

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: Summerside Subdivision
2910 to 3229 Turner Crescent (Phase 12B)
Application for Zoning By-law Amendment
Request for Revisions to Draft Plan of Subdivision

Public Participation Meeting on: May 13, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Greengate Village Limited relating to the lands located at 2910 to 3229 Turner Crescent (also known as Lots 1 - 38 and Blocks 97 - 108 within the Summerside Draft Plan of Subdivision – Phase 12B):

- (a) the proposed by-law attached hereto as Appendix 'A-1' **BE INTRODUCED** at the Municipal Council meeting to be held on May 21, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Residential R4 Special Provision (R4-5(2)) Zone **TO**:
 - i) a Residential R1/R4 Special Provision (R1-3(12)/R4-5(2)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres, and street townhouse dwellings;
 - ii) a Residential R4 Special Provision (R4-5(*)) Zone to permit street townhouse dwellings with a special provision for a lot frontage of 6.7 metres minimum, a front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, east and west side yard depths to main building of 3.0 metres minimum, and a provision that the exterior side yard depth to main building shall apply to all adjacent street classifications;
 - iii) a Residential R4 Special Provision (R4-5(**)) Zone to permit street townhouse dwellings with a special provision for a lot frontage of 7.0 metres minimum, front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, and a provision that the exterior side yard depth to main building shall apply to all adjacent street classifications;
- (b) Municipal Council **SUPPORTS** the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Greengate Village Limited, prepared by Stantec Consulting Ltd. (Drawing No. 1, Project No. 161413742 dated January 18, 2019), which shows 62 single detached residential lots and six (6) street townhouse blocks on the extension of Turner Crescent, **SUBJECT TO** the conditions contained in the attached Appendix 'A-2'; and,
- (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 red-line revisions to the draft plan of subdivision for Summerside (Phase 12B), as submitted by Greengate Village Limited.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to consider a request for a zoning by-law amendment and red-line revisions to a draft-approved plan of subdivision which will result in 62 single detached dwelling lots and six (6) medium density blocks served by the future extension of Turner Crescent; and, to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the request for red-line revisions to draft plan of subdivision.

Rationale of Recommended Action

1. The recommended zoning amendments and revisions to draft plan of subdivision are considered appropriate and consistent with the Provincial Policy Statement.
2. The recommended zoning amendments and revisions to draft plan of subdivision conform with The London Plan and the 1989 Official Plan.
3. The zoning and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is a vacant parcel of land that was previously in agricultural use, located at the northeast corner of Bradley Avenue and Meadowgate Boulevard. The topography is relatively flat and devoid of any vegetation or natural features.

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Multi-family, Medium Density Residential
- Zoning – Residential R1 Special Provision (R1-3(12)) and Residential R4 Special Provision (R4-5(2))

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 182 metres (Meadowgate Boulevard)
- Depth – approx. 292 metres (Bradley Avenue)
- Area – approx. 4.5 hectares
- Shape – irregular

1.4 Surrounding Land Uses

- North – single detached dwellings
- East – existing single detached home and swimming pool business; single detached homes and street townhouse dwellings under development
- South – cash crops and agricultural lands
- West – vacant lands for future development

