

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** G. Kotsifas, P. Eng.,  
Managing Director, Development & Compliance Services and  
Chief Building Official

**Subject:** Sifton Properties Limited  
2835 Sheffield Place (Block 153 - Victoria on the River)  
Application for Zoning By-law Amendment  
Request for Revisions to Draft Plan of Subdivision  
Application for Draft Plan of Vacant Land Condominium

**Public Participation Meeting on: January 7, 2019**

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the lands located at 2835 Sheffield Place (also known as Block 153 within the Victoria on the River Draft Plan of Subdivision):

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on January 15, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Open Space Special Provision (OS5(3)) Zone and a Holding Open Space (h-2•OS4) Zone **TO** a Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone to permit cluster housing in the form of single detached dwellings; together with a special provision for lot frontage of 12.0 metres minimum, rear yard depth of 4.5 metres minimum, interior side yard depth of 3.0 metres minimum, and lot coverage of 35 percent maximum; and, **FROM** a Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone **TO** an Open Space Special Provision (OS5(3)) Zone to permit such uses as conservation lands, conservation works, passive recreation, and managed woodlots;
- (b) Municipal Council **SUPPORTS** proposed red-line revisions to the draft approved plan of subdivision as submitted by Sifton Properties Limited, prepared by Bruce Baker, Ontario Land Surveyor (Drawing No. D4099-DP.dwg, dated July 18, 2017), which shows a revised Low Density Residential Block 153 and Open Space Buffer Block 172, and creation of a new Open Space block, **SUBJECT TO THE PREVIOUSLY APPROVED DRAFT PLAN CONDITIONS**;
- (c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the proposed revisions to the limits of Block 153 within the Victoria on the River draft plan of subdivision, as submitted by Sifton Properties Limited; and,
- (d) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to rezone a small area (0.169 hectares) along the southerly portion of Block 153 to permit single detached cluster housing, and to rezone an equivalent area on the northerly portion of Block 153 to permit

open space uses; consider a request to make red-line revisions to the configuration of the block; and, report to the Approval Authority any issues or concerns raised at the public meeting with respect to an application for Draft Plan of Vacant Land Condominium for a proposed 30 unit cluster housing development.

### **Rationale of Recommended Action**

1. The recommended zoning amendments, revisions to draft plan of subdivision, and proposed vacant land condominium are considered appropriate and consistent with the Provincial Policy Statement.
2. The proposal conforms with The London Plan, the 1989 Official Plan, and the Old Victoria Area Plan.
3. The proposed residential use, form and intensity of development are considered appropriate. The zoning previously approved through the draft plan of subdivision process contemplates low density residential development in the form of single detached cluster housing.

## **Analysis**

### **1.0 Site at a Glance**

#### **1.1 Property Description**

The property is described as a vacant pocket of land located west of Sheffield Place, and west of a small mill pond, and narrow ravine and watercourse. There is an existing farm crossing between the mill pond and the ravine which has historically provided access to the area. The easterly half of this pocket of land consists of abandoned agricultural field and the westerly half consists of vegetation cover which has been evaluated and identified as a Mineral Cultural Thicket community. The lands that are the subject of this application are identified as a residential development block (Block 153) within a draft-approved plan of subdivision, as well as a small area of approximately 0.169 hectares immediately to the south of Block 153.

#### **1.2 Current Planning Information (see more detail in Appendix D)**

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Low Density Residential
- Zoning – Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)), holding Open Space (h-2•OS4), and Open Space Special Provision OS5(3))

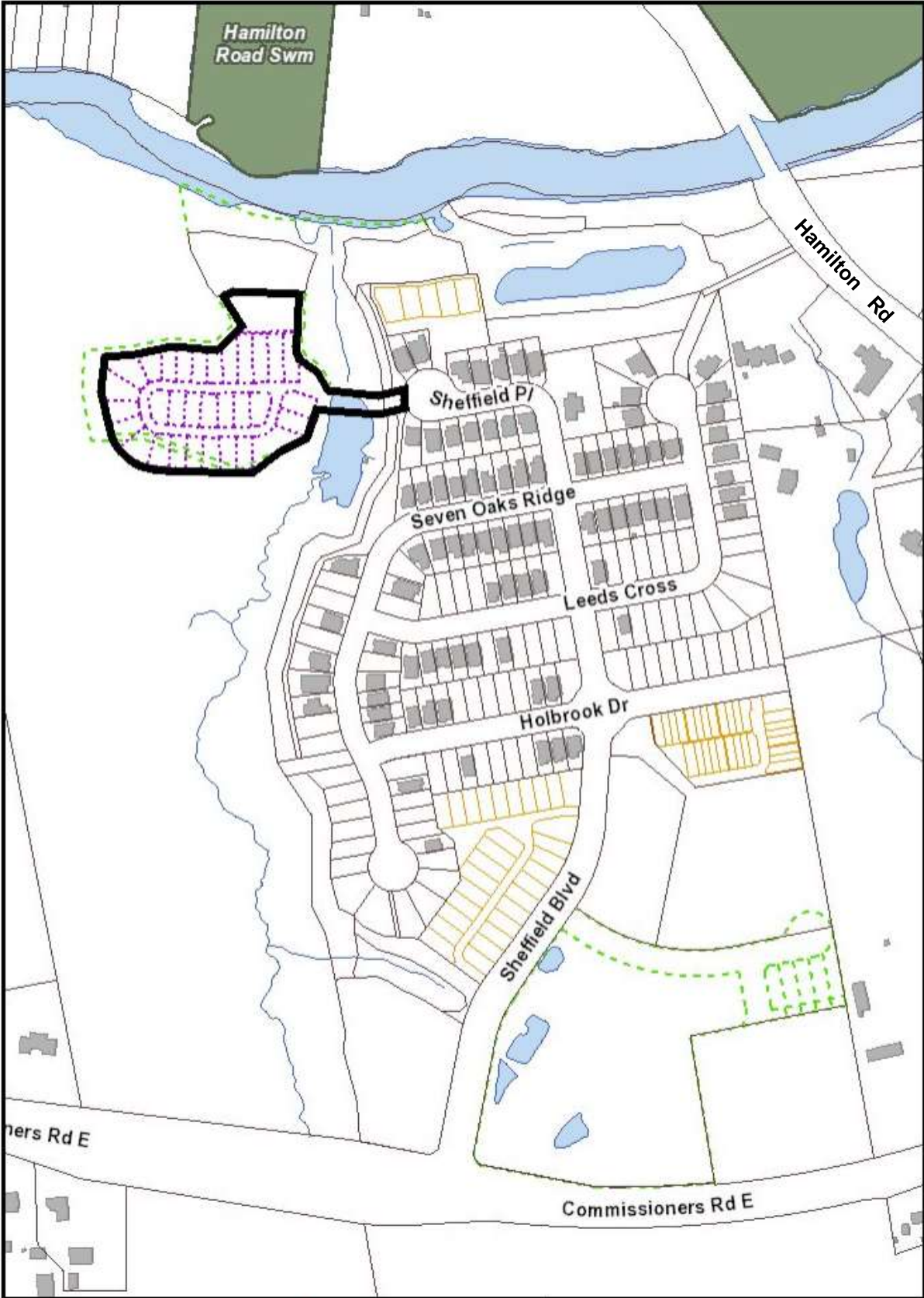
#### **1.3 Site Characteristics**






- Current Land Use – vacant
- Frontage – approx. 15 metres
- Depth – approx. 240 metres
- Area – approx. 1.8 hectares
- Shape – irregular

#### **1.4 Surrounding Land Uses**


- North – open space
- East – low density residential
- South – open space
- West – open space

1.5 Location Map



Location Map		Legend	
Project Title:	39T-09502 / Z-8793		Subject Site
Description:	2835 Sheffield Place		Parks
Created By:	Larry Mottram		Assessment Parcels
Date:	9/4/2018		Buildings
Scale:	1:4000		Address Numbers

Corporation of the City of London

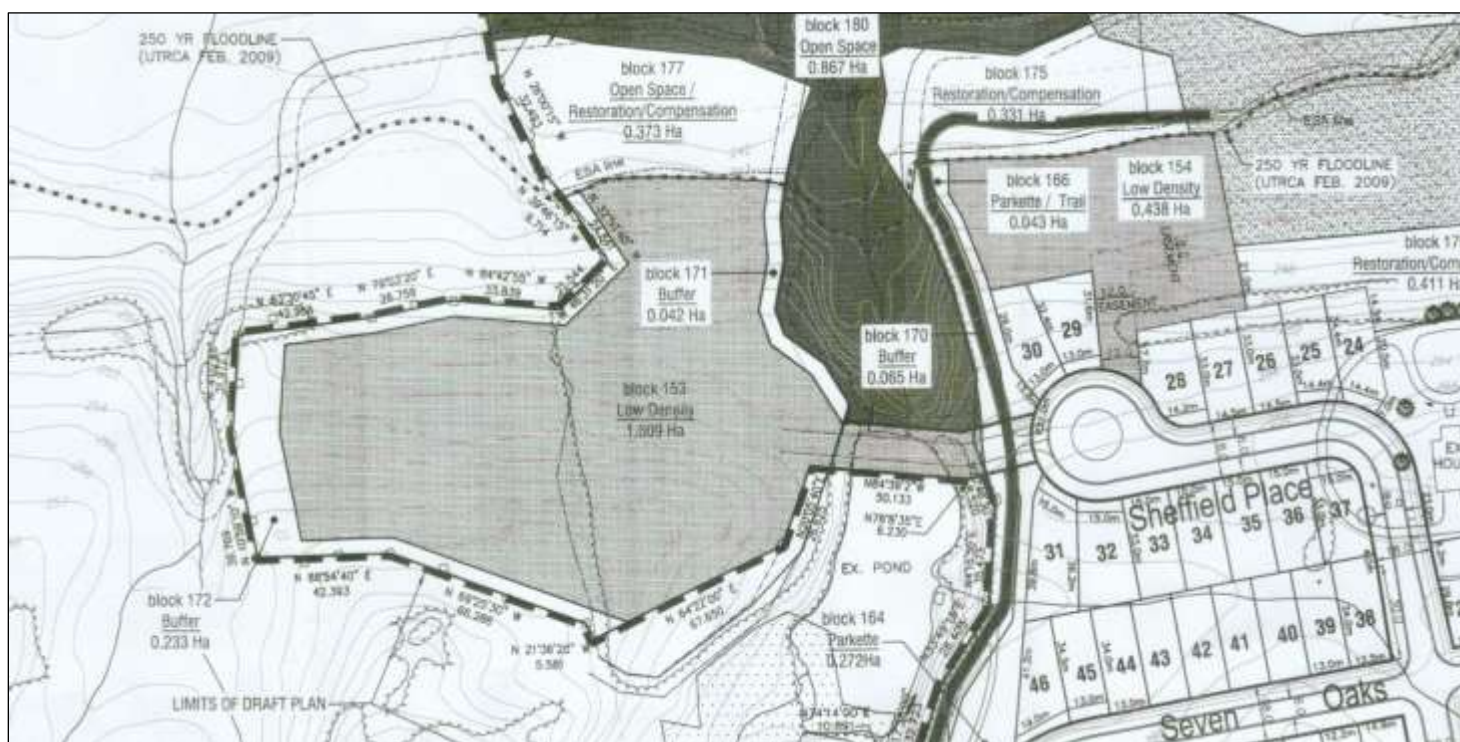


**2.0 Description of Proposal**

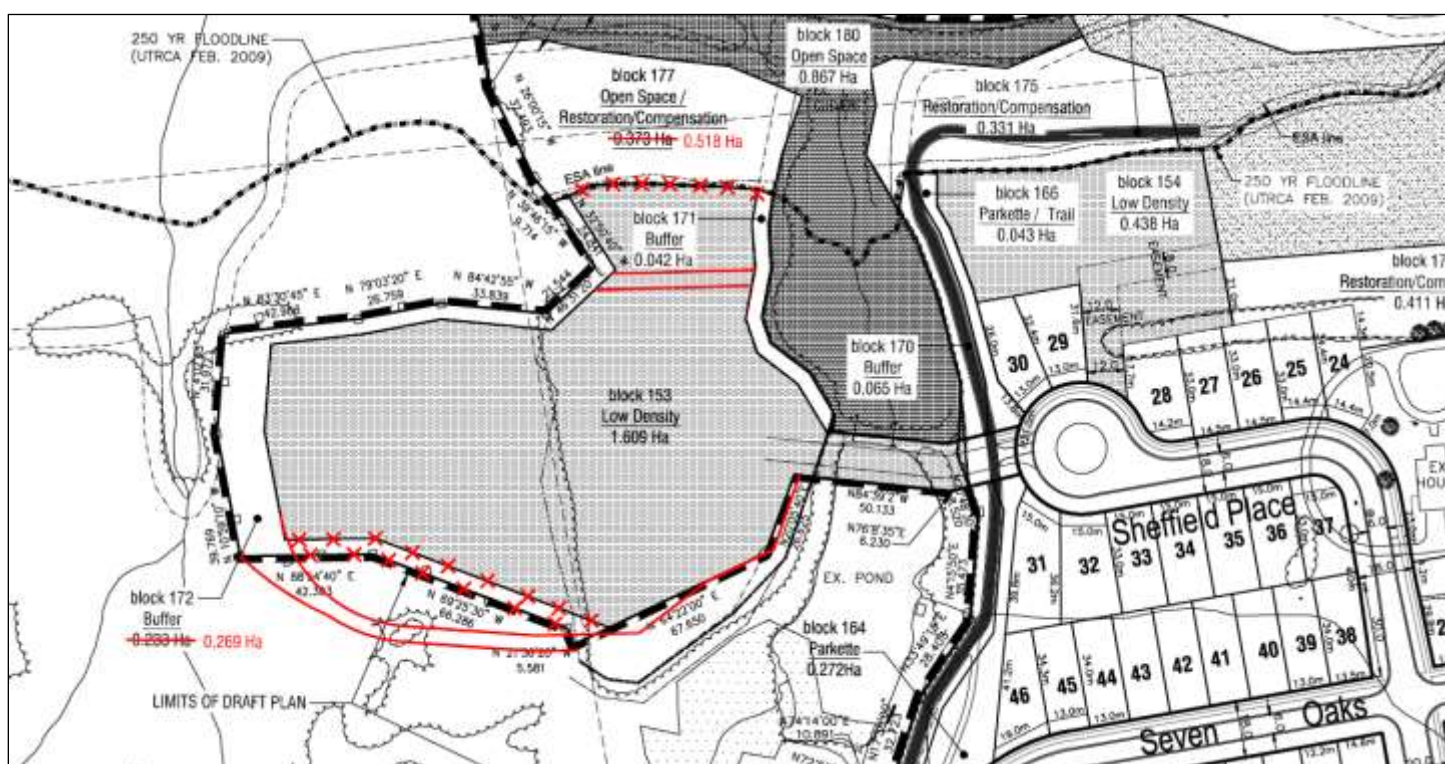
**2.1 Development Proposal**

Proposal to rezone a small area (0.169 hectares) along the southerly portion of Block 153 to permit single detached cluster housing, and to rezone an equivalent area on the northerly portion of Block 153 to permit open space uses; together with minor adjustments to the block limits, as shown on the draft-approved plan below. The lands at 2835 Sheffield Place (Block 153) are the subject of applications for Draft Plan of Vacant Land Condominium and Site Plan Approval for 30 single detached cluster housing units – (File No. SPA17-062 - Sifton Properties Limited).

