto Oriented Commercial Corridor

**EXISTING ZONING:** (refer to map on page 6)

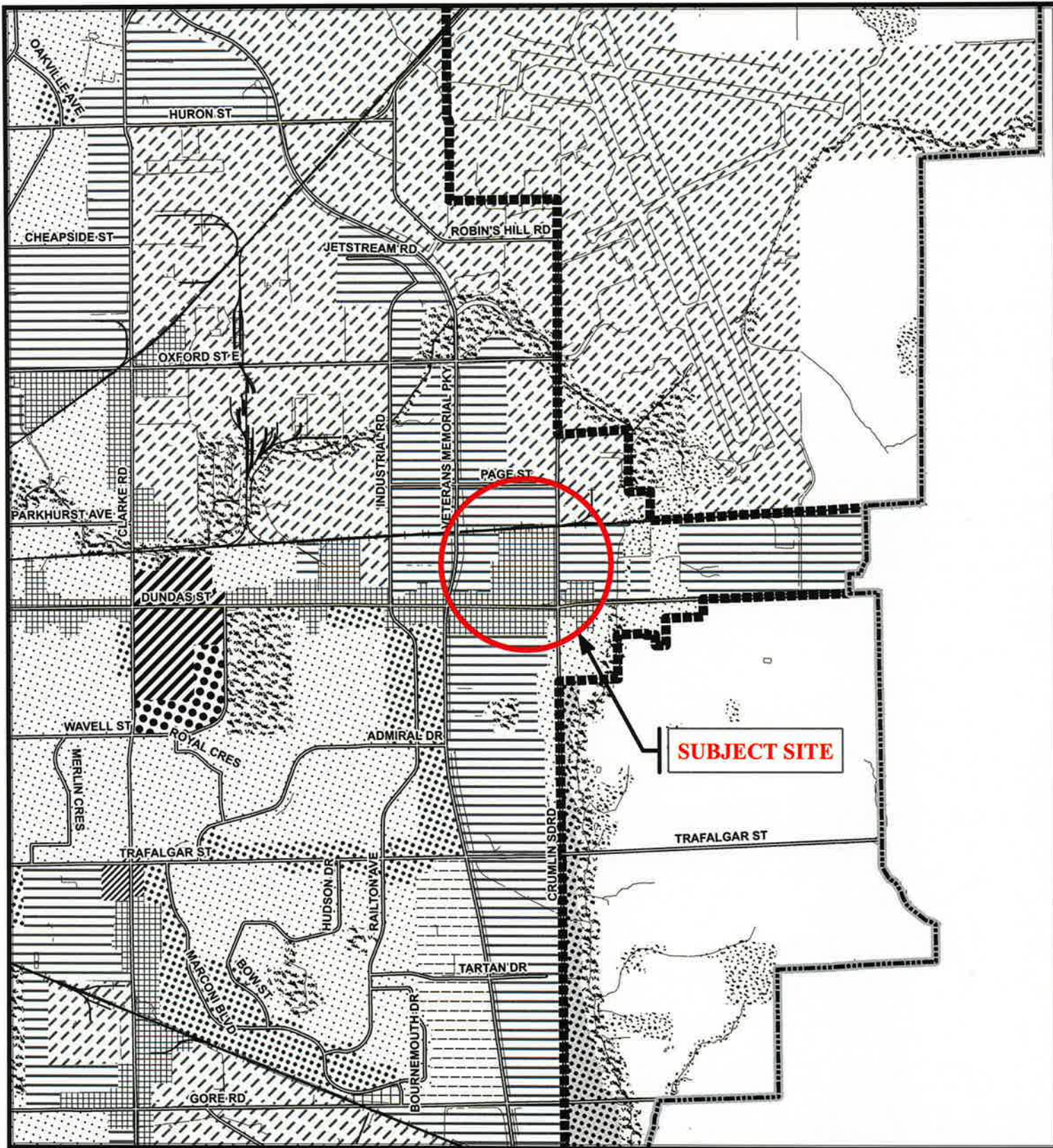
- Holding Restricted Service Commercial (h\*h-11\*RSC2/RSC3/RSC4/RSC5) Zone;
- Holding Restricted Service Commercial (h\*h-11\*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone;
- Holding Restricted Service Commercial Special Provision (h\*h-11\*RSC1(22)) Zone.

**PLANNING HISTORY**

The site formerly contained an industrial building of approximately 2800 square feet, which was constructed in 1952. The site is currently vacant.

In 2006, Fisher Top Soil initiated an Official Plan and Zoning By-law amendment application for the subject sites (OZ-7283) ultimately to permit a range of commercial and service uses which cater to the needs of the travelling public and a range of moderate intensity commercial and trade service uses. The remainder of the lands were slated to remain within the general industrial designation and zoning.

In 2011, the applicant, The Shrew Sports Corporation, initiated an Official Plan and zoning by-law amendment (OZ-7919) to allow for the development of an Auto Mall and to permit additional commercial uses such as a gas bar and restaurant/coffee shop at the north west corner of Dundas Street and Crumlin Sideroad. Several issues, such as transportation and access (direct access to the arterial road from several of the proposed blocks), urban design considerations, and the conversion of former Industrial Lands (Employment Lands) to Commercial (which was fully supported by LEDC) were raised. The application was approved in September, 2011 with holding provisions to be addressed through the Plan of Subdivision and Site Plan Approval stages.