1.5 Location Map

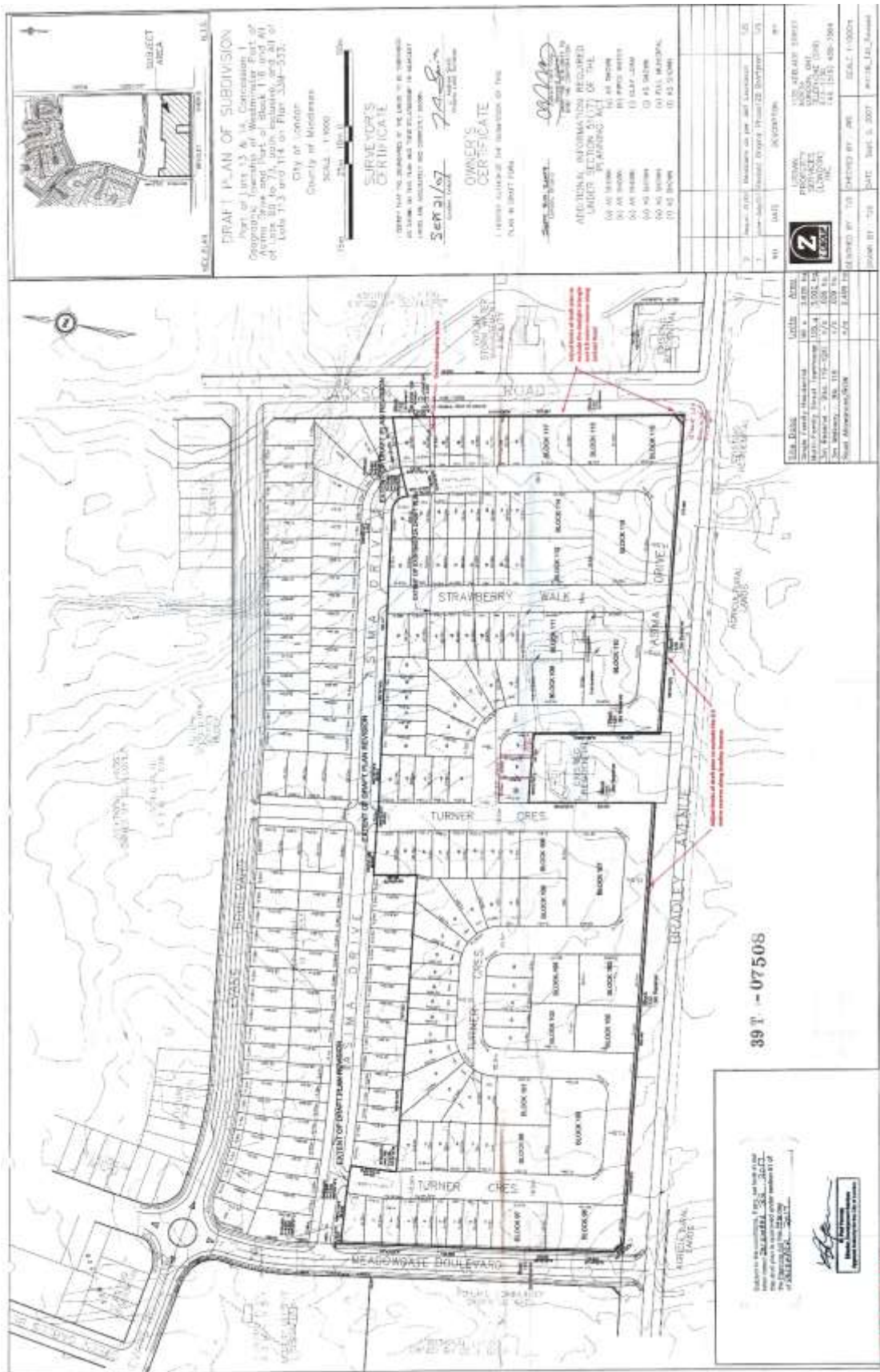


2.0 Description of Proposal

2.1 Development Proposal

The applicant proposes to make minor adjustments to the lotting along the future extension of Turner Crescent. The adjustments will result in 62 single detached dwelling lots and six (6) street townhouse blocks. The westerly portion of the draft plan which represents the next phase to be registered shows 38 single detached lots and 12 street townhouse blocks. The easterly portion of the subdivision plan consisting of Asima Drive and Strawberry Walk is registered and currently in the process of being built out.

2.2 Current Draft-Approved Plan



2.2 Proposed Red-Line Revisions to Draft-Approved Plan



3.0 Revelant Background

3.1 Planning History

On June 26, 2013, Greengate Village Limited purchased all the lands within this draft plan of subdivision, as well as several lots on Asima Drive within the adjacent subdivision plan to the north (Registered Plan 33M-533), from Jackson Summerside Land Corporation. Since that time they have progressed the subdivision servicing and completed the remaining leg of Asima Drive and Strawberry Walk. The easterly half of the draft plan, consisting of 48 single detached lots, and 9 multi-family blocks fronting on Asima Drive, Strawberry Walk, and portion of Turner Crescent, was granted Final Approval and registered as Plan No. 33M-699 on July 14, 2016.

3.2 Requested Amendment

Zoning By-law Amendment -

- i) Amend the Zoning By-law as it applies to proposed Lots 16 to 19, Lots 20 to 23, Lots 40 to 43, Lots 44 to 47, and Lots 53 to 60 from a Residential R4 Special Provision (R4-5(2)) Zone to a Residential R1/R4 Special Provision (R1-3(12)/R4-5(*)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres and/or street townhouse dwellings.
- ii) Amend the Zoning By-law as it applies to proposed Blocks 63, 64, 65, 66, 67 and 68 from a Residential R4 Special Provision (R4-5(2)) Zone to a new Residential R4 Special Provision (R4-5(*)) Zone to permit street townhouse dwellings together with special provisions for a front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, and east and west side yard depths to main building of 3.5 metres minimum for both Blocks 63 and 66. The exterior side yard depth to main building as noted above shall apply to all adjacent street classifications.

Red-line Revisions to Draft Plan – Greengate Village Limited is proposing to maintain the street pattern established through the previous draft approval, with the exception of a minor shift in the road allowance on Turner Crescent. They would also like to make minor changes to incorporate additional single detached lots while maintaining frontages of 10 and 11 metre for the single detached lots from the original draft approval. The proposed revisions to the plan will create a total of 62 single detached lots and six (6) street townhouse blocks (35 units in total). The draft plan currently provides for 38 single detached lots and 12 medium density blocks.

3.3 Community Engagement (see more detail in Appendix B)

One e-mail inquiry was received requesting assistance with the Notice of Application. There were no other comments/concerns received from the community.

3.4 Policy Context (see more detail 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). Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject lands are located within the Neighbourhoods Place Type in The London Plan. The Neighbourhoods Place Type (Table 10)* permits a range of uses, such as single detached, semi-detached, duplex, triplex, and fourplex dwellings; townhouses; low-rise apartments; small-scale community facilities; and emergency care establishments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

1989 Official Plan

These lands are designated “Multi-family, Medium Density Residential” on Schedule ‘A’ of the 1989 Official Plan. This designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – What is the purpose of the recommended zoning amendments and red-line revisions to the draft plan of subdivision?

The purpose is to maintain the street pattern established through the previous draft approval, and make minor adjustments to incorporate additional single detached lots. The red-line revisions to the draft approved plan will result in an additional 24 single detached lots replacing six (6) street townhouse blocks yielding approx. 30-32 units. The remaining six (6) street townhouse blocks to be developed will yield a total of 35 units. While the overall unit yield is slightly reduced, the proposed revisions will continue to maintain an appropriate mix of housing options in the area in conformity with the Official Plan designation. An amendment to the zoning by-law is required to recognize the proposed red-line revisions and to apply specific zone regulations to accommodate site development plans for the street townhouses. The proposed zoning will permit both single detached dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision for the area. The proposed single detached dwelling lots and street townhouse blocks will maintain a consistent lot pattern and continuity of the streetscape along the future alignment of Turner Crescent. There will be very little change to the road pattern except for a minor shifting of the road allowance.