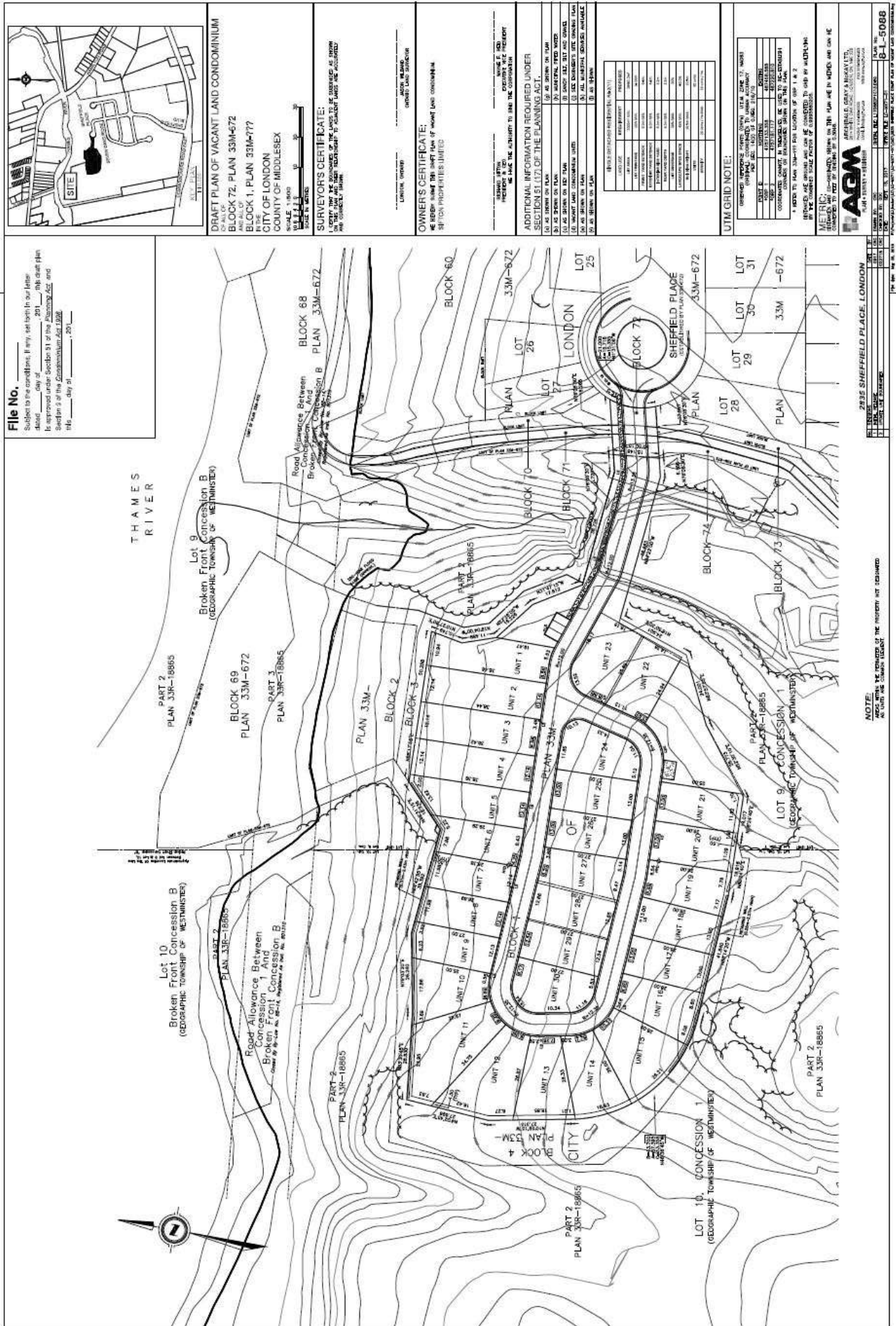
**2.2 Current Draft-Approved Plan - Block 153**



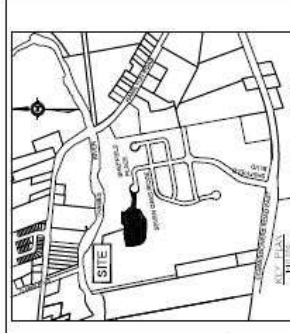
**2.3 Proposed Revisions to Draft-Approved Plan – Block 153**



2.4 Proposed Draft Plan of Vacant Land Condominium



**File No.** \_\_\_\_\_  
 Subject to the conditions, if any, set forth in our letter dated \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, this draft plan is approved under Section 51 of the Planning Act and Section 5 of the Condominium Act 1998.  
 info \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_



**DRAFT PLAN OF VACANT LAND CONDOMINIUM**  
 OF ALL OF  
**BLOCK 72, PLAN 33M-672**  
 IN THE  
**BLOCK 1, PLAN 33M-777**  
 IN THE  
**CITY OF LONDON**  
 COUNTY OF MIDDLESEX  
 SCALE 1:800  
 DATE OF PLAN \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**  
 I, \_\_\_\_\_, being a duly qualified and licensed Professional Engineer in the Province of Ontario, do hereby certify that the above described plan and drawings were prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Engineer in the Province of Ontario.

**OWNER'S CERTIFICATE:**  
 I, \_\_\_\_\_, being the owner of the above described vacant land, do hereby certify that the above described plan and drawings were prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Engineer in the Province of Ontario.

**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (7) OF THE PLANNING ACT:**  
 (a) AS SHOWN ON PLAN (b) AS SHOWN ON PLAN (c) AS SHOWN ON PLAN (d) AS SHOWN ON PLAN (e) AS SHOWN ON PLAN (f) AS SHOWN ON PLAN (g) AS SHOWN ON PLAN (h) AS SHOWN ON PLAN (i) AS SHOWN ON PLAN (j) AS SHOWN ON PLAN (k) AS SHOWN ON PLAN (l) AS SHOWN ON PLAN (m) AS SHOWN ON PLAN (n) AS SHOWN ON PLAN (o) AS SHOWN ON PLAN (p) AS SHOWN ON PLAN (q) AS SHOWN ON PLAN (r) AS SHOWN ON PLAN (s) AS SHOWN ON PLAN (t) AS SHOWN ON PLAN (u) AS SHOWN ON PLAN (v) AS SHOWN ON PLAN (w) AS SHOWN ON PLAN (x) AS SHOWN ON PLAN (y) AS SHOWN ON PLAN (z) AS SHOWN ON PLAN

AREA	AREA (sq. m)	AREA (sq. ft)
TOTAL AREA	1,234.56	13,345.67
AREA OF LOT 10	123.45	1,334.56
AREA OF LOT 9	234.56	2,545.67
AREA OF LOT 25	345.67	3,756.78
AREA OF LOT 26	456.78	4,967.89
AREA OF LOT 27	567.89	6,178.90
AREA OF LOT 28	678.90	7,389.01
AREA OF LOT 29	789.01	8,600.12
AREA OF LOT 30	890.12	9,711.23
AREA OF LOT 31	901.23	9,822.34
AREA OF LOT 33M-672	1012.34	10,933.45

**UTM GRID NOTE:**  
 UTM GRID NOTE: The UTM grid shown on this plan is based on the NAD 83 datum and the UTM projection. The UTM grid is shown in meters and the grid lines are spaced at 100 meters. The UTM grid is shown in the lower right corner of the plan.

**AGM**  
 ARCHITECTURAL GROUP OF MIDDLESEX  
 2535 SHEFFIELD PLACE, LONDON, ONTARIO M9W 5R2  
 TEL: (416) 291-1111 FAX: (416) 291-1112  
 WWW.AGMARCHITECTS.COM

**NOTE:**  
 THIS PLAN IS THE PROPERTY OF ARCHITECTURAL GROUP OF MIDDLESEX. IT IS TO BE USED ONLY FOR THE PROJECT AND CONVEYANCE THEREOF. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ARCHITECTURAL GROUP OF MIDDLESEX.

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 WWW.AGMARCHITECTS.COM

**PLAN NO. B-1-50688**  
 DATE: \_\_\_\_\_

### 3.0 Relevant Background

#### 3.1 Planning History

On January 19, 2012, the City of London Approval Authority granted draft approval to the plan of subdivision submitted by Sifton Properties Limited, known as “Victoria on the River”; located on the north side of Commissioners Road East, west of Hamilton Road, and south of the Thames River (File No. 39T-09502). The draft plan consisted of 133 single family lots, one (1) multi-family, high density residential block, four (4) multi-family, medium density residential blocks, two (2) multi-family, low density residential blocks, one (1) commercial/office/mixed use block, seven (7) park blocks, seven (7) open space blocks, one (1) stormwater management facility block, and nine (9) reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Rd. East, and four (4) internal local streets. The plan has undergone a number of red-line revisions over time as development progressed in phases. Phase 1 was registered as Plan 33M-672 on July 31, 2014; Phase 2 was registered as Plan 33M-688 on November 19, 2015; and Phase 3 was registered as Plan 33M-707 on November 16, 2016. The fourth phase of the subdivision draft plan incorporating lands along the Commissioners Road East frontage is expected to be submitted for final approval shortly. To date there have three (3) vacant land condominium registrations take place on multi-family residential blocks within the development.

#### 3.2 Requested Amendment

Zoning By-law Amendment - An amendment to change the zoning of lands adjacent the southerly portion of Block 153 from an Open Space Special Provision (OS5(3)) Zone and a holding Open Space (h-2•OS4) Zone to a holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone to permit cluster housing in the form of single detached dwellings; and to change the zoning of lands on the northerly portion of Block 153 from a Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone to an Open Space Special Provision (OS5(3)) Zone. The request also includes an amendment to the Residential R6 Special Provision (R6-2(11)) Zone to add special provisions for lot frontage of 12 metres minimum, lot coverage of 35 percent maximum, rear yard setback of 4.5 metres minimum, and interior side yard setback of 3.0 metres minimum (Note: The current R6-2(11) zone already contains a regulation for lot frontage of 12 metres minimum).

Red-line Revisions to Draft Plan – Revisions are proposed to Block 153 to correspond with the requested zoning changes as noted above. This will result in a slightly reconfigured block having the same development area, and will also result in creation of a new Open Space block.

Draft Plan of Vacant Land Condominium - Consideration is requested of a proposed draft plan consisting of 30 single detached dwelling units and common element to be registered as one Condominium Corporation.

#### 3.3 Community Engagement (see more detail in Appendix B)

Comments/concerns received from the community are generally summarized as follows:

- The proposal will generate too much traffic on this quiet cul-de-sac street.
- Access should be provided from another street, such as Commissioners Road East, rather than Sheffield Place.
- Will be impossible for this street to safely support this much traffic. With the young children that live on Sheffield Place, this will create hazardous situations.
- Concern the proposed access driveway will require draining or disrupting an adjacent pond, and impact the habitat for snapping turtle and other wildlife.

#### 3.4 Policy Context Summary (A detailed policy analysis is provided in Appendix C)

##### Provincial Policy Statement, 2014

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains strong policies regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). The PPS recognizes the importance of the Province's natural heritage resources, and the long term protection of natural features and areas (Section 2.1.1). Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified as significant wetland and significant wildlife habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Section 2.1.8)

### **The London Plan**

The subject lands are located within the Neighbourhoods Place Type in The London Plan. The range of primary permitted uses include single detached, semi-detached, duplex, townhouses, secondary suites, home occupations, and group homes. Consideration has also been given to Old Victoria Community specific-area policies under Section 1000, as well as the general policies of the Our Strategy, Our City, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types is found at Appendix D.

### **Old Victoria Area Plan**

The Old Victoria Community Planning Area policies were incorporated into The London Plan under Specific Policies for Neighbourhood Place Types (Policies 1000 to 1011). The specific policy that has particular relevance here is as follows:

*1003\_In the northwest area of the Old Victoria community along the east Meadowlily Environmentally Significant Area and the Thames Valley Corridor, re-vegetation and ESA enhancement opportunities on the active agricultural fields below the flood plain and stable slope should be actively pursued. The intent is to restore ecological functions and provide a net benefit for the east Meadowlily ESA and the Thames Valley Corridor. In exchange, developable lands may be added to the adjacent Neighbourhoods Place Type, with access provided along the existing farm lane crossing at the north end of the existing farm pond. An environmental impact study shall determine the precise location and extent of the developable lands to be added and will be the basis for the design of street crossing of the watercourse.*

Block 153 and the surrounding lands have been the subject of numerous planning and environmental studies, including the Victoria Ridge Plan of Subdivision Environmental Impact Study (AECOM 2009) and the Victoria Ridge Plan of Subdivision Environmental Impact Study Addendum (AECOM 2013). The current proposal was accompanied by two EIS reports. The first EIS report is intended to provide supporting documentation for the proposed zoning by-law amendment that slightly modifies the development limits for Block 153. A second EIS report was prepared in conjunction with the Application for Site Plan Approval to address the proposed Block 153 development and its access from Sheffield Place.