**Legend**

- |  |                                   |
|--|-----------------------------------|
| Downtown Area                            | Office Business Park              |
| Enclosed Regional Commercial Node        | General Industrial                |
| New Format Regional Commercial Node      | Light Industrial                  |
| Community Commercial Node                | Regional Facility                 |
| Neighbourhood Commercial Node            | Community Facility                |
| Main Street Commercial Corridor          | Open Space                        |
| Auto-Oriented Commercial Corridor        | Urban Reserve - Community Growth  |
| Multi-Family, High Density Residential   | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement                  |
| Low Density Residential                  | Environmental Review              |
| Office Area                              | Agriculture                       |
| Office/Residential                       | Urban Growth Boundary             |

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

PREPARED BY: Graphics and Information Services



Scale 1:30,000

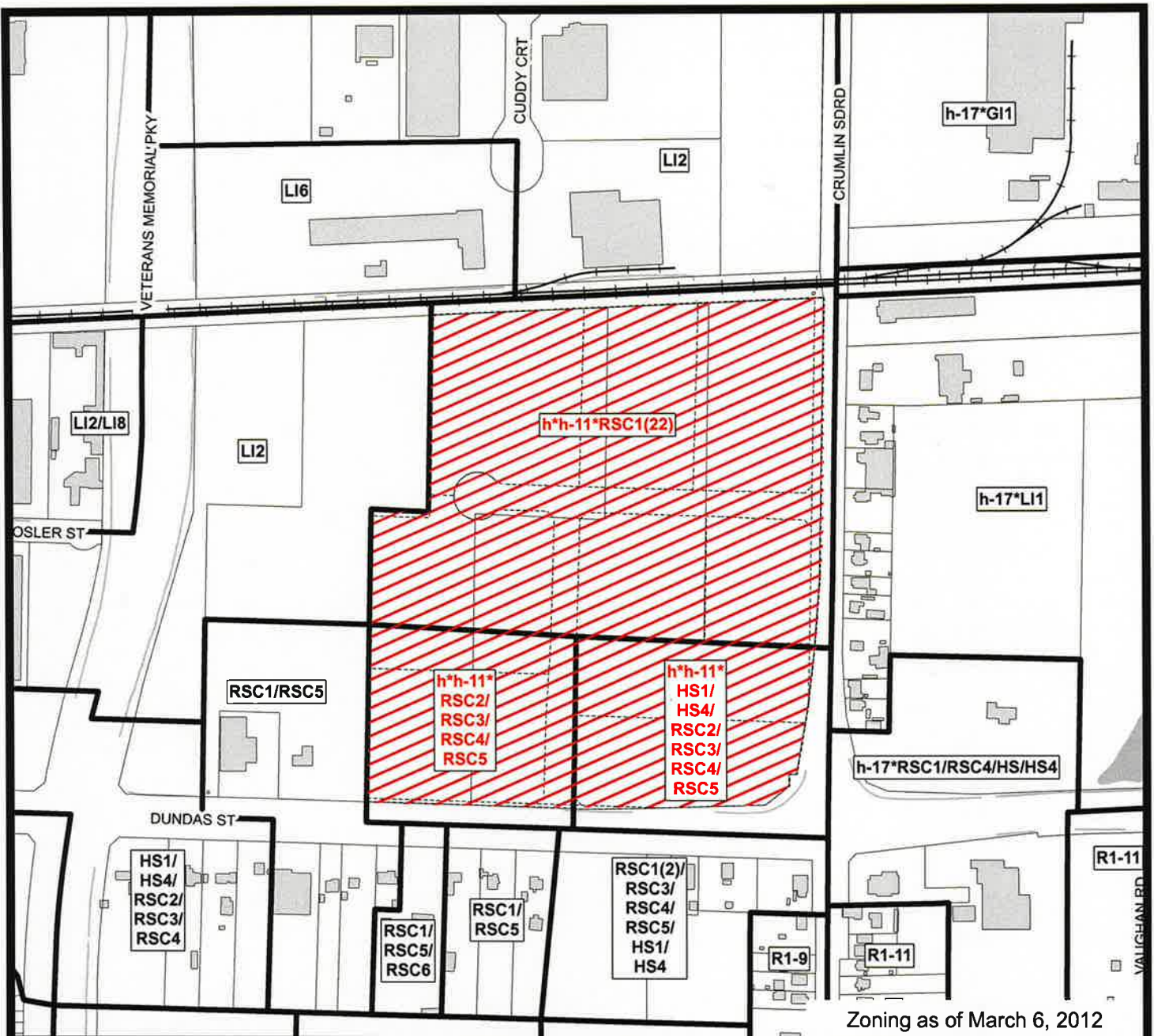


FILE NUMBER: 39T-12502

PLANNER: NM

TECHNICIAN: DT

DATE: May 7, 2012



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
  
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2)  **ANNEXED AREA APPEALED AREAS**

**CITY OF LONDON**

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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

**SCHEDULE A**



FILE NO:

39T-12502

NM

MAP PREPARED:

May 7, 2012

DT

1:5,000

0 25 50 100 150 200

Meters



--

--

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
---

**Servicing Related Comments**

*Sanitary*

- Connection to the existing 300mm sanitary stub on Dundas Street.
- This development will ultimately outlet to the Pottersburgh Pollution Control Plant.

*Stormwater*

- Connection to the existing 1950mm storm sewer located on Dundas Street.
- Need to oversize and deepen internal storm sewers to accommodate flows from upstream lands external to this plan.
- Securities are required to ensure the Erosion and Sediment Control Plan are executed appropriately.

*Water*

- Connection to the existing 300mm watermain located on Dundas Street and the 450mm watermain located on Crumlin Sideroad.

*Transportation*

- Extend Street "A" to the westerly limit of the draft plan to provide access for lands to the west.
- Street "A" and "B" shall be constructed to secondary collector standards.
- Sidewalks are required on south side of Street "A" and the east side of Street "B".
- Street lighting will be installed along Crumlin Sideroad between the existing street lighting and Street "A" – this constitutes likely only the addition of one street light (with the corners to be lit as well).
- Left turn lanes are to be constructed at Dundas Street and Crumlin Sideroad.
- All access will be via the internal streets – no direct access should be permitted to the arterial road from Blocks 1 & 8 (Dundas Street) and Blocks 5-8 (Crumlin Sideroad).

*Requested Redline Revisions*

- Identify Union Gas pipeline and any setbacks on Dundas Street.
- Add 0.3 metre reserves along Dundas Street and Crumlin Sideroad.
- Extend Street "A" to the west limit of plan.
- Revise Street "B" to be 28.0 metres wide tapered to 21.5 metres.

*Staff Response: These redline revisions and appropriate conditions to support the Engineering comments have been added to the draft plan. A standard condition has been added which refers to easements as necessary for any all of the utility companies, therefore, no redline revision is necessary for the Union Gas pipeline. Further discussion on the Transportation components can be found under the "Analysis" section of the report.*

**Planning Division – Community Planning and Urban Design**

- Given the location of the site(s) along one of the prominent entry points into the City of London, a comprehensive set of urban design guidelines are needed.
- These guidelines will assist the assessment of projects through the more detailed site plan process for both the current development and any future developments in the area.
- The preparation of these guidelines should be completed in consultation with urban design staff from the City of London.