5.0 Conclusion

The recommended zoning amendments and red-line revisions to the draft plan of subdivision are considered appropriate, consistent with the Provincial Policy Statement, and conform to The London Plan and the 1989 Official Plan. The zoning changes and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official
<p>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.</p>	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Services - Planning
Ismail Abushehada, Manager, Development Services - Engineering

May 6, 2019
GK/PY/LM/lm

Appendix A

Appendix “A-1”

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 on the
future extension of Turner Crescent
within the Draft Plan of Subdivision –
Summerside Phase 12B (39T-07508).

WHEREAS Greengate Village Limited has applied to rezone an area of land
located on the future extension of Turner Crescent within the Draft Plan of Subdivision –
Summerside Phase 12B (39T-07508), 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 on the future extension of Turner Crescent within the Draft Plan of
Subdivision - Summerside Phase 12B (39T-07508), as shown on the attached map,
from a Residential R4 Special Provision (R4-5(2)) Zone to a Residential R1/R4
Special Provision (R1-3(12)/R4-5(2)) Zone; a Residential R4 Special Provision (R4-
5(*)) Zone; and a Residential R4 Special Provision (R4-5(**)) Zone.

2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following
special provisions:

) R4-5(*) Blocks 63 and 66 (39T-07508)

a) Regulations:

i)	Lot Frontage (Minimum)	6.7 metres
ii)	Garage Front Yard Depth (Minimum)	5.5 metres
iii)	Exterior Side Yard Depth Main Building (Minimum)	3.0 metres
iv)	Interior Side Yard Depth (Minimum)	1.5 metres
v)	Lot Coverage (Maximum)	45%
vi)	East and West Side Yard Depth to Main Building (Minimum)	3.0 metres

- vii) Exterior Side Yard Depth Main Building shall apply to all adjacent street classifications
-) R4-5(**) Blocks 64, 65, 67 and 68 (39T-07508)
 - b) Regulations:
 - i) Lot Frontage (Minimum) 7.0 metres
 - ii) Garage Front Yard Depth (Minimum) 5.5 metres
 - iii) Exterior Side Yard Depth Main Building (Minimum) 3.0 metres
 - iv) Interior Side Yard Depth (Minimum) 1.5 metres
 - v) Lot Coverage (Maximum) 45%
 - vi) Exterior Side Yard Depth Main Building shall apply to all adjacent street classifications

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 May 21, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

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



Appendix “A-2”
Conditions of Draft Approval

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-07508, ARE AS FOLLOWS:

NO.	CONDITIONS
1.	This approval applies to the draft plan submitted by Greengate Village Limited (File No. 39T-07508), prepared by Stantec Consulting Ltd., certified by Jeremy C.E. Matthews (Project No. 161413742 - Drawing No. 1 dated January 18, 2019), as red-line amended, which shows 62 single detached dwellings, six (6) multi-family, medium density blocks, and two (2) reserve blocks, on the extension of Turner Crescent.
2.	This draft approval and these conditions replace the conditions of draft approval granted on December 14, 2017 for plan 39T-07508 as it applies to the lands within the plan described in Condition No. 1.
3.	This approval of the draft plan applies for a three (3) year period and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
4.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
5.	The Owner shall request that the streets be named to the satisfaction of the City.
6.	The Owner shall request that the municipal addresses be assigned to the satisfaction of the City.
7.	Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
8.	The Owner shall enter into the City's standard subdivision agreement (including any added special provisions) which shall be registered against the lands to which it applies. Prior to final approval, the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
9.	Prior to final approval, the Owner shall take all necessary steps to ensure that the zoning is in effect for this proposed subdivision.
10.	Phasing of this subdivision (if any) shall be to the satisfaction of the City.
11.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
12.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City a complete submission

consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

SEWERS & WATERMAINS

Sanitary:

13. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
 - i) Inflow and infiltration mitigation measures to meet allowable inflow and infiltration level as identified by OPSS 407 and OPSS 410 as well as any additional measures recommended in the hydrogeological report; and
 - ii) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
14. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
 - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the a 200 mm sanitary sewer on the west leg of Asima Drive, and a 200 mm sanitary sewer on Turner Crescent;
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
15. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
 - i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
 - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
 - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.
 - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and

- v) Implementing any additional measures recommended through the Design Studies stage.
16. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.
Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.
17. The Owner shall construct a single sanitary and storm private drain connection to serve the existing external land/single family dwelling at 1680 Bradley Avenue, all to the satisfaction of the City Engineer.