### **1989 Official Plan**

These lands are designated “Low Density Residential” and “Open Space” on Schedule ‘A’ of the 1989 Official Plan. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

#### 4.0 Key Issues and Considerations

##### **4.1 Issue and Consideration # 1 – The proposal will generate too much traffic on this quiet cul-de-sac street.**

Sheffield Place is classified as a Neighbourhood Street and designed to carry local traffic volumes. There are currently 20 residential units served by this street. The proposed 30 unit development is not expected to contribute significantly to traffic volumes. Response received from the City's Transportation Planning & Design Division indicated no concerns regarding the zoning amendments and revisions to the draft plan for Block 153.

##### **4.2 Issue and Consideration # 2 – Access should be provided from another street, such as Commissioners Road East, rather than Sheffield Place.**

The parcel is constrained by its location adjacent the Meadowlily Wood ESA and there is no opportunity of providing an alternate public road access directly to Commissioners Road East.

##### **4.3 Issue and Consideration # 3 – Will be impossible for this street to safely support this much traffic. With the young children that live on Sheffield Place, this will create hazardous situations.**

The draft-approved plan always contemplated access to Block 153 would be provided from the bulb at the end of Sheffield Place. A public sidewalk is provided for pedestrians on Sheffield Place. The site plan approval process will ensure safe vehicular access is achieved. The proposed condominium entrance at Sheffield Place also intersects the TVP multi-use pathway crossing. Warning signs and possibly some form of physical barrier such as bollards should be installed in order to prevent conflicts between vehicular ingress and egress to the condominium and cycling/pedestrian movement on the pathway.

##### **4.4 Issue and Consideration # 4 – Concern the proposed access driveway will require draining or disrupting an adjacent pond, and impact the habitat for snapping turtle and other wildlife.**

The Victoria on the River Block 153 Site Plan Environmental Impact Study (prepared by AECOM) does address the pond-ravine crossing. The required works will involve the removal of the existing berm and reconstruction of an earthen berm with side slopes having a grade of 2.5:1. The existing culverts that drain the pond will be replaced by a controlled outlet structure. The proposed crossing berm has been aligned to minimize encroachment into the forested ravine by keeping most of the berm fill into the agricultural pond. The total area of disturbance will be 0.24 hectares. This area includes: i) filling in an area of the pond and the associated vegetation removal along the pond banks at the north end of the pond; ii) the existing berm access lane, and iii) the fill and grading of the ravine slope associated with the reconstruction of the earthen berm to support the future access road.

It was recognized that with the filling of a portion of the agricultural pond there will be a loss of approximately 0.08 hectares of open water aquatic habitat. While the pond does not function as habitat for native fish species, it does provide habitat for turtles (Snapping Turtles and Painted Turtles) and frogs (Green Frog, Gray Tree Frog and American Toad). Since most of the pond area being filled is open water, it will likely have limited impact on amphibian habitat within the pond.

As noted in the Victoria on the River Block 153 Site Plan - Compensation and Restoration Plan, the pond and wetland south of the pond-ravine crossing provides various opportunities for habitat enhancement. Included in these are: infill plantings of native wetland species and exposed sediment areas at the south end of the pond; installation of logs for turtle basking placed along the edges of the pond; edge and submergent plantings on the underwater shelf at the pond-ravine crossing in order to restore to provide riparian cover.



One of the recommendations of the Compensation and Restoration Plan features a “live wall” along portions of the north and south border of the proposed development between the condominium units and the buffer zone. A live vegetated wall is a natural alternative to a traditional retaining wall that can provide natural habitat with minimal impact to install. The installation of the proposed Envirolok walls (north wall and south wall) will blend into the existing grade and will be vegetated with a native seed and plant mix.

While in some instances retaining walls can impose a barrier to wildlife movement, the live walls aligned perpendicular to the Thames River corridor and fencing proposed for Block 153 allow for wildlife to move around the development block. Wildlife movement along the Thames River is facilitated by the compensation/restoration plantings in the floodplain and is not impeded by the live walls. Furthermore, any wildlife movement within the Meadowlily Woods ESA has ample opportunity to utilize ecological communities to the south and west.

**5.0 Conclusion**

The recommended zoning amendments and corresponding adjustments to the limits of Block 153 within a draft-approved plan of subdivision, and the proposed vacant land condominium, are considered appropriate, are consistent with the Provincial Policy Statement, and conform to The London Plan and the 1989 Official Plan. The proposal will permit a 30-unit, low density cluster housing development consistent with the intent of the subdivision plan, and is compatible with the surrounding land use pattern.

<b>Prepared &amp; Recommended by:</b>	<b>Larry Mottram, MCIP, RPP Senior Planner, Development Planning</b>
<b>Reviewed by:</b>	<b>Lou Pompili, MCIP, RPP Manager, Development Planning</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

December 17, 2018

GK/PY/LP/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\1- January 7\PECreport - 39T-09502, Z-8793 and 39CD-18502 - 2835  
Sheffield Place - Block 153.docx

## Appendix A

Bill No. (number to be inserted by  
Clerk's Office)  
(2019)

By-law No. Z.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 2835  
Sheffield Place.

WHEREAS Sifton Properties Limited has applied to rezone an area of land located at 2835 Sheffield Place, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2835 Sheffield Place, as shown on the attached map, from an Open Space Special Provision (OS5(3)) Zone and a Holding Open Space (h-2•OS4) Zone to a Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone; and, from a Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone to an Open Space Special Provision (OS5(3)) Zone.
- 2) Section Number 10.4 of the Residential R6 Zone is amended by deleting the current special provision R6-2(11) and replacing it with the following new special provision:

) R6-2(11)

a) Regulations:

- |      |                                       |             |
|------|---------------------------------------|-------------|
| i)   | Lot Frontage<br>(Minimum)             | 12.0 metres |
| ii)  | Rear Yard Depth<br>(Minimum)          | 4.5 metres  |
| iii) | Interior Side Yard<br>Depth (Minimum) | 3.0 metres  |
| iv)  | Lot Coverage<br>(Maximum)             | 35%         |

**File: 39T-09502 / Z-8793 / 39CD-18502**

**Planner: L. Mottram**

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

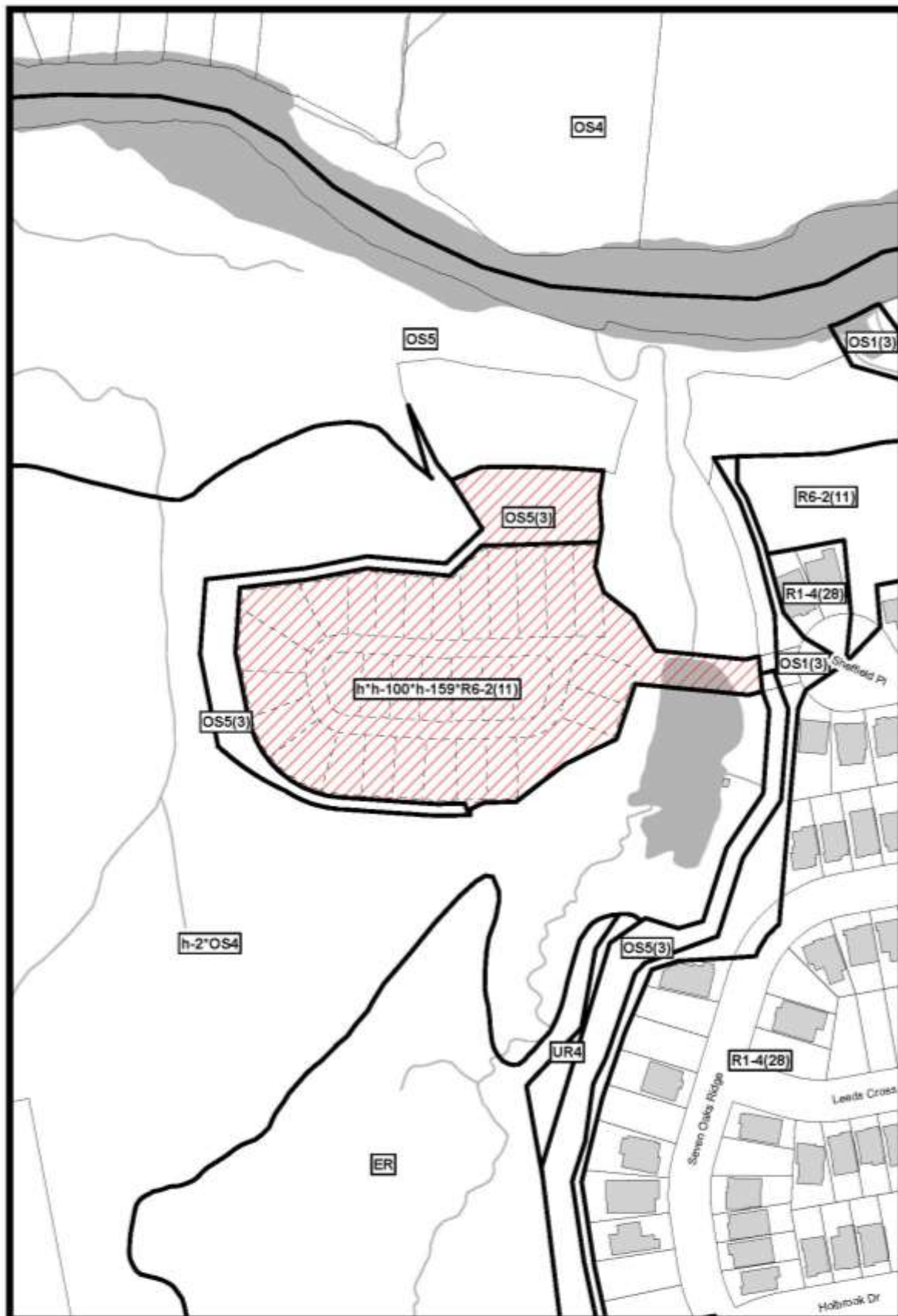
PASSED in Open Council on January 15, 2019

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – January 15, 2019  
Second Reading – January 15, 2019  
Third Reading – January 15, 2019

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




File Number: 39T-09502 / Z-8793

Planner: LM

Date Prepared: 2018/11/21

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On September 5, 2017, Notice of Application was sent to 39 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 14, 2017.

**Responses:** 5 written replies received.

**Nature of Liaison:** To rezone a small area (0.169 hectares) along the southerly portion of Block 153 to permit single detached cluster housing, and to rezone an equivalent area on the northerly portion of Block 153 to permit open space uses; together with minor adjustments to the block limits as shown on the draft plan. Also, an amendment to the zoning to apply site-specific regulations for lot frontage, coverage, rear and interior side yard setbacks.

Possible Amendment to Zoning By-law Z.-1 to change the zoning of lands adjacent the southerly portion of Block 153 from an Open Space Special Provision (OS5(3)) Zone and a holding Open Space (h-2•OS4) Zone to a holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone to permit cluster housing in the form of single detached dwellings.

Possible Amendment to Zoning By-law Z.-1 to change the zoning of lands on the northerly portion of Block 153 from a Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone to an Open Space Special Provision (OS5(3)) Zone to permit such uses as conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

Possible Amendment to the Residential R6 Special Provision (R6-2(11)) Zone to add special provisions for lot frontage of 12 metres minimum, lot coverage of 35 percent maximum, rear yard setback of 4.5 metres minimum, and interior side yard setback of 3.0 metres minimum.

**Responses:** A summary of the various comments received include the following:

- The proposal will generate too much traffic on this quiet cul-de-sac street.
- Access should be provided from another street, such as Commissioners Road East, rather than Sheffield Place.
- Will be impossible for this street to safely support this much traffic. With the young children that live on Sheffield Place, this will create hazardous situations.
- Concern the proposed access driveway will require draining or disrupting an adjacent pond, and impact the habitat for snapping turtle and other wildlife.

### Responses to Notice of Application and Publication in “The Londoner”

Telephone	Written
	Artur Kosinski – 2806 Sheffield Place
	Louise Falkenham – 2820 Sheffield Place
	Lijuan Zhao & Dishu Ding – 2803 Sheffield Place
	Steve Mohammed – 2815 Sheffield Place
	Terri Zuccherato – 2800 Sheffield Place

Dear Jared,

Hello my name is ARTUR KOSINSKI ,I live on 2806 Sheffield Pl.

My concern about this new multi unit development is not about it being built but it is about the road that will be connecting Sheffield Place and the new development. If this is going to be approved by the city council, we are going to get 60 or more extra cars going through Sheffield Place everyday. Why can they not connect the new development to commissioners road directly. When me and my neighbours were buying our homes we had assumed that since we lived on a road that ended with place it would not be connected to any other road and would be the end of the street. Also the map that was provided to us for our street showed that there was a closed off roundabout at the end of our street which showed a court. The court by definition is the end of the road.

I would like to know what parameters they used for the environmental study that was conducted and what were the results of that study.

Thank you for your time and your patience. I hope to hear back from you soon!

Sincerely,

Artur Kosinski

Jared,

I live at 2820 Sheffield Pl. We purchased the property knowing there was proposed development for multi family but never expected 30 housing units. We considered our Cul de Sac would be a low traffic area. The impact of this cluster housing would totally ruin our quiet area. When we purchased our forever home we expected the street to be quiet, not a major intersection. We sincerely hope that the proposal does not get accepted. Could you please present this as a serious concern.