*Staff Response: Appropriate conditions have been added to the draft plan which require design guidelines to be submitted through Design Studies.*



Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

**Planning Division - Parks Planning**

- There are no natural heritage issues with the site.
- The required parkland dedication for the proposed draft plan of subdivision is calculated at 2% of the total site area or approximately 0.29 hectares.
- Parkland dedication will be collected as a cash-in-lieu payment at either the time of registration or at the time of development (ie as a condition of site plan approval) consistent with Parkland dedication by-law CP-9.
- Street trees are required as per the standard Cash-In-Lieu subdivision clause.

*Staff Response: Appropriate conditions have been added to the draft plan.*

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

- The subject sites were considered as having moderate to low threats to the aquifers and groundwater recharge areas.
- No objection to application.

**London Hydro**

- Adequate distribution is in place along Dundas Street for this development.
- The applicant is responsible for all costs.
- No objection to this proposal.

**Union Gas**

- Easements required as necessary.

*Staff Response: Easements are not shown as blocks on a draft plan but will be shown on plans to be registered.*

**Canada Post**

- The applicant should include on all offers of purchase and sale, a statement that advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box.
- A temporary location for the Centralized Mail Box will need to be determined until infrastructure is available.
- A concrete pad will be installed for the Centralized Mail Box determined through Engineering Drawings for the subdivision.

<b>PUBLIC LIAISON:</b>	On February 29, 2012, Notice of Application was sent to 40 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on March 3, 2012.	1 reply received.
<b>Nature of Liaison:</b> Purpose and Effect of the proposal is to develop a commercial subdivision (Auto Mall) with 8 blocks. Consideration of Commercial Plan of Subdivision with eight (8) blocks, served by two (2) new local street.		
<b>Responses:</b> extend local road so that adjacent properties can access via local road system.		

Agenda Item #

Page #

Empty box for Agenda Item #

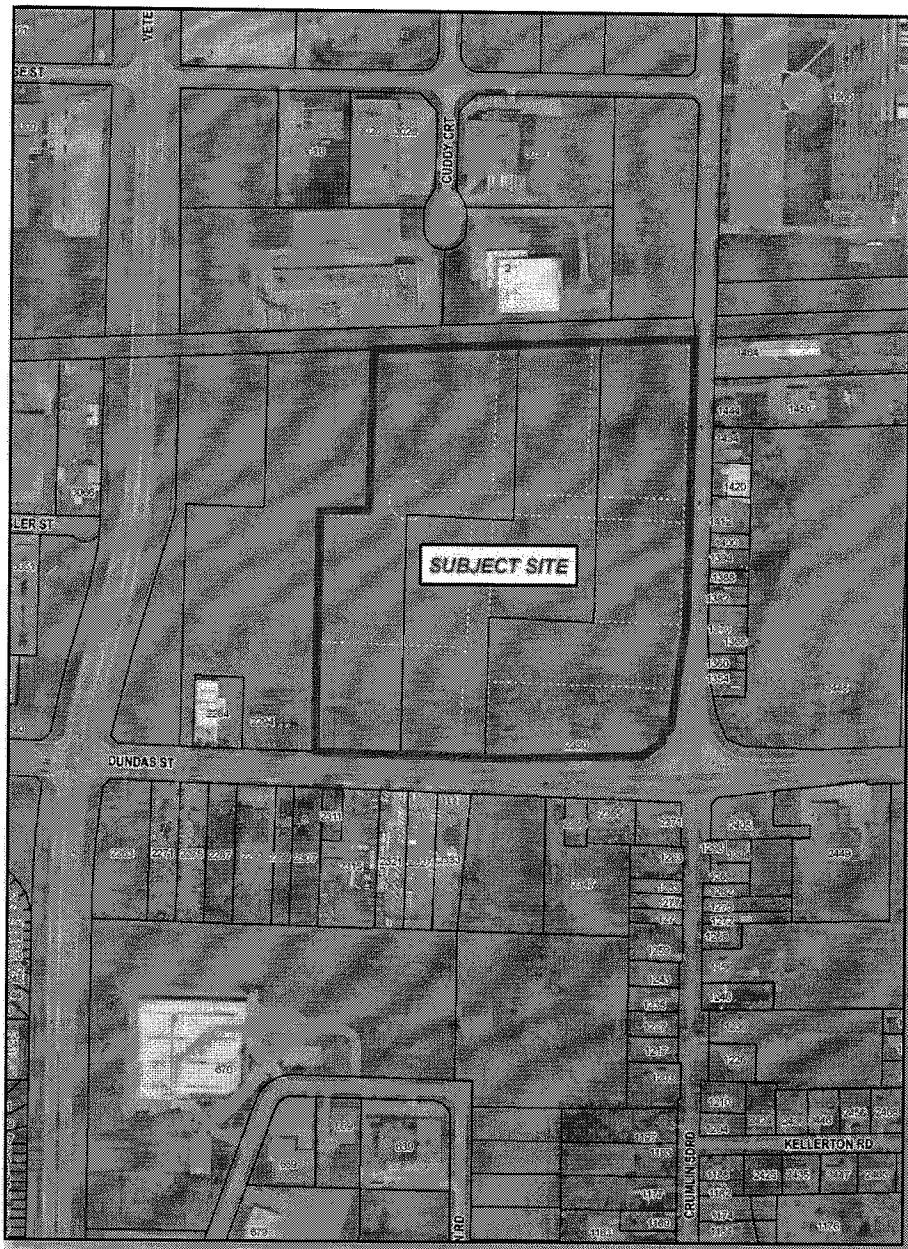
Empty box for Page #

File: 39T-12502  
Planner: Nancy McKee

**ANALYSIS**

**Subject Site**

The subject lands are located on the northwest corner of Dundas Street and Crumlin Sideroad and abut the Canadian Pacific Railway to the north. The lands consist of three separate parcels of land with an overall land area of approximately 14.65 hectares. The lands have approximately 334 metres of frontage along Dundas Street and approximately 395 metres of frontage along Crumlin Sideroad. Currently, the site is relatively flat and vacant with a portion being farmed. A small automotive use was located on the most eastern portion of the lands (2350 Dundas Street) but has since been removed.