Storm and Stormwater Management (SWM)

18. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
 - iv) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and
 - v) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
19. The Owner's consulting professional engineer shall design the Storm/Drainage and SWM Servicing in accordance with the recommendations and requirements of the following:
- i) The SWM targets and criteria for the Dingman Creek Subwatershed Study Update (2005);
 - ii) The Summerside District Stormwater and Stormwater Management Master Plan (updated 2004);
 - iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - iv) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - vi) The Ministry of the Environment's, Conservation and Parks (MECP) Practices Planning and Design Manual (2003);

- vii) All applicable Acts, Policies, Guidelines, Standards and Requirements of the City of London, Ministry of the Environment and all other relevant agencies;
 - viii) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
20. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 525 mm storm sewer stub on Turner Crescent, the 600 mm diameter storm sewer on Asima Drive (west leg), all to the specifications and satisfaction of the City.
 - ii) Direct, by grading, some major overland flows from a small area of the subject lands to the existing Summerside SWM Facility, as per the accepted engineering drawings. Any modifications to directions of these overland flows are subject to specifications and satisfaction of the City Engineer.
 - iii) service these lands by the existing Summerside SWM Facility located north of this plan in accordance with the Summerside District Stormwater and SWM Master Plan, all to the specifications and satisfaction of the City Engineer.
 - iv) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
 - v) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
 - vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
21. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
 - iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and
22. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
23. In conjunction with the first submission of engineering drawings, should the current or any future Owner revise the development proposal for these lands, the current or any future Owner shall provide an update to the existing hydrogeological report (LON-00012720-GE by EXP), if applicable, or have a report prepared by a qualified

consultant, and if necessary, a detailed hydrogeological investigation carried out by a qualified consultant to determine including but not limited to, the following:

- i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;
- ii) identify any abandoned wells in this plan;
- iii) assess the impact on water balance in the plan;
- iv) any fill required in the plan;
- v) provide recommendations for foundation design should high groundwater be encountered;
- vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions;
- vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction;
- ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site; and,
- x) to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken,

all to the satisfaction of the City.

- 24. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
- 25. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

Watermains

- 26. In conjunction with the first submission of engineering drawings, should the current or any future Owner revise the development proposal for these lands, the current or any future Owner shall have his consulting engineer provide a letter of confirmation that the Water Report dated November 2007 meets the following water servicing design information and criteria, or the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:
 - i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
 - ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the high-level water distribution system;
 - iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
 - iv) Include modeling for two fire flow scenarios as follows:
 - i. Max Day + Fire confirming velocities and pressures within the system at the design fire flows; and
 - ii. Max Day + Fire confirming the available fire flows at fire hydrants at 20PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
 - v) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
 - vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;

- vii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
 - viii) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
 - ix) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
 - x) Identify the effect of development on existing water infrastructure – identify potential conflicts;
 - xi) Include full-sized water distribution and area plan(s);
 - xii) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices), the fire hydrant rated capacity and marker colour and the design fire flow applied to development Blocks.
 - xiii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;
27. Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.
28. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:
- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
 - ii) any incidental and/or ongoing maintenance of the automatic flushing devices;
 - iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
 - iv) all works and the costs of removing the devices when no longer required; and,
 - v) ensure the automatic flushing devices are connected to an approved outlet.
29. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging and phasing plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging and phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.
30. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i. Construct watermains to serve this Plan and connect them to the existing low-level (high-level) municipal system, namely the existing the 200 mm (8") diameter watermain on the west leg of Asima Drive, the 200 mm (8") diameter watermain on Turner Crescent and the 200 mm (8") diameter watermain on Asima Drive 150 metres east of Turner Crescent;
 - ii. Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and,

- iii. Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval.
- 31. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.
- 32. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

- 33. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
- 34. In conjunction with the engineering drawings submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
 - i) a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections;
 - ii) confirmation that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions"; and,
 - iii) a conceptual design for the window street for Turner Crescent to consider such issues as grading the common boulevard between Bradley Avenue and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.
- 35. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the City.
- 36. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on Turner Crescent, all to the satisfaction of the City.
- 37. The Owner shall have their Professional Engineer design and construct the roadworks in accordance with the following road widths:

- i) Turner Crescent has a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 18.5 metres as per accepted engineering drawings;
 - ii) Turner Crescent (window street portion) shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 15.5 metres as per accepted engineering drawings.
38. The Owner shall construct the window street portion of Turner Crescent abutting Bradley Avenue in accordance with the City's window street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.
39. The Owner agrees that, if a parking plan is required for this subdivision, and increased pavement width is proposed to accommodate the parking plan, the road allowance width will be increased a corresponding amount in order to maintain the standard 6.0 metre wide boulevards on either side of the road. Further, the Owner agrees that any proposed widening of the pavement and the road allowance will be to the satisfaction of the City Engineer.
40. The Owner shall construct barrier curbs on Turner Crescent, to the satisfaction of the City Engineer.
41. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:
- | <u>Road Allowance</u> | <u>S/L Radius</u> |
|-----------------------|-------------------|
| 19.0 m | 9.5 m |
| 18.0 m | 10.0 m |

Sidewalks

42. The Owner shall construct a 1.5 m (5') sidewalk on one side of the following streets:
- i) Turner Crescent – west boulevard – from Lot 1 to Block 67, both inclusive;
 - ii) Turner Crescent – south boulevard – from Lot 48 to Lot 52, both inclusive;
 - iii) Turner Crescent – east boulevard – Lot 44 to 48, and Block 65, all inclusive;
 - iv) Turner Crescent – west boulevard – Lot 52 to 56, and Block 64, all inclusive;
 - v) Turner Crescent – east boulevard – from Lot 96 in Plan 33M-699 at Asima Drive and across lands external to this plan at 1680 Bradley Avenue, all inclusive;
43. The Owner shall provide sidewalk links from Turner Crescent to the proposed sidewalk on Bradley Street in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City.

Street Lights

44. Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London.

Boundary Road Works

45. The Owner shall be required to make minor boulevard improvements on Bradley Avenue adjacent to this Plan, to the specifications of the City and at no cost to the

City, consisting of interim ditching (to maintain existing drainage), clean-up, grading and sodding as necessary.