Best regards,

Louise Falkenham

Good morning Jared,

My husband (Dishi Ding) and I (Lijuan Zhao) would like to make comments that we strongly disagree with this proposal. This plan was never mentioned when we picked a lot to have our home built. We love the quiet street and beautiful view which is why we picked home in this street and paid for living in this street. This proposal will bring much impact on our daily living, please represent us to fight against it.

Thank you and your help is much appreciated.

Best regards,

Lijuan Zhao & Dishi Ding

2803 Sheffield Place

London N6M 0E5

Hello Mr. Mottram and Mr. Zaifman

Please accept this email as my formal request to decline the application for the Zoning By-law Amendment made by Sifton Properties Limited. I currently live at 2815 Sheffield Place, very close to the proposed entrance for Block 153. The following is a list of concerns that I hope will provide some background as to why the application should be rejected.

- **Natural Habitat for Endangered Snapping Turtles.** Perhaps the most important factor of all is that the proposed entrance off Sheffield Place requires that the pond that is adjacent be either drained or completely disrupted in order to construct a road. This pond, like the others in the immediate area is the home of Snapping Turtles, one of Canada's endangered species. Considering how little space exist between the pond and a very sharp 15 to 30 foot drop, there is no way of creating a wide enough road with the appropriately engineered structure to support automobiles without doing damage to the natural ecosystem. The photos below illustrate just how narrow and unstable that space is as well as a Snapping Turtle caught on camera.

- **Increased traffic volume with a single point of entry and exit.** Currently, there are approximately 14 homes on this street and with this, the street is often quite congested with many cars parking on the road when the residents have visitors. This often results in double parking which causes several traffic issues in this small area. With such a large volume of townhomes being proposed for Block 153, it is impossible for this street to safely support this much traffic. With the young children that live on Sheffield Place, this will create hazardous situations.
- **Current speeding down the street.** There are several non residence that drive down this street on a daily basis, often driving at excessive speeds. This is already a problem for the safety of the residents and with the expectation of at least 3 times the traffic volume, there is an extremely high risk that this area will become unsafe for the residents.
- **Unfair to existing residents who paid premiums.** One of the selling points of this street was the proximity to natural woods and the river. As such, several properties were sold at premium prices with the natural beauty being the attraction. Recently, Sifton levelled a large area for constructing condos. It is important to note that when I purchased my property, there were no indication of any condos in that area.

In the early morning hours, it is not uncommon to see either wild turkey or sometimes deer walking through that propose entrance. By turning that into a road to condos, this will drive the natural wildlife further away and considering that there are many land repurposing applications in progress between this location and Summerside, this will significantly reduce the amount of space for this wonderful wildlife to roam freely. By building this many homes so near to the water, it will destroy the natural ecosystem and impact the animals that depend on access to the river for water.

In conclusion, I humbly request that the application made by Sifton Properties Limited/File Number 39T-09502/Z-8793, be rejected. If this area must be developed, then Sifton should build an entrance on the other side of the pond and not connect through Sheffield Place. This area should be left in its natural state to allow the Snapping Turtles and other wildlife to survive in their natural habitat.

Thank you for your considering.

Regards

Steve Mohammed

This letter is being written in response to File 39T-09502/Z-8793 that is requesting to rezone 2835 Sheffield Place from "low density" and "open space" to "cluster housing".

Sheffield Place is currently a small cul-de-sac with 16 houses. This cul-de-sac sits at the end of the Victoria on the River subdivision where we have been informed via prior letter from the city that 5 additional condos will also reside. This street already receives a constant stream of traffic on what should expectedly and normally be a quiet area - or so I thought when I bought my house.

With the addition of the "cluster houses" being proposed, I cannot even imagine the traffic that will be expected, especially during busy morning and afternoon hours. I bought my lot/house because it was at the end cul-de-sac never expecting the population of houses going down this road to double nonetheless triple. One road to service the cul-de-sac plus the condos at 2010 Sheffield Place and now also the ones proposed at 2835 Sheffield Place. It infuriates me.

If this is approved I highly recommend entrance to these dwellings from a road other than Sheffield Place. I already have concerns that in an emergency all residents will not be able to get out of the one road out of the subdivision to Commissioners Road but,



now to add a cluster of houses at the end of my expected quiet cul-de-sac is anxiety building. Enough to make me want to move out of this location all together.

I feel that this letter will once again go on deaf ears as it honestly feels that no one truly listens to the residents of the City of London, let alone of a household within a new subdivision where the bottom line for the city is to generate money and not the satisfaction of it's tax payers.

Respectfully Yours,

Terri Zuccherato

2800 Sheffield Place

This amendment to my letter sent is being written to add that at the moment with the subdivision still in its early stages it is dangerous at best trying to get out of the area into Commissioners Road to go to work in the morning. There should for safety sake be a set of lights at this intersection. Commissioners is a speed of 80kms and getting busier everyday and trying to make a left is dangerous at good times. But when winter hits this will be tenfold and accidents are forthcoming. For the safety of everyone a set of lights at this intersection is very important to save injuries let alone lives.

Terri Zuccherato

**Agency/Departmental Comments (attached):**

1. Upper Thames River Conservation Authority

UTRCA advises that they still have some outstanding comments and concerns as outlined in their recent response with respect to the supporting technical studies for the proposed development. However, at this stage they are of the opinion that these matters can be addressed through their Section 28 permit process. UTRCA final approvals are still required in order to clear conditions of draft plan of subdivision and removal of holding zone provisions.

2. EEPAC Working Group comments to PEC dated October 19, 2017, revised October 23, 2017

Recommendations provided by EEPAC regarding the environmental impact studies have been forwarded to the consultant (AECOM) for consideration and response. AECOM has recently prepared a report entitled Compensation and Restoration Plan Victoria by the River Block 153 Site Plan dated November 9, 2018. In this document they have attempted to provide further clarification as well as provide additional compensation, restoration and enhancement measures to what was previously recommended in the Victoria on the River Block 153 Site Plan EIS.



"Inspiring a Healthy Environment"



December 11, 2018

City of London - Development Services  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Larry Mottram** (sent via e-mail)

Dear Mr. Mottram:

**Re: File No. 39T-09502/Z-8793 – Revisions to Draft Plan of Subdivision & Zoning By-Law Amendment**  
**Applicant: Sifton Properties Limited**  
**2835 Sheffield Place, London (aka Block 153 - Victoria on the River Subdivision)**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

#### **PROPOSAL**

The applicant is proposing to rezone a parcel having an area of 0.169 hectares from Open Space (OS5) to a Residential R6 Zone to permit cluster housing and to rezone a portion of an area which is currently zoned Residential R6 to Open Space (OS5). Minor adjustments to the block limits in the draft plan are also proposed.

#### **CONSERVATION AUTHORITIES ACT**

As shown on the enclosed mapping, the subject lands are entirely regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of riverine flooding and erosion hazards and the area of interference surrounding a wetland. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

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**UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)**

The UTRCA's Environmental Planning Policy Manual is available online at:

<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

The following policies are applicable to the subject lands:

**3.2.2 General Natural Hazard Policies**

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the Provincial Policy (PPS).

**3.2.3 Riverine Flooding Hazard Policies**

These policies address matters such as the provision of detailed flood plain mapping, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

**3.2.4 Riverine Erosion Hazard Policies**

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

**3.2.6 & 3.3.2 Wetland Policies**

New development and site alteration may only be permitted in the area of interference and /or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and ecological function of the feature.

**3.3.3.1 Significant Woodlands Policies**

The UTRCA does not permit new development and site alteration in woodlands considered to be significant. Furthermore, new development and site alteration is not permitted on adjacent lands to significant woodlands unless an EIS has been completed to the satisfaction of the UTRCA.

**TECHNICAL PEER REVIEW**

**ENVIRONMENTAL & ECOLOGICAL STUDIES**

The UTRCA has reviewed various Environmental Impact Studies (EIS) and submissions for the subject lands:

1. **Victoria Ridge Plan of Subdivision Environmental Impact Study** (AECOM, 2009)
2. **Victoria Ridge Plan of Subdivision Environmental Impact Study Addendum** (AECOM, 2013)

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3. ***Victoria by the River Block 153 Zoning By-Law Environmental Impact Study*** (AECOM, 2017)
4. ***Victoria by the River Block 153 Site Plan Environmental Impact Study*** (AECOM, 2017)

It is the Conservation Authority's understanding that the City of London has reviewed and approved these submissions.

The Conservation Authority has reviewed and provides its comments on the following submissions:

**Compensation and Restoration Plan Victoria on the River Block 153 Site Plan** (AECOM, November 9, 2018)

On June 27, 2018, AECOM updated a previous response table (February 15, 2018) to address the UTRCA's comments pertaining to the various EIS submissions and addendums for the proposed development (November 14, 2017, May 4, 2018 and June 4, 2018). Furthermore, AECOM provided two supplementary submissions. One letter dated November 13, 2018 was intended to respond to specific questions that were raised by the Conservation Authority during a meeting held on September 19, 2018. The second letter dated November 9, 2018 pertained to comments on the Compensation and Restoration Plan. Other than the following comments, all of the UTRCA's natural heritage/ecological concerns have been addressed. We have kept the numbering system from the June 27, 2018 response table for ease of tracking, and request that a final table with all comments/ clarification be compiled. This can be submitted as part of our Section 28 permit process. Our comments are as follows:

1. Thank you for the clarification as to how the amount and location of the compensation lands were derived. Although it is still our opinion the proposed compensation is not a net benefit, given that the CUT1 / CUM1-1 lands are located in an Environmentally Significant Area (ESA), we will defer to the City's decision on this matter.
2. Please discuss when the Terms of Reference for the monitoring plan will be developed, given that the compensation and restoration measures have been completed for Area 1.
3. Thru 7. Addressed. Thank you.
8. We do not agree that the proposed buffer zones I, II nor III are "buffers" given that the development will be occurring within an area currently identified as ESA. It is not appropriate to protect an ESA by removing a large portion thereof so that it can simply be replanted as a "buffer". Instead, we are of the opinion that it is more appropriate to call buffer zones I, II and III "bay" areas. We contend that these bay areas will likely experience significant negative impacts from the development as compared to areas situated further away. Lastly, in our opinion, these "bay" areas cannot be considered as compensation for the development as they are being created as part of the development and must be mitigated. Please address.
9. Thru 22. Addressed. Thank you.
23. The UTRCA anticipates that a draft homeowners guide will be prepared that includes recommendations about green waste, garbage disposal, release of non-native species such

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as goldfish, impacts of domesticated animals, impacts of runoff from residential lots, road salts and runoff into the pond, non-native plants, etc.

24. As was discussed with the applicant, the UTRCA requires a large fence be installed around the proposed condo development, given its proximity to the boundary of the ESA, either as a condition of this approval or as a requirement in the Site Plan/Development Agreement.
25. All trails and pathways constitute development and should be kept outside of natural heritage features and their buffers. If this is not feasible, justification shall be required as to why this requirement cannot be achieved, accompanied by a compensation plan that addresses the amount of area as well as features and functions being lost to trail development.
26. Thru 28. Addressed. Thank you.
29. The UTRCA is still awaiting a response to our November 27<sup>th</sup>, 2013 (June 19, 2013) correspondence (enclosed) regarding the Victoria Ridge Plan of Subdivision EIS Addendum. Please address.
30. Thru 31. Addressed. Thank you.
32. Please prepare the floristic calculations without the invasive / non-invasive species and submit.

**Victoria on the River, Block 153 Comments on Ravine Crossing Option #1(Berm Widening Towards the Pond to Accommodate Road) – Response (Table) to UTRCA's letter dated September 14, 2018** (AECOM, November 22, 2018)

The UTRCA is generally satisfied with the provided natural heritage information however further recommendations are required for the natural heritage response with respect to the erosion control measures that are to be implemented (last row of table, page 5). How will the watercourse be accessed to install the temporary rock check dams and straw bale filters? This can be addressed through our Section 28 permit process.

The UTRCA is satisfied with the Engineering/Geotechnical information provided in the response table.

**ENGINEERING SUBMISSIONS**

The UTRCA has reviewed:

- i. ***Proposed Low-Density Development Stormwater Management Letter Block 153 Sheffield Place, London ON*** prepared by Development Engineering dated November 1, 2018
- ii. Sheet No.1 – 2835 Sheffield Place (SPA17-062) ***Existing Conditions and Erosion & Sediment Controls*** prepared by Development Engineering dated Nov. XX, 2018
- iii. Sheet No.2 – 2835 Sheffield Place (SPA17-062) ***Site Servicing Plan*** prepared by

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Development Engineering dated Nov. XX, 2018

- iv. Sheet No.3 – 2835 Sheffield Place (SPA17-062) **Site Grading Plan** prepared by Development Engineering dated Nov. XX, 2018
- v. Sheet No.4 – 2835 Sheffield Place (SPA17-062) **Notes and Details** prepared by Development Engineering dated Nov. XX, 2018

We offer the following comments which can be addressed through our Section 28 approval process:

1. The UTRCA continues to have concerns that a significant percentage of stormwater flows are to be directed away from the natural sub-catchment to the stormwater management facility constructed on the lands to the east of the subject block.
2. Please describe the process to mitigate the impacts of the removal of the existing 600 culvert. Specifically, please include erosion and sediment control (ESC) measures to be implemented for this preliminary stage of work.
3. Please clarify whether the rock check measures in the ravine are actually a "spreader" vs a check dam (as per OPSD 219.210). Also, please provide a cross-section of the feature showing the size and depth of the stone.
4. Please describe in detail how the proposed work will be carried out during normal flow conditions and indicate if a diversion plan will be required during a storm event.
5. Please consider doubling the row of straw bales proposed within the ravine system for erosion/sediment control for added reinforcement of this measure.
6. Further to item 2, please describe the process for all removals/access strategies and installation of the proposed erosion and sediment control measures within the ravine system downstream of the crossing including the access point.
7. Please note that it appears that only drawings 1 through 4 were provided for review. These drawings make reference to additional drawings (5 through 7) associated with work in the current pond area. Please provide these additional drawings for our review (note: we are aware that drawings 5-7 may not have been revised since June 13, 2017).
8. Please provide a comprehensive plan for erosion and sediment control within Block 153, given the steepness of the site. We expect to receive details regarding staging/phasing of ESC and various methods to be utilized, with an emphasis on a multi-barrier approach. As part of this plan, please include access/egress routes for construction equipment/materials and plans for monitoring/reporting on ESC installation, inspection, maintenance and upgrades where applicable.
9. Specs for mud mats have been included in the drawing set but none are shown as part of the ESC plan on the site. Please confirm whether or not there is an opportunity to utilize this measure.