The subject lands are located at the southerly limit of a large industrial area, along an arterial corridor that contains a mix of existing and planned retail, auto and commercial uses and remnant residential uses. There are no sidewalks along the north side of Dundas Street and the west side of Crumlin Sideroad. There is a small intersection median located on Dundas Street at the Crumlin Sideroad intersection.

Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

**Provincial Policy Statement**

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is intended to be read in its entirety and the relevant policies are to be applied in each situation. As it relates to this application, the PPS provides some direction to this matter.

The proposed Auto Mall on the subject lands is consistent with the Provincial Policy Statement (PPS) and the provision for "efficient land use and development patterns to support strong liveable and healthy communities" as follows:

- The subject lands are located within the City of London Settlement Area and have access to full services with sufficient capacity to support the proposed development (Section 1.3.2.a)2);
- The proposed development promotes cost-effective development to minimize land consumption and servicing costs (Section 1.1.1.e);
- The subject lands are located at the easterly limit of the City and are surrounded by existing built-up areas to the north, west and south (Section 1.1.3.7);
- The proposed development utilizes existing infrastructure (Section 1.6.2);
- Full municipal services are proposed for the Auto Mall (Section 1.6.4.2);
- A Traffic Impact Study has been completed and confirms that access to the proposed development can be accommodated through a local road network (Section 1.6.5.1); and
- The proposed development as recommended does not pose any new or additional constraints on the existing transportation corridor (Section 1.6.6.2).

This application has been reviewed against the 2005 PPS and overall, it is staff's opinion that the proposed subdivision is consistent with, and generally conforms to, the Provincial Policy Statement.

**Consistency with Official Plan & Zoning By-law**

The subject lands were recently redesignated to "Auto Oriented Commercial Corridor". Policy 4.4.2 of the Official Plan provides the policy framework for Auto-Oriented developments. The current Official Plan designation is Auto Oriented Commercial Corridor. Areas designated Auto-Oriented Commercial Corridor provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within Commercial Nodes or Main Street Commercial Corridors because of their building form, site area, access or exposure requirements. Generally, permitted uses cater to vehicular traffic and single purpose shopping trips. Depending on the nature of the use, customers are drawn from passing traffic or a wide-ranging market area. Policy

The proposed development is consistent with these policies as follows:

- The proposed development encompasses a large area of land in order to provide a comprehensive development approach for the area;
- This cluster of commercial uses will promote the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers;
- The development of a local road network to service this development will and abutting lands, will minimize the impact of commercial development on the traffic-carrying capacity of adjacent roads by limiting access to the proposed intersections;
- This development promotes the grouping of service commercial uses into integrated forms of development that will have common access points;
- The proposed development is at an appropriate scale to be consistent with smaller commercial and residential uses to the east and south and to existing and future industrial development to the north and west;

Agenda Item #

Page #

--

--

**File: 39T-12502**  
**Planner: Nancy McKee**

- Building heights within the Auto Mall will be consistent with existing automotive dealerships throughout the City, which comply with the maximum zoning height of 12.0m; and
- The development of gateway features at the intersection of Street "B" and Dundas Street.

### Subdivision Design, Urban Design and Placemaking

The proposed subdivision design is generally consistent with the Official Plan policies in the general layout and arrangement of land uses. The subject site will be serviced by the extension of an internal road, accessed via Dundas Street and Crumlin Sideroad, and will not be accessed directly from the arterial. Pedestrian linkages to the arterial through the internal road network will meet the general objective of pedestrian connectivity and will allow easy access to transit.

As part of the subdivision, safety fencing will be required on blocks adjacent to the CP Rail line. Depending on the location of the proposed buildings, vibration mitigation measures may be required. It is therefore not necessary to include a condition regarding vibration as it will be considered at the site plan stage.

The applicant has provided a brief description of urban design features that will be incorporated into the subdivision. They are proposing a main entrance to the complex fronting Dundas Street with a secondary entrance fronting Crumlin Sideroad. Gateway features are proposed for the entrance at Dundas Street. As per Official Plan Policy 11.1.1 (xxi), gateways are important elements in the creation of a sense of place and arrival, and provide visual signals that both define and distinguish an area. Gateways occupy strategic and prominent locations, and are primarily associated with major entrances to the City, districts or to neighbourhoods. Approvals for plans of subdivision that are proposed in gateway locations will be required to demonstrate how the proposal will achieve high quality design, high quality landscaping and the creation of an attractive street edge. The applicant has indicated that the design of the physical building for each of the dealerships is driven by a fixed corporate requirement and that the uses require large parking and display areas, so the majority of the design elements for the Automall will be based around the location of the buildings, landscaping and vehicular and pedestrian access. Buildings will be sited to generally maintain a consistent built form edge throughout the Automall with landscaping along the streetscape to enhance the visual appearance of each site and satisfy the gateway policies. Access to individual lots will be provided from the new roads and dealership entrances will be designed collectively to ensure the safety of vehicular traffic.

Community Planning & Urban Design has indicated that given the location of the site(s) along one of the prominent entry points into the City of London, a comprehensive set of urban design guidelines are needed. This was noted during the recent Official Plan and Zoning By-law amendment process. These guidelines will assist the assessment of projects through the more detailed site plan process. The preparation of these guidelines should be completed in consultation with Development Services and urban design staff from the City of London. Therefore, a condition has been recommended which requires the development of a comprehensive urban design guideline to be used in the review of the development of individual sites in this plan of subdivision, through the Design Studies submission.

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. This subdivision will include features and objectives as identified by the urban design guideline. Particular attention will be paid to the gateway area and frontage along Dundas Street, as this will provide a visual and pedestrian entry point into the area. Sidewalks will be provided within the subdivision to connect to the arterial roads and allow for pedestrian movement to other shopping opportunities to the west with appropriate Urban Design Guidelines, future development of these lands will meet the intent of the Placemaking principles.