Vehicular Access

46. The Owner shall ensure that no vehicular access will be permitted to Blocks 64, 65 and 67 from Bradley Avenue. All vehicular access is to be via the internal subdivision streets.

Construction Access/Temporary/Second Access Roads

47. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Evans Boulevard via Bradley Avenue and Jackson Road or other routes as designated by the City.
48. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.
49. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have it's contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

GENERAL CONDITIONS

50. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.
51. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
52. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
53. In conjunction with the first submission of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations (LON-00012720-GE by EXP), if necessary, to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
- i) servicing, grading and drainage of this subdivision;
 - ii) road pavement structure;
 - iii) dewatering;
 - iv) foundation design;
 - v) removal of existing fill (including but not limited to organic and deleterious materials);
 - vi) the placement of new engineering fill;
 - vii) any necessary setbacks related to slope stability for lands within this plan;
 - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions;

- ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;

and any other requirements as needed by the City, all to the satisfaction of the City.

- 54. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
- 55. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.
- 56. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
- 57. In conjunction with first submission of engineering drawings, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to all street-facing townhouses on Turner Crescent (Blocks 63 to 68). It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.
- 58. Where site plan approval is required, which includes street facing townhouse blocks, the Owner shall install servicing on streets in this plan of subdivision for these blocks only after site plan approval has been obtained, all to the satisfaction of the City, at no cost to the City.
- 59. The Owner shall have the common property line of Bradley Avenue graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.
- 60. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

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

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

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

- 61. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if

applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:

- i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
- ii) continue until the time of assumption of the affected services by the City.

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

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

63. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City Engineer, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

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

Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminates within the proposed Streets, Lot and

Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City.

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

65. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
66. In conjunction with the first submission of engineering drawings, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
67. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
68. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)
69. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
70. In conjunction with the first submission of engineering drawings, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
71. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
72. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
73. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.

74. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
75. The Owner shall remove all existing accesses to boundary roads and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
76. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
77. The Owner shall submit confirmation that they have complied with any requirements of Union Gas with regards to any setbacks abutting Bradley Avenue in this plan of subdivision.
78. Should the current or any future Owner revise the development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process and resubmit engineering drawings, all to the satisfaction of the City.
79. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
80. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.
81. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Asima Drive and Turner Crescent, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the City Engineer, at no cost to the City.
82. The Owner shall grade areas to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City.
83. The Owner shall incorporate the accepted recommendations of the various accepted servicing reports/design studies (eg. sanitary servicing design, storm and SWM design, water servicing, transportation requirements, hydrogeological, geotechnical, etc.) in the accepted engineering drawings to address all servicing issues, to the satisfaction of the City Engineer, at no cost to the City.

PLANNING

84. Approval from the London Fire Department is required should any burning of materials on-site be contemplated.
85. The Owner shall implement the recommendations of the Noise Assessment for Phase 12B Summerside Subdivision, prepared by Development Engineering

(London) Limited, dated September 11, 2007 to the satisfaction of the City. If necessary, the Owner shall update the Noise Assessment to meet current City policies and noise criteria.

86. All noise attenuation features required in this draft plan of subdivision shall be located on and maintained by the Owner of the applicable lot or block in this plan.
87. Prior to the submission of engineering drawings, the Owner shall submit an on-street parking plan to the satisfaction of the City. The approved parking plan will form part of the subdivision agreement for the registered plan.
88. In conjunction with the engineering drawing submission, the Owner shall submit a street tree plan to the City. The street tree plan shall show one street tree per lot or a minimum spacing of one per 15 metres (49.2 feet), whichever is the lesser, except where it can be demonstrated that the location of driveways and underground utilities necessitates a greater separation. If there are long stretches where boulevard street trees are not possible because of driveways and utilities, the Owner shall provide street trees in alternate locations including flanking lots, front yards of lots and blocks, and window street landscaping areas all to satisfaction of the City.
89. The Owner agrees to register on title and include in all Purchase and Sale Agreements for any lots and blocks that back onto Meadowgate Boulevard or side onto Bradley Avenue a requirement that the purchaser/home builder shall provide concept plans and elevations prior to the application for a building permit which demonstrates building orientation to all adjacent streets, including a built form that has the same level of architectural detail on all street facades, to the satisfaction of the City.

Appendix B – Public Engagement

Community Engagement

Public liaison: On February 11, 2019, Notice of Application was sent to 209 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 21, 2019.

Responses: 1 written reply received.

Nature of Liaison: To consider proposed red-line revisions to a draft plan of subdivision which will result in 62 single detached dwelling lots and six (6) medium density blocks, served by the future extension of Turner Crescent. The draft plan is currently approved for 38 single detached lots and 12 medium density blocks. Also, consideration of an amendment to the zoning by-law to change the zoning from a Residential R4 Special Provision (R4-5(2)) Zone to a Residential R1/R4 Special Provision (R1-3(12)/R4-5(*) Zone and a Residential R4 Special Provision (R4-5(*) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres and/or street townhouse dwellings with a minimum lot area per unit of 160 square metres and minimum lot frontage of 5.5 metres per unit; together with special provisions for a front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, and east and west side yard depths to main building of 3.5 metres minimum for both Blocks 63 and 66. The exterior side yard depth to main building as noted above shall apply to all adjacent street classifications.

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

- A request was received for language translation to better understand the Notice of Application and details of the proposal.

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

Telephone	Written
	Camilo and Martha Camero, Unit 74 - 3320 Meadowgate Boulevard

Agency/Departmental Comments:

1. Upper Thames River Conservation Authority

The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has no objections to this application.