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10. Final drawings shall be properly stamped, sealed and dated by an engineer.

#### WATER BALANCE

The UTRCA has reviewed *Water Balance Analysis – Victoria on the River – Block 153, London, ON* prepared by exp dated October 31, 2018. We offer the following comments:

1. Pre-development calculations are stated as 2663 cubic metres while post-development calculations show a volume of 1342 cubic metres. Please explain and provide justification on how this difference will be addressed under the proposed development condition (infiltration gallery). Also, please add the drawdown time for the infiltration gallery.
2. Under the proposed condition, please explain how the surplus flow will be conveyed downstream of the rear yard catch basin. Additionally, will any site-specific ESC measures be incorporated in the project?
3. Please confirm who will be responsible for the operation and maintenance of the infiltration gallery and whether there will be a manual produced to assist with this responsibility.

#### RAVINE CROSSING & RETAINING WALL

The UTRCA has reviewed the *Response to UTRCA Letter Ravine Crossing and Retaining Wall* prepared by exp dated November 9, 2018. We offer the following comments:

1. Please confirm that local soil conditions will be suitable to support the proposed retaining walls, to avoid future instability.
2. Please confirm who will be responsible for the maintenance of the live wall and whether a manual will be prepared to assist with this responsibility.

#### UTRCA COMMENTS – PROPOSED ZONES

In the notice of public meeting, it is indicated that the proposed Open Space OS5 (3) zone allows multi-use pathways. It is our understanding that the OS5 zone applies to important natural features and functions that have been recognized by Council as being of City-wide or regional significance. In this case it is the Meadowlily Environmentally Significant Area. "In order to protect the identified features and functions permitted activity is limited to a range of low-impact uses associated with passive recreation, conservation and ecosystem management."

The Zoning By-Law definition for "Passive Recreational Use" includes access trails, nature study, birdwatching, outdoor education and associated facilities. In our comments regarding the Compensation and Restoration Plan for the proposed development, the UTRCA has indicated that in our opinion, all trails and pathways constitute development and should be kept outside of natural heritage features and their buffers. Accordingly we recommend that the OS5 zone not permit multi-use pathways which typically are paved.

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**RECOMMENDATION**

As indicated, the UTRCA has outstanding comments regarding the supporting technical studies for the proposed development. However, we are of the opinion that that these matters can be addressed through our Section 28 permit process.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
IS/TT/MSn/CC/cc

Enclosures –

- 1) UTRCA Regulations Mapping (please print on legal size paper to ensure accurate scales)
- 2)UTRCA November 27<sup>th</sup>, 2013 (June 19, 2013) correspondence regarding the Victoria Ridge Plan of Subdivision EIS Addendum

c.c. Sent via email -  
Applicant – Sifton Properties Limited  
UTRCA – Mark Snowsell, Land Use Regulations Officer



## Victoria on the River, Block 153

Site Plan EIS dated June 29, 2017, received by EEPAC August 24, 2017, ZBA Planning Rationale Report dated May, 2017 received by EEPAC September 15, 2017 (after request to Planner)

Reviewers: C. Dyck, S. Levin, R. Trudeau

Submitted to October 19th 2017, EEPAC meeting, revised October 23, 2017

### OVERVIEW - Achieving a Net Benefit

1. Consider if eliminating the controlled outlet would enhance the PSW.
2. Monitor the restoration sites for many years as restored areas are prone to invasive species for a long time.
3. Fencing areas which border the ESA prevents encroachment and contributes to a 'net benefit'
4. Educating homeowners about the presence of SARs and SWHs is crucial to achieving a 'net benefit'

### THEME #1 – Compliance with OP policy

3.5.18 of the OP indicates that *its intent is to restore ecological functions and provide a net benefit for the east Meadowlily ESA and the Thames River corridor.*

It is unclear how a net benefit is achieved. Section 5.1 of the Site Plan EIS starts by discussing the existing environmental impacts which seems to set a low bar for the restoration.

For example, the proposal is to create a controlled outlet for the pond at the new laneway.

### THEME #2 – Controlled Outlet

EEPAC would appreciate knowing why a controlled outlet is to be installed rather than letting the Tributary run freely. It would appear that before the pond was created, the extent of the wetland would have been larger. There is no commentary in the Site Plan EIS to address this. Did the proponent examine if a different design such as allowing the tributary to resume its natural flow, enhance the aquatic environment and the wetland feature?

**Recommendation 1:** The EIS not be accepted until a net benefit is clearly demonstrated to the satisfaction of the City and the UTRCA.

### Theme #3 - Official Plan mapping

Page 3 of the Site Plan EIS and the ZBA Report p. 3 of 16 note that the Official Plan designation does not reflect the results of the ESA boundary amendment as recommended and accepted in the Victoria Ridge Plan of Subdivision Environmental Impact Study (AECOM 2009). Appendix A2 of the ZBA report provides a copy of Map 4 from the Victoria Ridge Plan of Subdivision Environmental Impact Study (AECOM 2009) showing the recommended delineation of the Meadowlily Woods ESA in the Block 153 area and surrounding Victoria on the River subdivision lands.

VICTORIA ON THE RIVER, BLOCK 153

**Recommendation 2:** The Planning report for the ZBA include a recommendation to Council that the OP and London Plan be amended to reflect the ESA boundary as recommended by the Victoria Ridge Plan of Subdivision.

**Theme #4– Restoration Plan and Monitoring**

**Recommendation 3:** For the tributary, the best vegetation to plant on the stream banks would depend on the width of the watercourse, but you would ideally want something that is relatively fast growing and could provide adequate shading to protect the tributary from solar radiation. A good mix of grasses, shrubs, and trees would help to provide shade, run-off control, and habitat for invertebrates.

EEPAC is aware from the Site Plan EIS that work has been done in Area 1 and is considered successful. It is unclear to EEPAC what the plan was for that area and what the outcomes measures were that determined that the work was a success. Recommendation 16 on page 60 of the Site Plan EIS speaks to the development of an Environmental Monitoring Program prior to the commencement of construction. EEPAC recommends the following instead:

**Recommendation 4:** An Environmental Monitoring Program (EMP) be a condition of the development or site plan agreement. The Program must be to the satisfaction of a City Ecologist and the UTRCA. It should have clear outcome measures such as survival rates of trees and shrubs.

**Recommendation 5:** The EMP should have a monitoring period of no less than 5 spring seasons from the completion of plantings, with a particular emphasis on the Significant Wildlife Habitat. Ideally, monitoring would be by an independent consultant reporting to the City. The EMP must include requirements for watering new plantings during dry periods, warranties, replanting/reseeding requirements, invasive species management.

**Recommendation 6:** The plantings in Area 3 should be similar to the species in the FOD 6-5. It is unclear to EEPAC if the suggested list of plants listed on page 57 (EMP, #10, Site Plan EIS) is similar to the dominant species in this ecosite.

**Recommendation 7:** All trees that are planted must be 15 cm or greater at dbh and any trees that are lost to construction must be replaced at a minimum ratio of two for every tree lost.

**Recommendation 8:** All buffers must be planted and seeded consistent with the abutting vegetation in the ESA. If the development agreement allows for regeneration without active restoration, the agreement must include a condition that if the regeneration results in a majority being invasive species within 3 years, the proponent must initiate active restoration.

**Recommendation 9:** Monitoring of the restoration planting should follow the regime suggested at the end of this report from the Nature Conservancy, noting the City's standard time frame is likely insufficient:

VICTORIA ON THE RIVER, BLOCK 153

**THEME #5 – OTHER PARTS OF PROPOSED ENVIRONMENTAL MANAGEMENT PLAN**

Page 10 of 16 of the ZBA report notes: "The boundary of the Site Plan and ESA buffer along the rear (and where relevant, side yards) shall be fenced (without gates) to prevent the encroachment and access of ESA lands from Block 153 residential lots." EEPAC agrees. The recommendation for fencing is included with other recommendations on page 17 of the ZBA EIS:

*In order to further ensure minimal to negligible impacts, we recommend the following mitigation measures:*

*Rear yard fencing to prevent residents from entering ESA lands from rear yards;  
Shielded or other forms of lighting that reduce light impacts on adjacent ESA lands;  
Condominium by-laws that restrict access to ESA lands, disposal of yard waste in ESA lands, feeding of wildlife, etc.*

**Recommendation 10:** These recommendations from the ZBA EIS should be further detailed in Site Plan provisions or Conditions of Site Plan approval.

**Recommendation 11:** Recommendation #14 in the Site Plan EIS (p. 59) be amended to say fencing of the ESA – development limit be **required** to reduce encroachment into the ESA. This must be a requirement of either conditions of development or of site plan approval

EEPAC also proposes these additional steps which should also be considered conditions in the development agreement:

**Recommendation 12:** Turtle and / or Snake Crossing signs be installed at either end of the access to the condominium.

To deal with the indirect impact of human intrusion, In addition to the standard homeowner package and the condominium restrictions listed in Recommendation 15 of the Site Plan EIS on page 59, EEPAC recommends the following:

**Recommendation 13:** An information sign about the ESA and the species present be installed in a common area of the Condominium development. The text should be to the satisfaction of a City Ecologist and include the recently developed "cat brochure" and Living with Natural Areas.

**Theme #6: Remainder of Environmental Management Plan (Site Plan EIS)**

EEPAC is generally supportive of the recommendations except as follows:

**Recommendation 14:** Recommendation #6 of the EMP dealing with buffers should be strengthened by including monitoring of the buffer plantings in the proposed Monitoring Program.

**Recommendation 15:** Recommendation #7 should be strengthened to include the removal of non-native and invasive species as mentioned in the text on page 54 of the Site Plan EIS that precedes the recommendation.

VICTORIA ON THE RIVER, BLOCK 153

Recommendation #10 on page 57 indicates trees will be planted on the slope but there is no information about removal of trees or whether the new plantings will be of the same or similar species nor what mass will be lost and what mass will be planted to replace the loss. What is the compensation for the loss of forest species? (EEPAC notes there are no drawings showing existing mature trees - Appendix M just shows the extent of vegetation).

**Recommendation 16:** Recommendation #10 on page 57 of the Site Plan EIS should be revised to reflect EEPAC's concerns noted in the preceding paragraph.

As per page 18 of the ZBA EIS, the following be added to the EMP:

**Recommendation 17:** Provide increased wildlife habitat within through the installation of bird & bat boxes, sentinel rocks/perch posts and brush piles

**THEME #7 - Species at Risk**

**Recommendation 18:** As per Appendix K, page 21 of the Site Plan EIS, a species specific survey for the Eastern Ribbon Snake be conducted before construction starts. This must be added to Recommendation 18 on page 60 of the Site Plan EIS.

**Recommendation 19:** At least one snake hibernacula be included in the restoration area

As per Appendix K p. 23-4 and Appendix L, pp. 4 and 15, the following be required as part of Recommendation 17 on page on page 59-60 of the Site Plan EIS:

**Recommendation 20:**

- a. Sedimentation and erosion control measures be installed prior to any works within 30 m of aquatic or semi aquatic habitats, specifically, the pond and the MAM at the south end of the pond.
- b. Work take place outside of turtle overwintering and nesting season.
- c. Photos of the SAR turtles be posted with a number to call if turtles are encountered during construction. The # should be for the Species at Risk biologist (Scott Gillingwater) at the UTRCA.

**Theme #8 Existing Berm**

There is very little mentioned about the work to be done to remove and reconstruct the existing berm (see p. 41 of the Site Plan EIS). It is unclear if this is to support a future road or for some other purpose as no road is shown in any of the drawings or figures. Is it to remove the perched culvert to restore flow within the channel? It is not clear in either document.

It is unclear what compensation for loss of aquatic habitat immediately north of the existing lane way and loss of FOD6-5 (.13 ha) within the ravine north of the existing berm caused by the removal of the this berm. It appears from the Site Plan EIS that the removal of the existing perched culvert can improve function of the aquatic habit.

**Recommendation 21:** Plantings must be required to shade the water as well.

VICTORIA ON THE RIVER, BLOCK 153

It is unclear though if there is any compensation at the location of the existing berm. It is not included as one of the Compensation Areas shown on the various Figures.

**Recommendation 22:** This deficiency should be resolved before the EIS is accepted.

**THEME #9 – Construction conditions**

**Recommendation 23:** On site monitoring should occur when the weather forecasts any heavy rain events during the construction period (to avoid the potential for excess run off from piles of top soil)

**Recommendation 24:** Refueling and other activities listed on page 59 of the Site Plan EIS be 30 or more metres from the Significant Wildlife Habitat, the River and Tributaries.

**Recommendation 25:** Construction practices follow the Clean Equipment Protocol to reduce the chance of introducing/spreading Phragmites and other invasive species into the area.

**Recommendation 26:** Any construction must be outside the nesting season of bank swallows.

It is likely they are nesting in the banks of the river. Construction will change their foraging. Construction should not be permitted during this species nesting season at a minimum.

**Recommendation 27:** In constructing access road, consideration be given to permanent measures to reduce the chance of turtles climbing on to the road surface.