Agenda Item #	Page #

**File: 39T-12502**  
**Planner: Nancy McKee**

Municipal Servicing and Infrastructure

Sanitary and stormwater servicing is to be provided through the sanitary trunk sewer and the stormwater sewer located along Dundas Street. A sanitary sewer upgrade was completed by the City in 2010. The proposed subdivision will also connect to the existing watermain located along Dundas Street and Crumlin Sideroad. Conditions will be added to this draft approval to ensure no development occurs until servicing is connected.

The proposed subdivision will be served by the creation of two new local streets to be accessed from Dundas Street and Crumlin Sideroad. A road dedication is required for Dundas Street and Crumlin Sideroad, as well as sufficient lands for a daylighting triangle at the intersection of Dundas Street and Street "B". It is anticipated that no direct road connections will be made to either arterial road from the proposed blocks; therefore no major traffic impacts are expected as a result of this plan of subdivision. Further discussion on these points is located below.

**Additional issues raised**

*1. Extension of Street "A"*

Through the circulation for the draft plan of subdivision, a redline revisions was suggested that would require the extension of Street "A" to the western property boundary.

The applicant was aware of this request from the time of the Official Plan and Zoning by-law amendment, and as part of the Draft Plan of Subdivision Record of Consultation it was noted that the City would require this road to be extended to the westerly boundary. The Transportation Division and Planning Staff recommend that the road be extended to the property boundary in order to serve future development to the west, and the adjacent landowner at 2284 Dundas Street has requested this occur.

Through discussions with the applicant, they have indicated they are not favorable to extending Street "A", for the following reasons:

- They have indicated that through the previous Official Plan and Zoning By-law amendment application, they discussed the extension with the adjacent land owner, who refused to contribute financially to the costs of the extension, which then places the entire financial obligation for oversizing and servicing on the applicant, with the adjacent neighbour benefitting.
- Since there was no Area Plan developed for these lands, the sharing of costs associated with servicing and infrastructure are not required or the expectation is not there, which means that the first development pays the premium to service the lands, with no possibility of recovering costs from others involved.
- If the road is extended, the applicant contends that the City has no mechanism to prevent the adjacent neighbour from connecting to Street "A" and not extending the road to service lands further west.

The applicant has proposed a solution which would keep Street "A" at the existing location, and grant an easement over the western portion to the City so that the City can ensure that if the adjacent neighbour would like to connect to Street "A", they service and construct the remainder of the road and provide some financial compensation to the applicant.

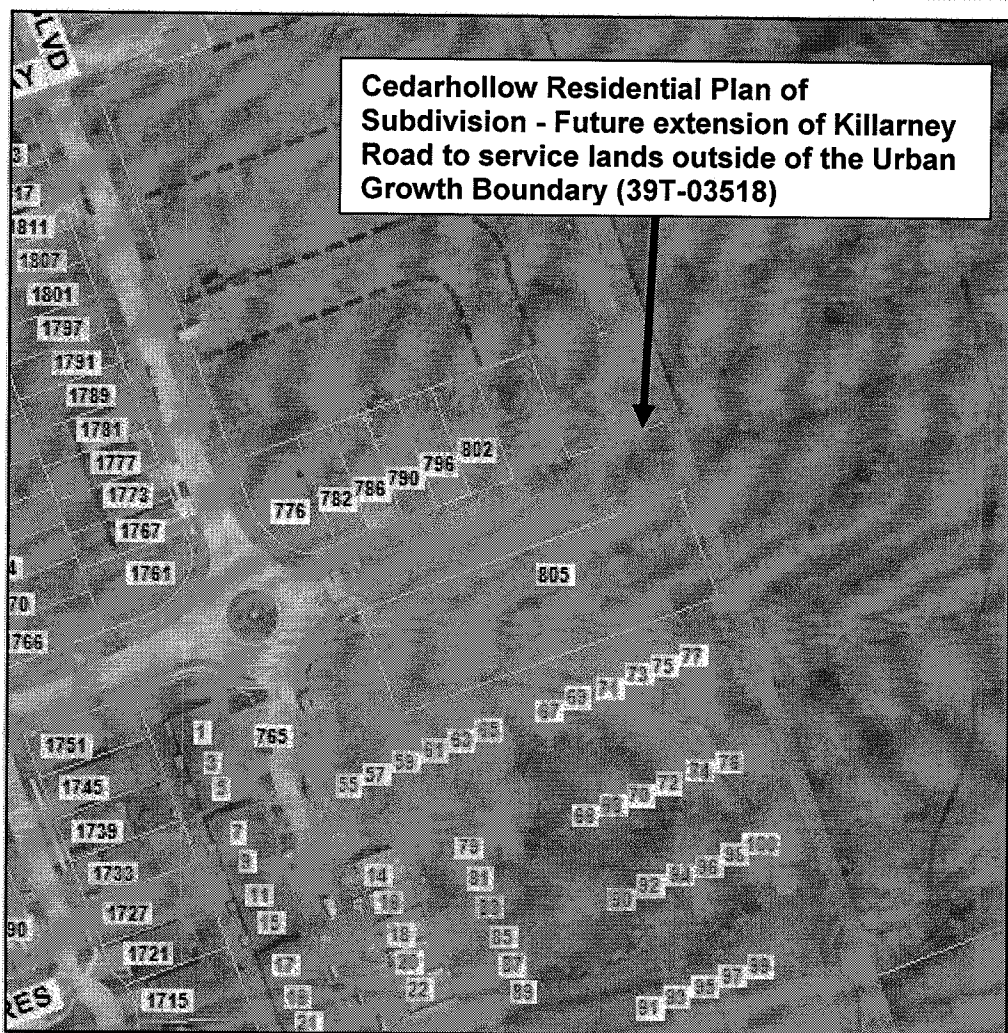
There are several issues with this proposed solution. The City cannot require works to be done on lands outside of the boundaries of a plan of subdivision or a site plan. Secondly, it is not in the City's best interest to act as an intermediary and negotiate financial claims between two private parties. As per the *Planning Act* (Section 51(24)), when considering a draft plan of subdivision, it is in the Municipality's best interest to consider how adjacent lands could develop and be serviced. Since no Area Plan exists, it is imperative and a good planning principle to protect the ability of adjacent lands to develop. This approach has been consistent and is used in numerous other plans of subdivision, such as Cedarhollow (39T-03518), Northridge Village Phase 2 (39T-99520), and even the City owned Industrial Subdivision at Airport Road and