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 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 proposed zoning amendments and red-line revisions continue to provide variation in housing types and densities. The purpose of the revisions to the draft plan is to meet current and future housing market demands. The proponent stated in their Planning Justification Report that through the registration and development of lands immediately to the east (Plan 33M-699) they realized there is a strong demand for small lot single detached lots which will provide for a greater variation in housing for the area. The site is in close proximity to public parks and open spaces, schools, and community facilities. It promotes an efficient and cost effective development and land use pattern, and will not cause environmental or public health and safety concerns.

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 subject lands are located within the City's Urban Growth Boundary and immediately adjacent existing built-up areas to the north, lands currently being developed to the east, and designated and zoned future development lands to the west. Lands to the south are also located within the Urban Growth Boundary and continue to be used for agricultural purposes. The long term intended use for these lands is light industrial, and future planning must take into consideration compatibility concerns and potential nuisance impacts on existing residential development and development lands currently being built-out to the north. The proposed development will utilize full municipal services. The subdivision servicing drawings for this draft plan phase have previously been reviewed and accepted by the City.

Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). The proposed development is supportive of transit service and is located in close proximity to existing and planned walking and cycling pathway system.

Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1). The proposed road and lot pattern maintains a strong north-south orientation to optimize exposure to passive solar energy.

There are no identified concerns for protection of natural heritage features or functions, agricultural, mineral aggregates, or cultural heritage and archaeological resources. The proposed development is outside of any natural hazards and there are no known human-made hazards. Based on our review, Development Services staff are satisfied that the

recommended red-line revised plan and zoning by-law amendments are found to be consistent with the Provincial Policy Statement.

The London Plan

The Our Strategy, 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 and red-line revisions contribute to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 – Build a mixed-use compact city

- 2. Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
- 4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
- 5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

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.*
- 7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- 2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

City Building and Design Policies

*197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.**

The proposed zoning will continue to permit a both single detached residential dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision of the Neighbourhood Place Type. The proposed residential lots and blocks will maintain a consistent lot pattern and continuity of the streetscape along Turner Crescent.

*212_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods.**

The street configuration represents a modified grid pattern that includes a “window” street adjacent Bradley Avenue to the south, and multiple direct connections to the existing neighbourhood to the north.

*216_ Street networks, block orientation, lot sizes, and building orientation should be designed to take advantage of passive solar energy while ensuring that active mobility and other design criteria of this chapter are satisfied.**

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Turner Crescent. Along with the window street providing a pedestrian and cycling connection to Bradley Avenue, the street network will be required to incorporate sidewalks and sidewalk links, in accordance with draft plan conditions (Conditions 42 & 43), in order to promote active mobility.

229_ Except in exceptional circumstances, rear lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.

The single detached lots and street townhouse blocks adjacent Meadowgate Boulevard are not proposed to change from the original draft plan approval, with the exception of a minor lot line adjustment between Blocks 67 and 68. There are no significant changes to the configuration of Turner Crescent mainly due to the fact that the detailed engineering and subdivision servicing plans have previously been accepted by the City. The lot pattern as indicated on the draft plan results in several rear and side lotting situations that can't be avoided without re-designing the plan and impacting the road and servicing alignments. A draft plan condition (Condition 89) is already in place which makes any lots and blocks that back onto Meadowgate Boulevard or side onto Bradley Avenue subject to a requirement that the purchaser/home builder provide concept plans and elevations prior to the application for a building permit demonstrating building orientation to all adjacent streets, including a built form that has the same level of architectural detail on all street facades.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector and Urban Thoroughfare. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of small-lot single detached dwellings and street townhouses, anticipated to be a minimum two (2) storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

Our Tools

1768_ In the review of all planning and development applications, including the review of secondary plans, for residential development adjacent to Civic Boulevards, Urban Thoroughfares, Rural Thoroughfares, Rapid Transit Boulevards, Expressways and Provincial Highways will be subject to all of the following criteria, to ensure that residential development does not rear or side-lot onto the adjacent streets, as appropriate:

3. If there is no practical place type alternative, and sensitive place types must locate adjacent to these streets, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to neighbourhood design with window or lay-by streets or service streets; subdivisions with rear lanes; subdivisions on private service

streets; or alternative measures that conform with the policies of this Plan.

4. If land use planning or alternative neighbourhood designs cannot reasonably be utilized within the proposed residential subdivision then a noise impact study will be undertaken on behalf of the property owner, by an accredited acoustical consultant, to determine the appropriate noise attenuation mechanism based on forecasted ultimate traffic volumes, considering the Mobility policies of this Plan, the Transportation Master Plan, road widening dedication and the effect the road widening dedication will have on the design of the required noise attenuation measure; the design specifications of the noise attenuation measure, such as height, density/width, location, benefiting lots, and building material will also be considered.

It was intended that this phase (Phase 12B) of the Summerside Subdivision would incorporate portions of “window streets” on reduced right-of-ways and eliminate the need for a continuous noise wall along much of the interface with Bradley Avenue. Draft plan conditions (Conditions 85 and 86) have been recommended in order to ensure that the an updated Noise Assessment for the Phase 12B Summerside Subdivision is prepared and that the recommendations to mitigate the impact of excessive noise generated by road traffic are implemented, to the satisfaction of the City. Noise mitigation measures are expected to include building components to reduce interior sound levels, warning clauses, and localized noise barriers adjacent outdoor living areas of individual dwelling units. All noise attenuation features required in this draft plan of subdivision shall be located on and maintained by the owner of the applicable lot or block in this plan.