**Recommendation 28:** In constructing the access road, Best Management Practices be employed so that salt, sand and other road contaminants do not end up untreated into the watercourse or the pond.

**Theme #10 – ERRORS and OMISSIONS and OTHER**

**Recommendation 29:** The extent of the ESA should be clearly shown on all Figures. For example, Figure 1 in both EIS seems to suggest the limit of the ESA is just west of the Study Area. This is wrong.

**Recommendation 30:** There should be one air photo showing the total extent of the ESA and the PSW's within it, including the unevaluated wetlands to the east. Although this appears on B-1 which is included, it is not apparent to the casual reader.

**Recommendation 31:** The builder/condo corporation advise prospective buyers of the sensitivity of the ESA prior to purchase.

**Recommendation 32:** The UTRCA map should be in the main section with the other Figures rather than in an Appendix as it better shows the extent of the PSW.

**Recommendation 33:** There is a recommendation in the Dec 24, 2015 letter from AECOM to M. Zunti regarding removal of agricultural waste from within the ravine slopes. This should be included as a requirement provided it does not cause additional degradation to the slopes.

VICTORIA ON THE RIVER, BLOCK 153

**Appendix – Nature Conservancy comments on restoration:**

In the first summer, expect a range of non-native, common agricultural weeds, often annuals. In year two, expect to see these give way to the planted, native species. The objectives of restoration are first and foremost to establish as many native plant species as possible, and to not allow the establishment of non-native invasive species. Monitoring should focus on this. For example, look for autumn olive, buckthorn, quack grass and Canada thistle, common reed, and conduct monitoring to deal with them upon sight whenever possible. Looking for these species can be easier later on in the fall, as they remain green for longer than the native plants.

- We simply wander around and write down every species we come across; it might be useful to append some sort of abundance code, but again, a focus on what you need to know is important
- We need to know if we need to come back with a chainsaw or just loppers, and what sort of volume of glyphosate we might need, so we're not going to bother counting lamb's quarters, for example. For native species, we compare our list of observed species with our planting list.
- We are able to "get away with" a fairly low key monitoring approach like this because we do actually have a much more detailed system on one key restored site – we have 170 2 x 2 m plots set up, and have been collecting % cover for each species for 10 years now. We collect these data in the 3<sup>rd</sup> week of July (Norfolk County). We miss flowering season for asters and goldenrods, and similarly miss really early season stuff, but we do our best. This is fine, but does take a lot of time and our ongoing objectives with this work are something we are constantly trying to clarify. I don't necessarily recommend that every site needs such a detailed system – again, thinking hard about what you need to know is paramount.
- Some species do take a while to establish in an easily identifiable way. One example we have found of this is butterfly weed – it seems to take a few years to really show up. If you really need to know if every species you planted establishes, then you might consider checking in on the site for longer than just 2 years – 3 or even 4 years.
- If you are trying to create habitat for a specific species, via planting native plants, I would still recommend a focus on native vs non-native plants, especially early on, but you would also want to add in a check for your species of interest, and perhaps other components of its habitat e.g. structure, specific species composition, etc. This sort of data collecting might need to happen over several months – i.e. breeding bird season, fall, even winter.
- Photos are always good! Collect some actual data too, but take some pics from a few standardised angles each year.
- On a somewhat related note, I would also recommend that restoration sites are maintained with regards to invasives many years down the line. I appreciate how unrealistic this may be or seem, but restored areas are prone to invasive species for a long time, and I have seen several which had a lot of restoration money poured into them for 1 – 2 years, but then have been ignored and have turned into an autumn olive or buckthorn mess, which is of very limited value to anything.

## Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

### **Provincial Policy Statement, 2014**

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

These lands are located within the City's Urban Growth Boundary where adequate servicing capacity exists. A comprehensive land use plan to guide future development in this area was previously prepared and adopted by Municipal Council, referred to as the "Old Victoria Area Plan". The proposed revision to draft plan of subdivision and zoning amendment is in keeping with the Area Plan and meets the objectives of Section 1.1.1 of the PPS by creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns; accommodating an appropriate range and mix of housing; and is in close proximity to employment areas, recreational and public open space uses. The proposed development of low density residential cluster housing in the form of a vacant land condominium will make efficient use of land and municipal services, including water, sanitary sewers, and stormwater management facilities (Section 1.1.3.6).

The PPS recognizes the importance of the Province's natural heritage resources, and the long term protection of natural features and areas (Section 2.1.1). Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified as significant wetland and significant wildlife habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Section 2.1.8).

Block 153 and the surrounding lands have been the subject of numerous environmental studies prepared as part of the subdivision planning process. Separate environmental impact studies have been prepared as part of the zoning by-law amendment and site plan process. The EIS recommendations for protecting natural heritage features will be incorporated in the detailed site planning for the development of Block 153, including measures to enhance significant natural heritage resources through re-naturalization and restoration/compensation plans for lands within the Thames River Valley corridor and associated ravine and wetland features. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources.

Therefore, the proposed revised draft plan, zoning amendments, and vacant land condominium are found to maintain consistency with the Provincial Policy Statement.

### **The London Plan**

The Our Strategy, Our City, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Zoning By-law Amendment, revised draft plan of subdivision, and proposed draft plan of vacant land condominium, contributes to achieving those policy objectives, including the following specific policies:

## **Our Strategy**

### **Key Direction #4 – Become one of the greenest cities in Canada**

- 3. Protect and enhance our Thames Valley corridor and its ecosystem.*
- 4. Protect and enhance the health of our Natural Heritage System.*

### **Key Direction #5 - Build a Mixed-Use Compact City**

- 4. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
- 7. Build quality public spaces and pedestrian environments that support walking.*

### **Key Direction #6 Place a new emphasis on creating attractive mobility choices**

- 1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*

### **Key Direction #7 Building strong, healthy and attractive neighbourhoods for everyone**

- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

## **Our City - The Thames Valley Corridor**

*123\_ Recognizing the important role of the Thames Valley Corridor, the following actions will be taken:*

- 4. Protect, enhance, and restore the natural and cultural heritage of the Thames Valley Corridor in all the planning we do.*
- 5. Protect and, where appropriate, enhance the aesthetic beauty of the Thames Valley Corridor.*
- 8. Develop a continuous multi-use pathway network connecting parks and natural areas along the Thames Valley Corridor as the outdoor recreational spine of the city.*

Lands adjacent the Thames Valley Corridor, which were formerly in agricultural use, are being restored and renaturalized as part of this development proposal. The actions being taken will contribute to protecting the ecological function and natural beauty of the corridor. The subdivision plan also incorporates a portion of the Thames Valley Parkway (TVP) multi-use pathway system.

## **City Building and Design Policies**

*243\_ Public facilities, parks, trails, seating areas, play equipment, open spaces and recreational facilities should be integrated into neighbourhoods to allow for healthy and active lifestyles.*

*253\_ Site layout should be designed to minimize and mitigate impacts on adjacent properties.*

*254\_ Site layout, and the corresponding building design, should respond to the topography of a site.*

The subject lands have access to the TVP multi-use pathway at the entrance to the site. The multi-use pathway was specifically planned to integrate the neighbourhood with parks and recreational facilities and the larger open space system. The subject site is a relatively isolated parcel surrounding by open space. The design and layout of cluster single detached homes in the form of a vacant land condominium will be compatible with and should not impact adjacent properties on Sheffield Place.



During the pre-consultation, City staff expressed a preference for a lotting pattern that would result in back-to-back units, rather than the currently proposed loop road system which encircles the central tier of lots. While acknowledging that would typically be a preferable layout, the applicant indicated that they reviewed the city's suggested alternative concept and believe it is impractical due to the grading constraints associated with the natural elevation change across the site. The implications of pushing the internal condo road toward the south boundary result in doubling the retaining wall height requirements to 4+ meters that would run immediately adjacent to the road. The elevation of the road at the south property limit is limited by the maximum road slope on the north-south internal roads. The impact of revising the location of the road would be: greater retaining wall height, increased road slopes, increased road construction and servicing costs, reduced density and less efficient land use.

## Neighbourhood Place Type

### *Vision for the Neighbourhoods Place Type*

916\_ \* *In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:*

1. *A strong neighbourhood character, sense of place and identity.*
2. *Attractive streetscapes, buildings, and public spaces.*
3. *A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*
4. *Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*
5. *Lots of safe, comfortable, convenient, and attractive alternatives for mobility.*
6. *Easy access to daily goods and services within walking distance.*
7. *Employment opportunities close to where we live.*
8. *Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

The subject lands are within the "Neighbourhoods" Place Type permitting such uses as single detached, semi-detached, duplex, townhouses, secondary suites, home occupations, and group homes. Development in the form of cluster single detached dwellings as proposed falls within this Place Type, and represents an appropriate development form and intensity in this location. The proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identify, diversity of housing choices and opportunities for aging in place, safe and convenient alternatives for mobility, and close proximity to employment, parks, pathways, and recreational opportunities. \* *Policy subject to LPAT Appeal PL170100 - August 27, 2018*

## Environmental Policies

1308\_

4. *Enhance, protect and conserve the Natural Heritage System through well planned built form and community design.*
5. *Maintain, restore, monitor and improve the diversity and connectivity of natural heritage features and areas and the long-term ecological function and biodiversity of Natural Heritage Systems.*
6. *Encourage, through education and incentive programs, the cooperation of property owners in the maintenance of, or enhancement to, the naturalization of lands and the sustainable use of our Natural Heritage System.*

1378\_ *Potential naturalization areas are defined as areas where the opportunity exists to enhance, restore, or where appropriate, expand the Natural Heritage System. These areas may include lands suitable to create natural habitats such as wetland habitat,*

*pollinator habitat, wildlife habitat, or to compensate for trees lost to development. Locations identified as being suitable for the application of a naturalization strategy are identified as potential naturalization areas on Map 5. Not all potential naturalization areas have been identified on Map 5.*

As noted previously, environmental impact studies have been prepared to assist in addressing the Environmental Policies of The London Plan. The following excerpts taken from the Victoria on the River Block 153 Zoning By-law Amendment Environmental Impact Study (AECOM) summarizes the EIS findings and conclusions:

***“The potential impacts resulting from the Zoning By-law Amendment are restricted to two areas. The lands proposed for inclusion as Residential Zoning (0.169 ha) exist presently as cultural thicket vegetation (CUT1 – Mineral Cultural Thicket Ecosite) and the lands proposed for inclusion as Open Space exist presently as abandoned agricultural lands (0.169 ha).***

***With respect to the proposed Zoning By-law Amendment (Rezoning of OS5(3) & h OS4 to h.h-100.h.159 R6-2(11)), the removal of an additional 0.169 hectares of Cultural Thicket vegetation is not considered to result in a significant impact on the vegetation community, or wildlife habitat. This is based on the following:***

- 1. The small additional area to be removed and the non-native and invasive nature of the vegetation in the thicket community. The vegetation cover within the Mineral Cultural Thicket (CUT) community is > 80% shrubs of which the species composition is dominated by common buckthorn (an invasive shrub).***
- 2. The subject area does not provide habitat for, nor do there exist, Species at Risk within the subject area.***
- 3. The subject area does not provide Significant Wildlife Habitat or related functions.***

***The proposed Zoning By-law Amendment provides an opportunity for compensation for the loss of the vegetation community noted above in an equivalent area of presently abandoned agricultural land.***

***The area to be Rezoned from h.h-100.h-159 R6-2(11) to OS5(3) is recommended and proposed for ecological restoration in the form equivalent to that previously completed for lands immediately to the north, along the Thames River.”***

***“Based on the information presented in this EIS and nature of the proposed ZBA, we conclude that there will be no net negative impact to the features and functions of the Meadowlily Environmentally Significant Area (ESA).***

***Furthermore, with the implementation of the recommendations provided in this report, we anticipate a net environmental benefit.***

***The conclusion of net environmental benefit is based on the following:***

- 1. The small additional area to be removed and the non-native and invasive nature of the vegetation in the thicket community. The vegetation cover within the Mineral Cultural Thicket (CUT) community is > 80% shrubs of which the species composition is dominated by common buckthorn (an invasive shrub).***
- 2. The subject area does not provide habitat for, nor do there exist, Species at Risk within the subject area.***

**3. The subject area does not provide Significant Wildlife Habitat or related functions.**

**4. The area proposed for compensation, presently abandoned agricultural land, provides an equivalent area of restoration to address vegetation loss.**

**5. With the restoration of the compensation area situated immediately adjacent to the previously implemented compensation area, the riparian corridor of the Thames River in this area will be significantly enhanced.”**

The subject lands are shown as a potential naturalization area on Map 5 – Natural Heritage of The London Plan.

## Our Tools

### *Evaluation Criteria for Planning and Development Applications*

1578\_ 6.\* *Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:*

- a. *Traffic and access management.*
  - b. *Noise.*
  - c. *Parking on streets or adjacent properties.*
  - d. *Emissions generated by the use such as odour, dust, or other airborne emissions.*
  - e. *Lighting.*
  - f. *Garbage generated by the use.*
  - g. *Loss of privacy.*
  - h. *Shadowing.*
  - i. *Visual impact.*
  - j. *Loss of views.*
  - k. *Loss of trees and canopy cover.*
  - l. *Impact on cultural heritage resources.*
  - m. *Impact on natural heritage features and areas.*
  - n. *Impact on natural resources.*
- The above list is not exhaustive.*

- Sheffield Place is classified as a Neighbourhood Street and is designed to carry local traffic volumes. There are currently 20 homes served by this cul-de-sac street. The proposed 30 unit development is not expected to contribute significantly to traffic volumes. The site plan approval process will ensure safe vehicular access is achieved. Response received from the City's Transportation Planning & Design Division indicated no concerns regarding the revision to the draft plan for Block 153.

- All required parking will be provided on-site.

- The proposed development is not expected to generate excessive noise and emissions.