Agenda Item #

Page #

File: 39T-12502  
Planner: Nancy McKee

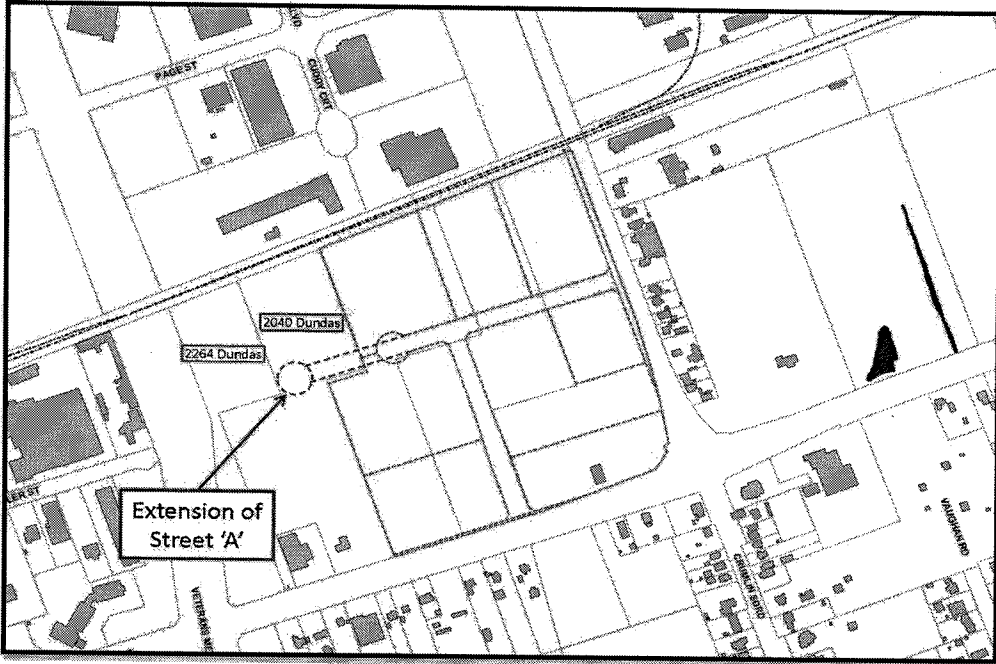
Hamilton Road (39T-06506).



Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

It is recommended the Plan of Subdivision and conditions of draft approval require the extension of Street "A" and require a one foot reserve at the property edge to control access to the local road from the adjacent lands, so that in the future, if the adjacent landowner would like to access Street "A" to further develop their lands, the City can require the owner to enter into a plan of subdivision or other such application as is deemed necessary to ensure the extension of Street "A". Two temporary easements for a temporary turning circle on Street "A" will also be needed.



**2. Access to Crumlin Sideroad and Dundas Street**

Through the application for Official Plan and Zoning By-law amendment, the Transportation Division requested a special holding provision be added to the site to ensure access to the subdivision was to the City's satisfaction. This also included ensuring no direct access to either Dundas Street or Crumlin Sideroad from the individual lots, and that all access would be directed to the local road network. This additional holding provision was deemed unnecessary as the h-11 holding provision for access was also being applied to the site. A 0.3 m reserve will be applied to the draft plan along the arterial road frontages of Block 1, 5, 6 & 8 and a condition will be added to the draft approval.

A Transportation Impact Analysis (TIS) was provided as part of the complete submission for plan of subdivision. The applicant would like to have modest arterial access from the Dundas Street frontage. As part of the site plan approval process, should the applicant wish to pursue direct access, they may submit a revised TIS to determine if safe access can be provided directly from the arterial to Block 8.

**Proposed red-line amendments to the Plan**

The following changes are proposed for the draft plan:

- Change "Proposed Road" to "Street "A" and "Street "B""
- Add 0.3 metre reserves along Dundas Street and Crumlin Sideroad.
- Extend Street "A" to the west limit of plan and remove bulb and add 0.3m reserve.
- Revise Street "B" to be 28.0 metres at the intersection with Dundas Street tapered to 21.5 metres.

Agenda Item #

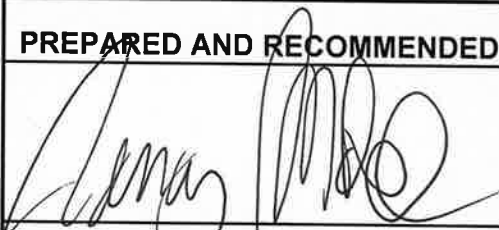
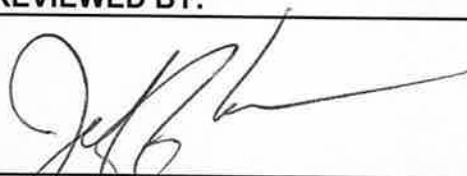


Page #



File: 39T-12502  
Planner: Nancy McKee

**CONCLUSION**

Approval and development of these lands is consistent with Provincial Policy, and the recently approved Official Plan policy and zoning by-law. The recommended redline draft plan and conditions of draft approval ensures appropriate municipal infrastructure and future roadway and servicing connections to vacant lands to the west. The recommended conditions of draft approval will ensure appropriate urban design considerations at the site plan stage. Overall, the redline draft plan of subdivision with associated conditions represents good land use planning and is an appropriate form of development.

<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
	
<b>NANCY MCKEE, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES</b>	<b>JEFF LEUNISSEN, MCIP, RPP MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
	
<b>JENNIE A. RAMSAY, P.ENG. MANAGER, DEVELOPMENT SERVICES DEVELOPMENT &amp; COMPLIANCE DIVISION</b>	<b>GEORGE KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL DEVELOPMENT &amp; COMPLIANCE DIVISION</b>

May 4, 2012  
NP/.....Y:\Shared\Sub&Spec\SUBDIV\2012\39T-12502 - 2310 Dundas\report 2350  
Dundas.docx  
"Attach"



Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

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

Telephone

Dean Hattim – Airport Hyundai/Kia  
Owner of 2284 & 2294 Dundas Street

Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

### Bibliography of Information and Materials

Request for Approval:

City of London Draft Plan of Subdivision Application Form, completed by Zelinka Priamo Limited, January 24<sup>th</sup>, 2012.