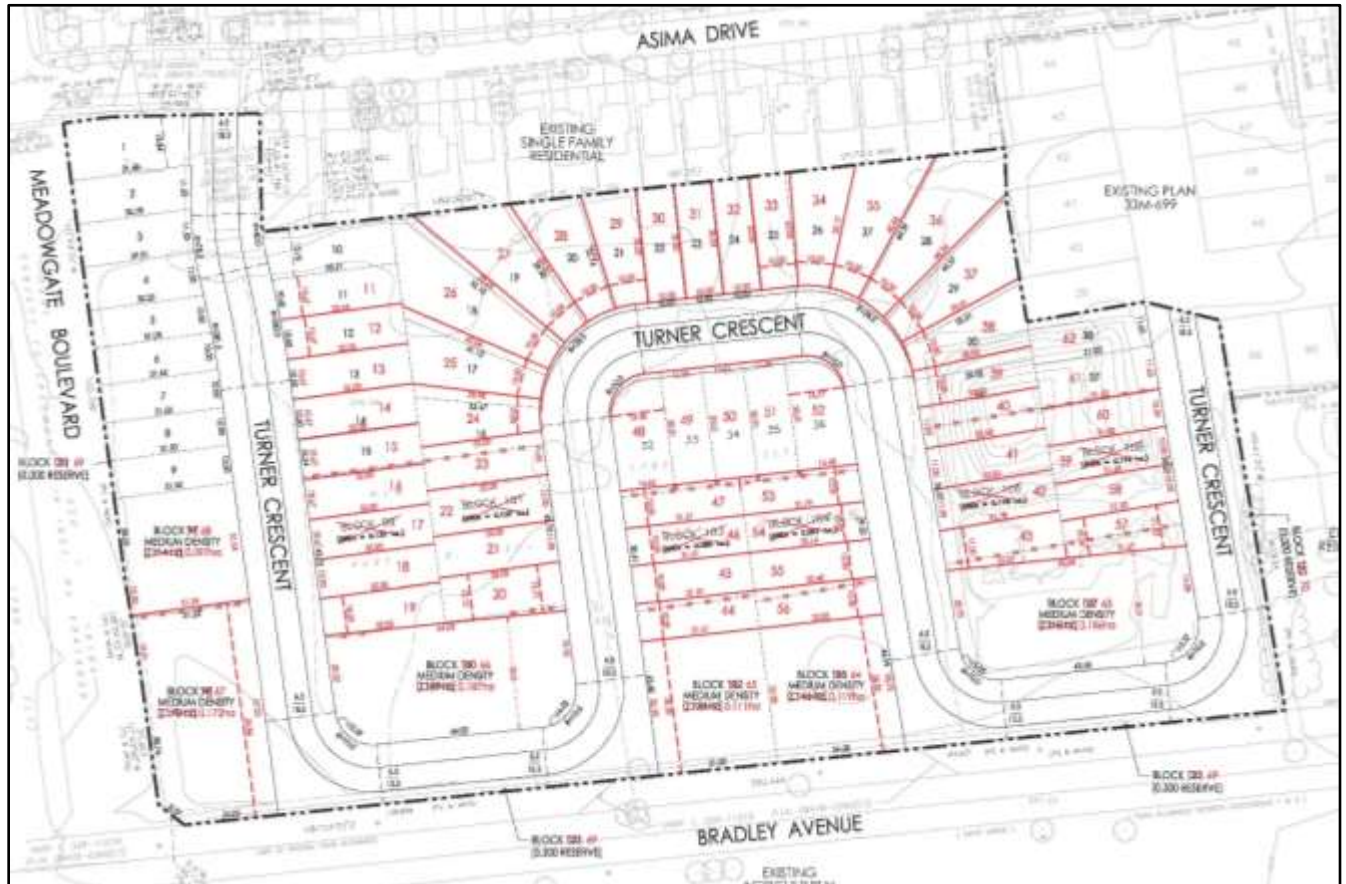
1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits primarily multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding and houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The recommended zone variations are consistent with the Official Plan designation and range of permitted uses.

Z.-1 Zoning By-law

The zoning by-law amendments involve combining existing zones to facilitate the proposed new single detached lots, and adding specific regulations to the zoning that currently applies to the street townhouse blocks.

The recommended amendments for proposed Lots 16 to 19, Lots 20 to 23, Lots 40 to 43, Lots 44 to 47, and Lots 53 to 60 is to change the zoning from a Residential R4 Special Provision (R4-5(2)) Zone to Residential R1/R4 Special Provision (R1-3(12)/R4-5(2)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres, and street townhouse dwellings. The resulting dual zone is considered appropriate and maintains the intent of the Multi-family, Medium Density Residential designation and Neighbourhoods Place Type. The proposed lots as shown on the revised plan have frontages that range on average from 10 to 11 metres. The lot sizes comply with the minimum lot area and frontage requirements, and are generally in keeping with the predominant lot sizes in the neighbourhood.