- On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties. The EIS recommends shielded rear yard lighting for residential units to prevent light impact on adjacent ESA lands.

- Individual dwelling units will have 2-car garages which should be large enough for storage of domestic garbage.

- The building area of Block 153 is setback approximately 75 metres in from Sheffield Place, and the intervening pond and wooded ravine lands provide additional buffering. There is expected to be minimal loss of privacy or visual impact for existing residents.

- The topography is moderately sloping down towards the Thames River to the north, and to the pond and ravine to the east. There will be minimal loss of natural view corridors or vistas. There is currently a narrow vista looking west from Sheffield Place across the former farm lane crossing. However, the lane was identified as a future access for residential development within the gap area as part of the Old Victoria Area Plan and subdivision approval process.

- A Tree Preservation Plan was prepared by AECOM and submitted with the application.

A total of 222 trees were surveyed and assessed by a Certified Arborist. 142 trees were rated in good condition, 54 in fair condition, 16 in poor/very poor condition, and 10 dead trees were found. Out of 222 trees, 157 are required to be removed as a result of the proposed grading. No Species at Risk (SAR) or species of local/regional rarity were observed. Trees to be preserved within 6.0 metres of the development block were identified as protection zones and will require installation of protective fencing prior to grading/excavation activities. Vegetation removal shall not commence until all required permits and approvals are obtained, and should take place outside of the breeding bird timing window (April 1<sup>st</sup> to August 30<sup>th</sup>). All recommendations within the plan are to be implemented as part of the Site Plan Approval.

- Environmental impact studies have been completed with respect to impacts of development on surrounding natural heritage features. There are no concerns for cultural heritage or natural resources. \* Policy subject to LPAT Appeal PL170100 - August 27, 2018

### **Old Victoria Area Plan**

The Old Victoria Area plan had identified a “gap” or pocket of cultivated land surrounded by ESA lands as having development potential in the northwest portion of the area plan. The area plan also identified an opportunity to expand this development area to the west if restorative/re-vegetation work was undertaken to the cultivated lands below the regulatory floodplain. This trade-off was intended to provide a net environmental benefit by restoring the ecological functions of the Meadowlily Corridor ESA that had been lost to farming and cultivation along the south side of the Thames River corridor while, at the same time, providing development opportunity in a cultivated area outside of the floodplain. The policy that was adopted by Council as part of the Old Victoria Area Plan and reflected in The London Plan, as well as the 1989 Official Plan, is as follows:

#### *ESA Restoration*

*1003\_ In the northwest area of the Old Victoria community along the east Meadowlily Environmentally Significant Area and the Thames Valley Corridor, re-vegetation and ESA enhancement opportunities on the active agricultural fields below the flood plain and stable slope should be actively pursued. The intent is to restore ecological functions and provide a net benefit for the east Meadowlily ESA and the Thames Valley Corridor. In exchange, developable lands may be added to the adjacent Neighbourhoods Place Type, with access provided along the existing farm lane crossing at the north end of the existing farm pond. An environmental impact study shall determine the precise location and extent of the developable lands to be added and will be the basis for the design of street crossing of the watercourse.*

The Block 153 lands and surrounding lands have been the subject of numerous planning and environmental studies, including the Victoria Ridge Plan of Subdivision Environmental Impact Study (AECOM 2009) and the Victoria Ridge Plan of Subdivision Environmental Impact Study Addendum (AECOM 2013). Those previous EIS reports provided the basis for environmental protection measures and compensation measures for the Block 153 subject lands, and the adjacent Victoria on the River subdivision. Since then, Sifton Properties Limited has successfully implemented compensation measures in the form of restoration seeding and plantings of native species, creation of pits and mounds, and installation of snake hibernacula.

The following EIS Reports were also prepared and submitted in conjunction with the applications for Zoning By-law Amendment and Site Plan Approval for Block 153:

- AECOM. May 24, 2017. Victoria by the River Block 153 Zoning By-law Amendment Environmental Impact Study. Prepared for Sifton Properties Limited
- AECOM. June 29, 2017. Victoria by the River Block 153 Site Plan Environmental Impact Study. Prepared for Sifton Properties Limited

A Compensation and Restoration Plan has also been prepared which summarizes the previous restoration activities completed to date, additional restoration recommendations, and restoration recommendations for the access lane to Block 153 in the following report:

- AECOM. November 9, 2018. Compensation and Restoration Plan  
Victoria by the River Block 153 Site Plan. Prepared for Sifton Properties Limited

The objective of the Compensation and Restoration Plan is to: i) compensate for habitat lost as part of the development gap expansion within Meadowlily Woods ESA, ii) to increase and provide contiguous riparian habitat along the Thames River, and iii) to compensate for and enhance vegetation and habitat lost as part of the pond-ravine crossing required to access Block 153. The main components of the recommended compensation and restoration measures are highlighted as follows:

#### **Area 1 – Compensation & Restoration Completed To-Date**

Cultivated areas within the ESA boundary along the Thames River were identified for restoration of a riparian and river corridor. In addition to the compensation for expansion of the agricultural gap in the ESA, the restoration provides a strengthened corridor along the river and provides surface water quality protection. The area of expanded development envelope within the ESA gap, not including the Zoning By-law Amendment area (Area 2), is 0.653 hectares and the restoration opportunity area is 0.9 hectares, not including any areas associated with the storm water management pond. This equates to slightly greater than 1:1 compensation on an aerial basis. As we included some net benefit of naturalizing the storm water pond, the compensation ratio is greater than 1:1.5.

#### **Area 2 – Compensation for the Zoning By-law Amendment Area**

In addition to the Area 1 compensation and restoration that has already been completed, an additional area, Area 2, is proposed for similar measures in order to compensate for the vegetation and habitat loss associated with the Zoning By-law Amendment for Block 153. The intent of the Zoning By-law Amendment is to provide a more functional block for development purposes, but also to increase the restoration of the corridor along the Thames River. This will provide increased wildlife habitat and corridor width through plantings of native species and provide cover for wildlife. Specific measures are recommended for managing invasive species and removal of non-native and invasive species, including removal of invasive plants within Area 2, and removal of buckthorn shrubs within an area that extends 30 metres from the Block 153 development limits.

#### **Area 3 – Compensation for the Pond-Ravine Crossing**

This is intended to compensate and restore areas disturbed by the pond-ravine crossing required to access Block 153. In addition to the compensation and restoration, enhancement of habitat within the pond south of the pond-ravine crossing and in the stream north of the pond leading to the Thames River is proposed. Restoration measures are illustrated on the Figure 3 excerpt from the AECOM report and include seeding, native vegetation and tree planting, installation of erosion control blanket on the newly created slopes at the pond-ravine crossing, pond-wetland enhancements, and naturalization/restoration opportunities in tributary between the pond-ravine crossing and the Thames River.

#### **Area 4 – Live Wall**

A live wall is recommended along portions of the north and south border of the proposed development between the condominium units and the buffer zone. A live vegetated wall is a natural alternative to a traditional retaining wall that can provide natural habitat with minimal impact to install (Envirolok 2012).

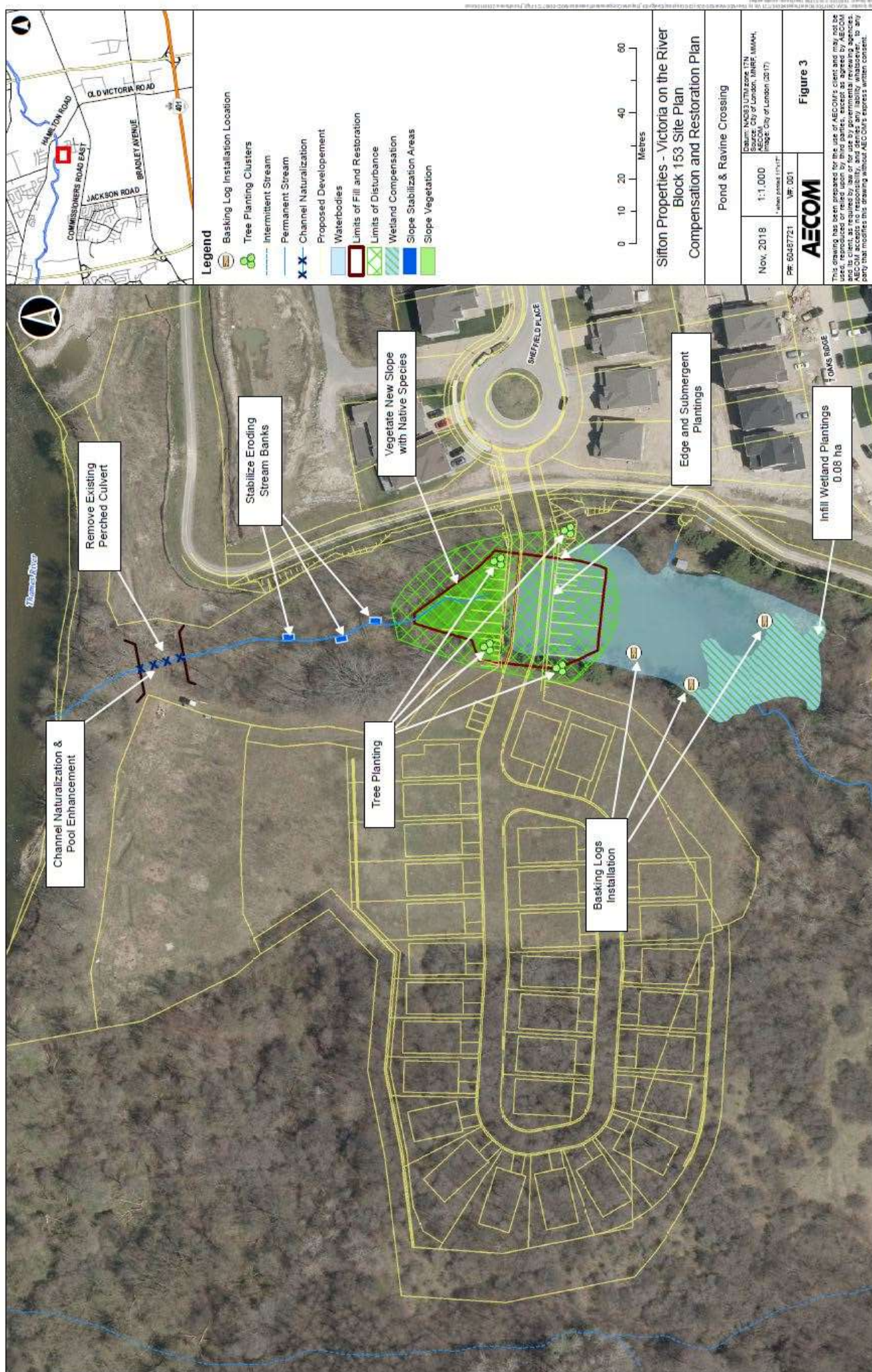
#### **Area 5 – Buffers and Adjacent Lands**

Recommendations for the ecological buffers identified for areas between the proposed development block and the surrounding Environmentally Significant Area (ESA) were provided in the AECOM. 2017 Victoria by the River Block 153 Site Plan EIS.

Figure 2. - Excerpt from Victoria on the River Block 153 Site Plan Compensation and Restoration Plan - Prepared for Sifton Properties Limited, AECOM November 9, 2018



Figure 3. - Excerpt from Victoria on the River Block 153 Site Plan Compensation and Restoration Plan - Prepared for Sifton Properties Limited, AECOM November 9, 2018



### **1989 Official Plan**

These lands are designated “Low Density Residential” and “Open Space” on Schedule ‘A’ of the 1989 Official Plan. The residential land use designation permits single detached, semi-detached, and duplex dwellings as the primary permitted uses up to a maximum density of 30 units per hectare. The proposal to develop Block 153 with 30 cluster single detached dwelling units will result in an overall density of 19 units per hectare which is within the density limits prescribed in the Low Density Residential policies.

### **Z.-1 Zoning By-law**

Block 153 is currently zoned Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) which permits cluster housing in the form of single detached dwellings with a maximum density of 20 units per hectare. The proposal to reconfigure the block will not change the total developable area and so on a yield basis the 30 dwelling units would remain the same. There is already a special provision in place for minimum lot frontage of 12 metres that was applied when the zoning for the subdivision draft plan was approved. The applicant has requested additional special provisions for rear yard depth of 4.5 metres minimum and interior side yard depth of 3.0 metres minimum (in place of 6.0 metres when the wall of a unit contains windows to habitable rooms). The yard setbacks are considered appropriate in this situation as the block is intended for development of low density cluster housing surrounded by open space, and will not create any issues with respect to privacy. The interior side yard depth of 3.0 metres is only required for Unit 1 in the condominium plan where a pinch-point was identified between the block limit and the northeast corner of the future building foot print. The 4.5 metre building setback would apply to the remainder of the units around the inside perimeter of the block.

The EIS submitted with the rezoning application did address the potential impacts of a reduced rear yard setback and concluded that given the nature of vegetation in the area immediately adjacent to the reconfigured Block 153, and the provision of ecological buffers ranging between 5 and 15 metres, it is considered to have minimal to negligible impact on the features and function of the adjacent ecological communities. The EIS also recommended additional mitigation measures, including rear yard fencing without gates to prevent residents from entering ESA lands from their private rear yard amenity areas, and shielded or other forms of lighting that reduces light impacts on adjacent ESA lands. These measures will be implemented through the approved site plan and landscape plan.

The request for a special provision to increase the maximum lot coverage regulation from 30% to 35% is considered appropriate and will not have the effect of reducing the amount of required landscaped open space (LOS). The site plan data indicates 50% LOS which is above the minimum zone requirement of 45%.

It is recommended that the holding provisions which currently apply to the zoning of Block 153 continue to remain in place until such time as a subdivision agreement or development agreement has been entered into; that provision has been made for adequate water service and appropriate access; and, that an Environmental Impact Study to address the potential impacts of the access laneway is completed to the satisfaction of the City and the UTRCA, prior to removal of the holding symbols.