Reference Documents:

City of London. Official Plan, June 19, 1989, as amended.  
 City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended.  
 Ontario. Ministry of Municipal Affairs and Housing. Provincial Policy Statement, March 01, 2005.

Correspondence:

\*all located in City of London File No. 39T-12502 unless otherwise stated

Internal responses -

B. Page, Parks Planning and Design, E-mail to N. McKee, July 4, 2011.  
 K. Christensen, Environmental Services, Memo to N. McKee, April 16, 2012.  
 R. McDougall, Environmental Services, E-mail to N. McKee, April 24, 2012.

External responses-

D. Dalrymple, London Hydro, Fax to N. McKee, March 2, 2012.  
 S. Brundritt, Union Gas, E-mail to N. McKee, March 8, 2012.  
 J. Stewart, Hydro One, E-mail to E-mail to N. McKee, March 9, 2012.  
 L. Raffoul, Bell Canada, Letter to N. McKee, 19, 2012.  
 C. Creighton, UTRCA, Letter to N. McKee, April 11, 2012

Zelinka Priamo Limited, Various email correspondence between N. McKee and M. Doornbosch, January-May, 2011.

Reports submitted with Application:

Final Proposal Report, Zelinka Priamo Limited, January 24, 2012.  
 Stage 1 & 2 Archaeological Assessment, Golder Associates, December, 2011.  
 Site Restoration Report, LVM, January 12, 2012.  
 Trafalgar Industrial Park Phase III Stormwater Management Design Brief and Plan, Delcan, April, 1989.  
 Supplemental Letter on Trafalgar Industrial Park Phase III Stormwater Management, Delcan, February 7, 1990.  
 MOE Certificate of Approval (Sewage) to service the Trafalgar Industrial Park Phase III, March 27, 1990.  
 Preliminary Stormwater Management Brief, with Appendices and Storm Sewer Sizing Sheets, Spriet Associates, January 5, 2012  
 Traffic Impact Study and Appendices, LEA Consulting Limited, January, 2012.  
 Traffic Review of Lands, LEA Consulting Limited, May 24, 2011.



Agenda Item #

Page #

--	--

File: 39T-12502  
Planner: Nancy McKee

the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City.

12. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
13. 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.
14. The Owner shall pay cash-in-lieu for parkland consistent with the City of London's parkland dedication by-law CP-9 and Council Policy manual. The required parkland dedication for the proposed draft plan of subdivision is calculated at 2% of the total site area or approximately 0.29 hectares.
15. The Owner shall make a cash-in-lieu payment for the required number of street trees.

**Sewers - Sanitary:**

16. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
  - i) Provide a sanitary drainage area plan, including 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) Provide an analysis of the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
17. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 300 mm (12") diameter sanitary sewer stub located in the north boulevard of the Dundas Street East road allowance;
  - ii) Construct a maintenance access road and provide a standard municipal

Agenda Item #	Page #

**File: 39T-12502**  
**Planner: Nancy McKee**

easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;

- iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
- iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City.

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

- i) Throughout the duration of construction within this plan of subdivision, undertake measures within this plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City;
- ii) Not allow any weeping tile connections into the sanitary sewers within this Plan; and Permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer; and
- iii) Prior to the issuance of a Certificate of Conditional Approval, have his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407.

19. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg 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.

**Sewers – Stormwater Management:**

20. 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/Letter of Confirmation to address the following:

- i) Identify the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
- iii) Develop an erosion/sediment control plan that will identify all erosion and

Agenda Item #	Page #

**File: 39T-12502**  
**Planner: Nancy McKee**

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,

- iv) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City.
21. In accordance with City standards or as otherwise required by the City, the Owner shall complete the following for the provision of stormwater services for this draft plan of subdivision:
- i) Construct storm sewers, located within the Crumlin Drain Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1950 mm (78") diameter storm sewer located on Dundas Street;
  - ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan, all to the specifications of the City;
  - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report/Letter of Confirmation for these lands satisfactory to the City and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and,
  - iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
22. In conjunction with the Design Studies submission, the Owner shall provide a geotechnical report to address all geotechnical issues for lands within this plan, to the satisfaction and specifications of the City.
23. In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan and any fill required in the plan, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
24. The above-noted Storm/Drainage and SWM Servicing Functional Report/Letter 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 Pottersburg Creek and Crumlin Drain Subwatershed Study and any addendums/amendments;
  - ii) The approved Storm/Drainage and SWM Servicing Functional Report/Letter of Confirmation for the subject lands and any addendums/amendments;
  - iii) The design requirements for Permanent Private Stormwater Systems approved by Council on January 18, 2012 and fully in effect January 1, 2012;
  - iv) The City of London Planning and Environmental and Engineering Services Department Design Specifications and Requirements, as revised;

Agenda Item #	Page #

**File: 39T-12502**  
**Planner: Nancy McKee**

- v) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vi) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and.
  - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
25. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City 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 recommendations made by the geotechnical report accepted by the City; and,
  - iv) Any remedial or other works as recommended in the accepted hydro geological report shall be implemented by the Owner, to the satisfaction of the City, at no cost to the City.
26. Prior to the acceptance of engineer drawings, the Owner's consulting engineer shall certify the development 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 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.
27. In conjunction with the Design Studies submission, the Owner shall provide a grading plan for all the Blocks in this plan. The Owner shall maintain the Blocks in this plan in an undisturbed condition, except where interim grading is required, until individual Blocks are developed through a Site Plan application. The Owner shall design site grading for individual Blocks in this plan in conformity with the accepted subdivision grading plan.
28. At the time of development of individual Blocks in this plan, security in the amount of \$10,000 shall be provided under each Development Agreement to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used by the City to undertake all necessary clean-up work, all to the satisfaction of the City.
29. The Owner shall ensure the post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event, where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems.
30. The Owner shall provide a letter/report confirming the status of the existing portion of the Crumlin Drain located on the subject lands and determine how this drain will be

Agenda Item #	Page #

**File: 39T-12502**  
**Planner: Nancy McKee**

incorporated in or decommissioned as part of this plan of subdivision, all in accordance with all applicable Acts, Policies, Guidelines, Standards and Requirements of all required approved agencies.

**Watermains:**

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

- i) A water servicing report which addresses the following:
  - Identify external water servicing requirements;
  - Confirm capacity requirements are met;
  - Identify need to the construction of external works;
  - Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - Water system area plan(s)
  - Water network analysis/hydraulic calculations for subdivision report;
  - Phasing report; and,
  - Oversizing of watermain, if necessary and any cost sharing agreements;
- ii) Design calculations which demonstrate there is adequate water turnover to address water quality requirements for the watermain system or recommend the use of the following:
  - Valving to shut off future connections which will not be used in the near term; and/or
  - Automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner; and/or
  - Make suitable arrangements with Water Operations for the maintenance of the system in the interim.

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

- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm (12”) diameter watermain on Dundas Street and the 450 mm (18”) diameter watermain on Crumlin Sideroad.

33. 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.

**Roadworks:**

34. The Owner shall extend Street “A” to the westerly limit of the draft plan of subdivision to provide access for lands to the west.

35. The Owner shall construct Street “A” and Street “B” to secondary collector standards.



--	--

**File: 39T-12502  
Planner: Nancy McKee**

36. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:

- i) Street "A" and Street "B" have a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70');
- ii) Street "A" from Crumlin Sideroad to 45 metres (150') west has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 22.5 metres (75'). The widened road on Street "A" shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines; and,
- iii) Street "B" from Dundas Street to 45 metres (150') north has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 28.0 metres (91.8'). The widening road on Street "B" shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines.

**Sidewalks/Bicycles:**

37. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:
- i) Street "A" – south boulevard; and
  - ii) Street "B" – east boulevard

**Street Lights:**

38. The Owner shall install street lighting on all streets in this plan to the satisfaction of the City, at no cost to the City.
39. The Owner shall install street lighting at the intersection of Dundas Street and Street "B" and Crumlin Sideroad and Street "A", to the specifications of the City, at no cost to the City.
40. The Owner shall install street lighting along Crumlin Sideroad between the existing street lighting and Street "A", to the satisfaction of the City and at no cost to the City.

**Boundary Road Works:**

41. In conjunction with the Design Studies submission, the Owner shall update the Transportation Impact Study submitted with this application to the satisfaction of the City. The TIS shall determine the length of turn lanes on Crumlin Sideroad or Dundas Street required to accommodate development and also requires modification/sensitivity analysis regarding trip distribution based on the commercial land uses for individual blocks on the proposed plan. The Owner shall undertake any recommendations of the study, to the satisfaction of the City and at no cost to the City.

Agenda Item #	Page #

**File: 39T-12502**  
**Planner: Nancy McKee**

42. In conjunction with the Design Studies submission, the Owner shall verify the adequacy of the decision sight distance on Dundas Street at the Street "B" and Crumlin Sideroad at the Street "A" . If the sight lines are not adequate, these accesses are to be relocated and/or road work undertaken to establish adequate decision sight distance.
43. In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer submit design criteria for the left turn lanes on Dundas Street at Street "B" and on Crumlin Sideroad at Street "A" for review and acceptance by the City.
44. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a left turn lane on Dundas Street at the Street "B" with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the subdivision to the satisfaction of the City.
45. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct a left turn lane on Crumlin Sideroad at the Street "A" with sufficient storage and taper to accommodate traffic anticipated by the full build out of the subdivision, to the satisfaction of the City.
46. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall make minor boulevard improvements on Dundas Street and Crumlin Sideroad adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

**Road Widening:**

47. The Owner shall dedicate sufficient land to widen Dundas Street and Crumlin Sideroad to 18.0 metres (59.06') from the centreline of the original road allowance.
48. The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street "B" with Dundas Street and Street "A" with Crumlin Sideroad in accordance with the Z.-1 Zoning By-law, Section 4.24.
49. The Owner shall dedicate 3.0 m x 3.0 m "daylighting triangles" at the intersection of Streets "A" and "B" in the Plan (i.e. Where 21.5 m r.o.w.'s meet) to satisfy requirements necessary for servicing bus transit routes, as specified by the City.

**Vehicular Access:**

50. A 0.3 metre reserve will be added along the arterial road frontage of Blocks 1, 5, 6, 7 and 8. This reserve will be shown on the face of the final plan and will be dedicated to the City.
51. No vehicular access will be permitted to Lots 5-8 directly from Crumlin Sideroad and Lots 1 and 8 directly from Dundas Street. All vehicular access is to be via the internal subdivision streets.

Agenda Item #	Page #

File: 39T-12502  
Planner: Nancy McKee

**Construction Access/Temporary/Second Access Roads:**

52. The Owner shall utilize construction access routes designated by the City Engineer.
53. 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.
54. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
  - i) Street "A" – west limit.

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

**General Engineering Conditions:**

55. 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.
56. 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.
57. In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.
58. 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.
59. The Owner shall have the common property line of Dundas Street and Crumlin Sideroad 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 Dundas Street and Crumlin Sideroad are the future centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City Engineer. From these, the Owner's

Agenda Item #

Page #

--	--

**File: 39T-12502**  
**Planner: Nancy McKee**

professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City Engineer.

60. 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; and
- 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.

61. 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.

62. 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.

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

Agenda Item #	Page #

**File: 39T-12502  
Planner: Nancy McKee**

64. 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.
65. 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".
66. 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.)
67. 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.
68. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
69. 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.
70. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
71. 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.
72. The Owner shall construct and oversize servicing within this Plan at an appropriate depth so as to service the lands which are ultimately tributary to the system for these areas which are outside this Plan, to the satisfaction of the City.
73. In conjunction with the Design Studies submission, the Owner shall prepare urban design guidelines for this subdivision and implementation processes, to be appended to the subdivision agreement to the satisfaction of the City. The urban design guidelines will look at: site organization, built form, pedestrians and cyclists, vehicles and parking, landscaping, signage, and Dundas Street considerations.
74. Within one year of registration of this plan, the Owner shall construct for all blocks adjacent to the Canadian Pacific Railway a 1.83 metre chain link fence with no gates along the common property line. Any other fencing arrangements shall be to the satisfaction of the General Manager of Planning and Development.