### **Vacant Land Condominium Application**

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan, the 1989 Official Plan, and the Old Victoria Area Plan.
- Sewer and water services are available to service this site. Storm flows will outlet to Old Victoria SWM Facility #2.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, open space, and the TVP multi-use trail.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster single detached housing. Building elevation plans will be reviewed



as part of site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

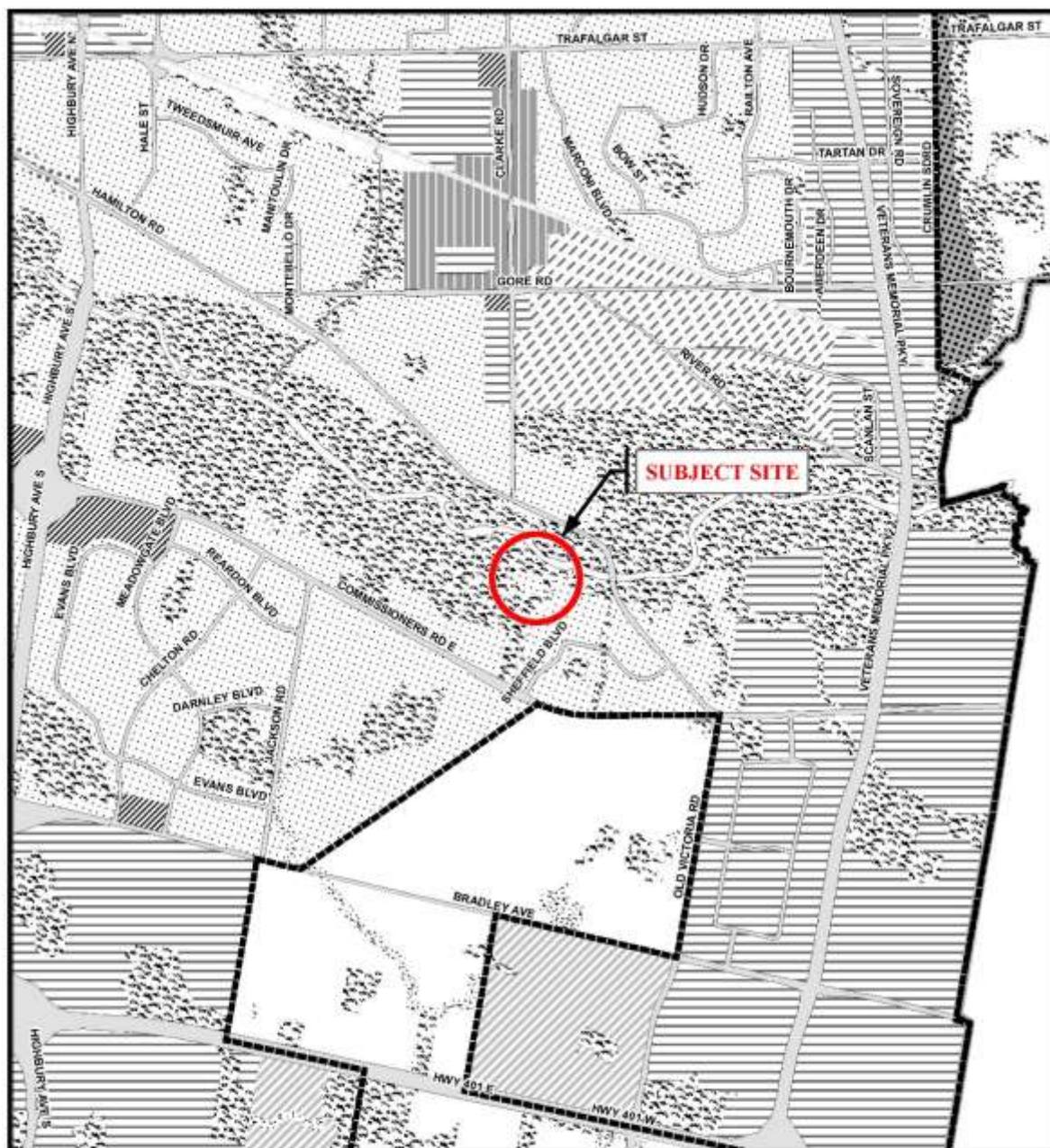
- The applicant must ensure that the proposed grading and drainage of this development does not adversely impact adjacent properties. All grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings to be included in an approved Site Plan and Development Agreement.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. In order to ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- Condominium Declaration includes provision that purchasers of units are to be provided with an education package prepared to the satisfaction of the City which explains the stewardship of natural areas, value of existing tree cover, impact of domestic pets on birds/wildlife, use of native plant species in landscaping, and minimal use of salt for de-icing driveways.
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

**Appendix D – Relevant Background**

**London Plan Map Excerpt**



**Legend**

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

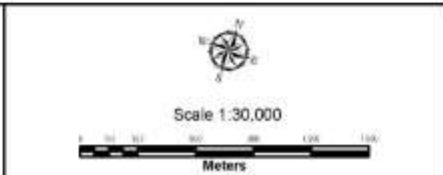
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**CITY OF LONDON**  
 Planning Services /  
 Development Services

**LONDON PLAN MAP 1**  
**- PLACE TYPES -**

PREPARED BY: Planning Services



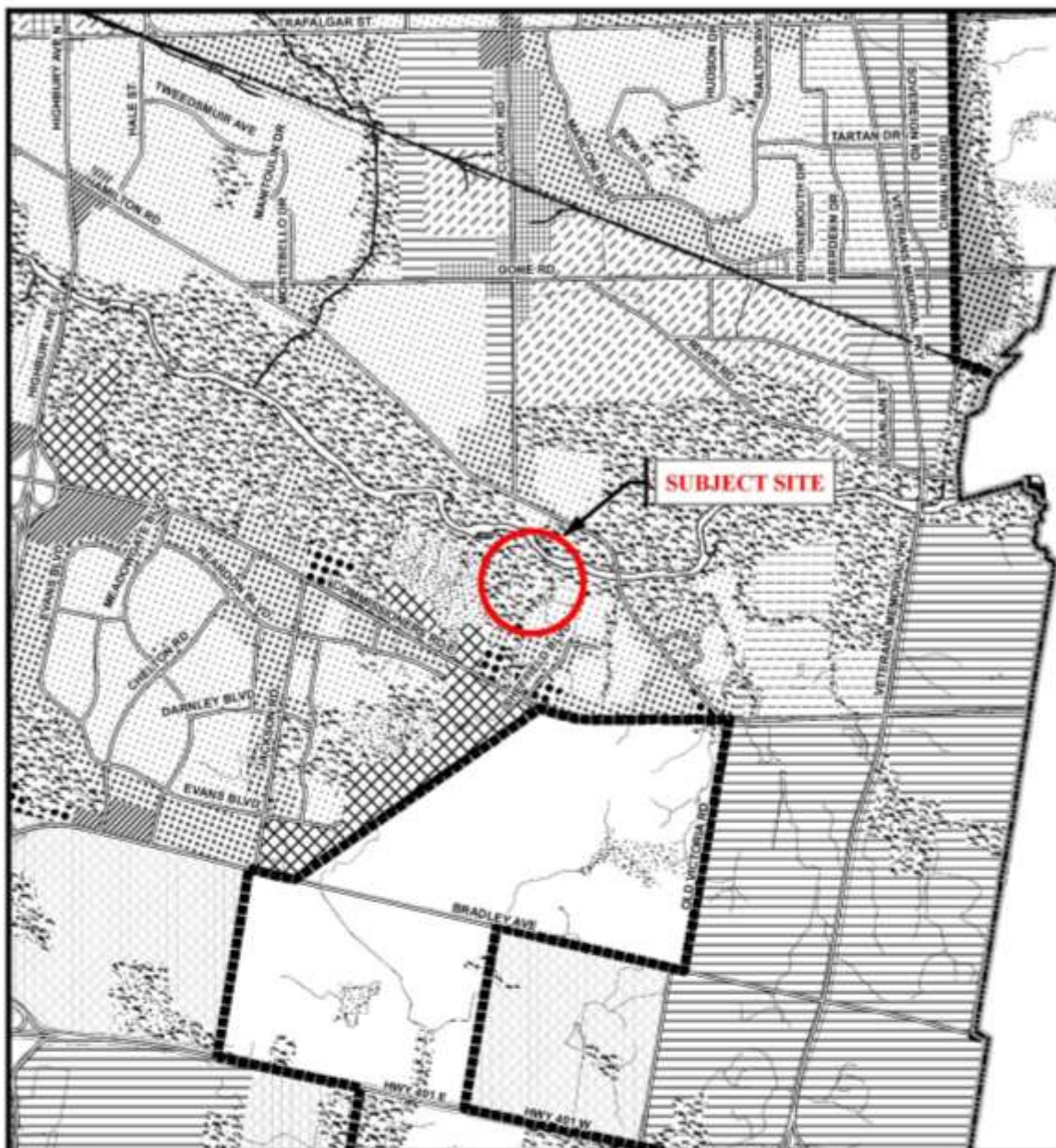
**File Number:** 39T-09502 / Z-8793

**Planner:** LM

**Technician:** RC

**Date:** September 04, 2018

**Official Plan Map Excerpt**

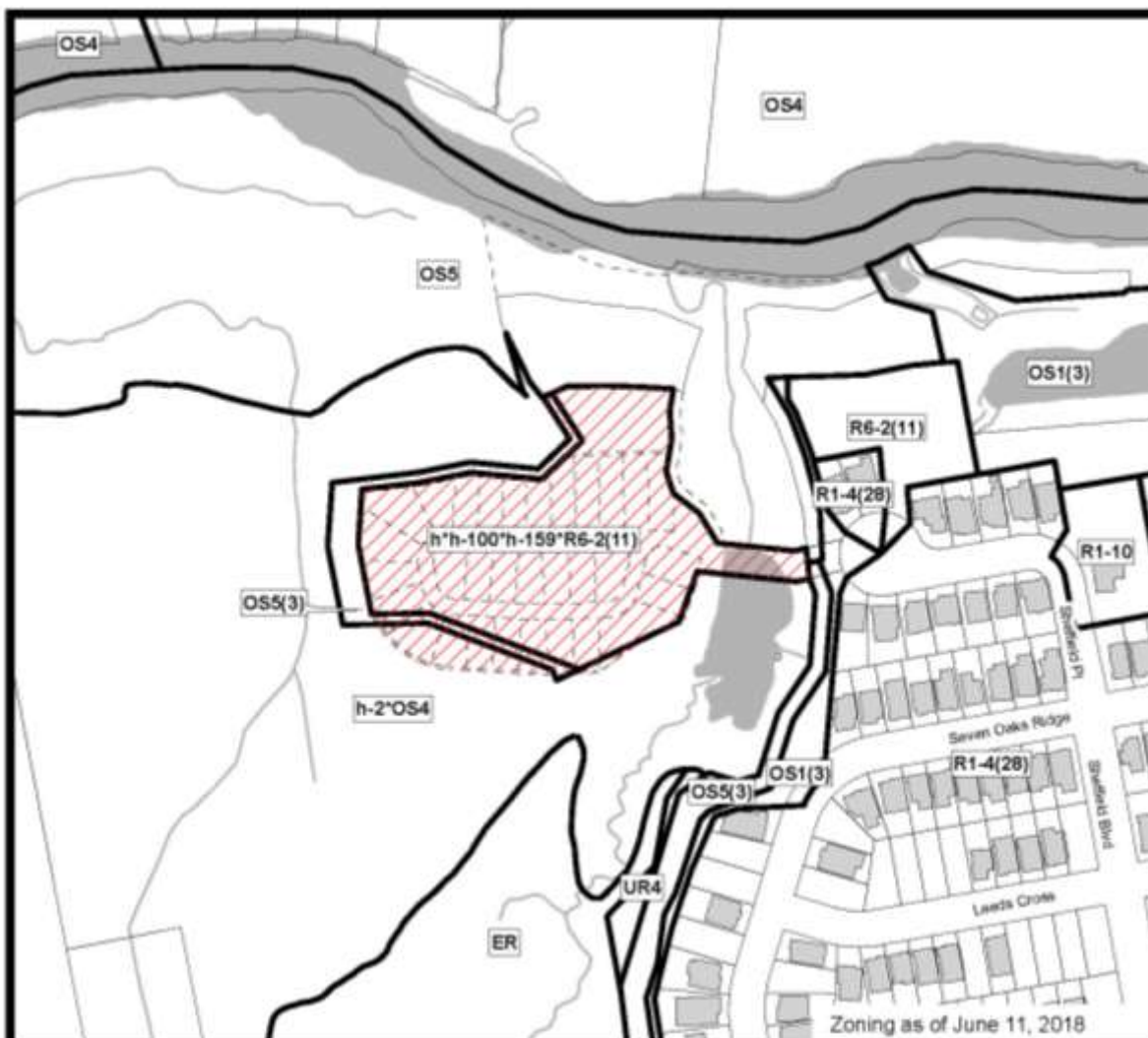


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  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-09502 / Z-8793</p>
		<p>PLANNER: LM</p> <p>TECHNICIAN: RC</p> <p>DATE: 2015/09/04</p>

**Zoning By-law Map Excerpt**



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

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

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"d" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:  
39T-09502 / Z-8793 LM

MAP PREPARED:  
2018/09/04 RC

1:3,000



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

**File: 39T-09502 / Z-8793 / 39CD-18502**

**Planner: L. Mottram**

**Additional Reports**

**September 10, 2013** – Planning and Environment Committee Public Participation Meeting – Application by Sifton Properties Limited for Revisions to Draft Plan of Subdivision and Zoning By-law Amendments for lands located at 1603 Hamilton Road, File No. 39T-09502 (also referred to as Sifton’s “Victoria Ridge” draft plan of subdivision) (Agenda Item #11).