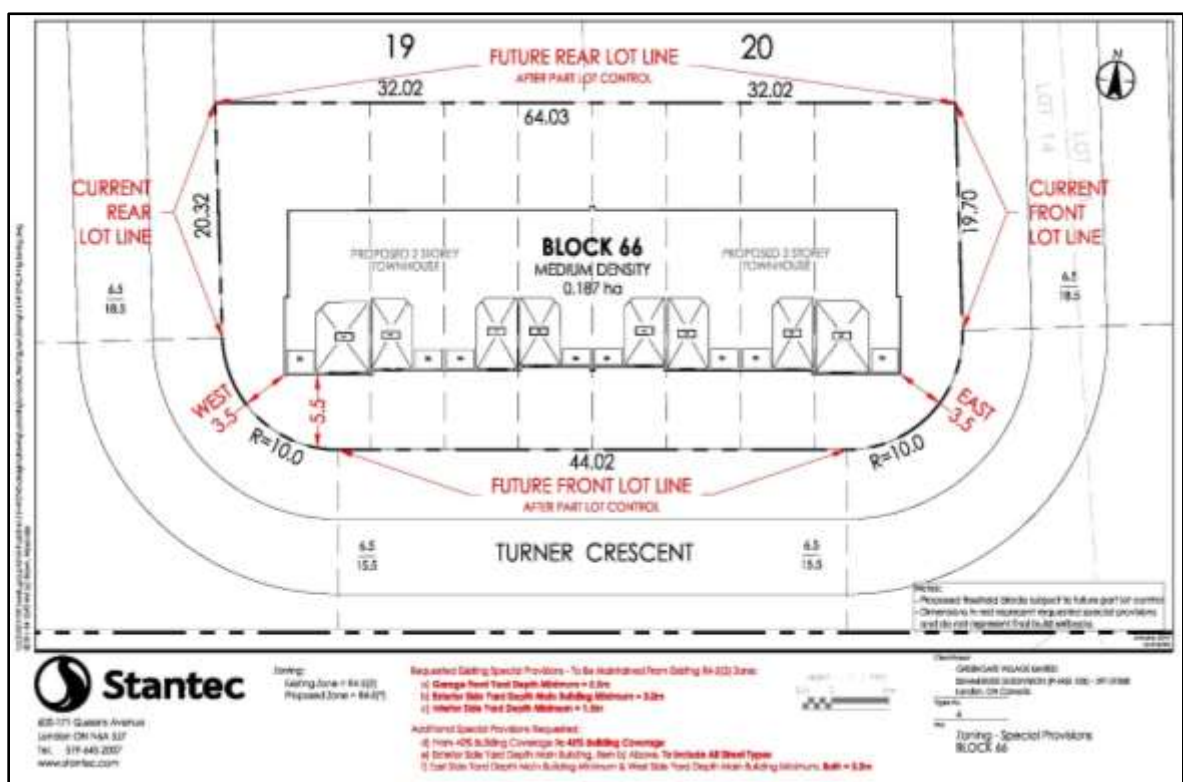
The recommended zoning amendment as it applies to Blocks 63, 64, 65, 66, 67 and 68 is to change the zoning from a Residential R4 Special Provision (R4-5(2)) Zone to new R4-5(*) Zone and R4-5(**) Zone, with special provisions to meet site-specific design requirements for development of the street townhouse blocks. The recommended special provisions are summarized as follows (reference should be made to the zoning by-law amendment and schedule found in Appendix 'A'):

Blocks 63 and 66 - Residential R4 Special Provision (R4-5(*) Zone

- Lot Frontage 6.7 metres minimum – The standard R4 Zone regulation for minimum lot frontage per unit is 5.5 metres. Staff have recently been recommending a minimum lot frontage per unit of 6.7 metres or greater in order to ensure there is adequate spatial separation to install and maintain underground utility, water and private drain connections between the unit and the services within the road allowance that it fronts on. Concept plans provided by the applicant showing the building foot prints for Blocks 63 and 66 indicate the end units exceed 6.7 metres; however, the interior units will require adjustment as they are just under that at 6.4 metres per unit.
- Front Yard Depth to Garage 5.5 metres minimum – This regulation is currently in place and is proposed to be carried over to the new zone.
- Exterior Side Yard Depth to Main Building 3.0 metres minimum – Same as current zone.
- Interior Side Yard Depth 1.5 metres minimum – Same as current zone.
- Lot Coverage 45% maximum – This represents a modest increase of 5% from the current lot coverage regulation in order to accommodate the developer's product, and to ensure that adequate parking and amenity space can be provided. The Committee of Adjustment previously granted minor variances for relief to the lot coverage requirements for similar street townhouse blocks to the east along Asima Drive and Strawberry Walk. The requested coverage is not considered an over-intensification of these multi-family blocks, and is not expected to impact neighbouring properties.

- East and West Side Yard Depths to Main Building 3.0 metres minimum – This is intended to address a conflict with the zoning by-law definitions that in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line. The applicant has indicated that in this instance the front lot line of Blocks 63 and 66 is the east property line. They have also indicated that these blocks will be built out as freehold townhouses and conveyed through a future application for Exemption from Part Lot Control. As such, the eventual front lot line will be the south limit of the existing blocks once full build out is completed. This special provision is intended to facilitate the Site Plan Approval process and issuance of Building Permits prior to the subsequent lot conveyance. The applicant's request for this special provision is 3.5 metres; however, the recommended 3.0 metres is appropriate and consistent with the current special provision for Exterior Side Yard Depth to Main Building (as identified above).

- Exterior side yard depth to main building shall apply to all adjacent street classifications – To ensure the interpretation of the 3.0 metre exterior yard setback will be applied consistently to buildings adjacent an arterial road (Bradley Avenue) or local street (Turner Crescent). At the time the zoning was applied to these lands, the special provision setback regulation was intended to be applied to all street classifications.



Blocks 64, 65, 67 and 68 - Residential R4 Special Provision (R4-5()) Zone**

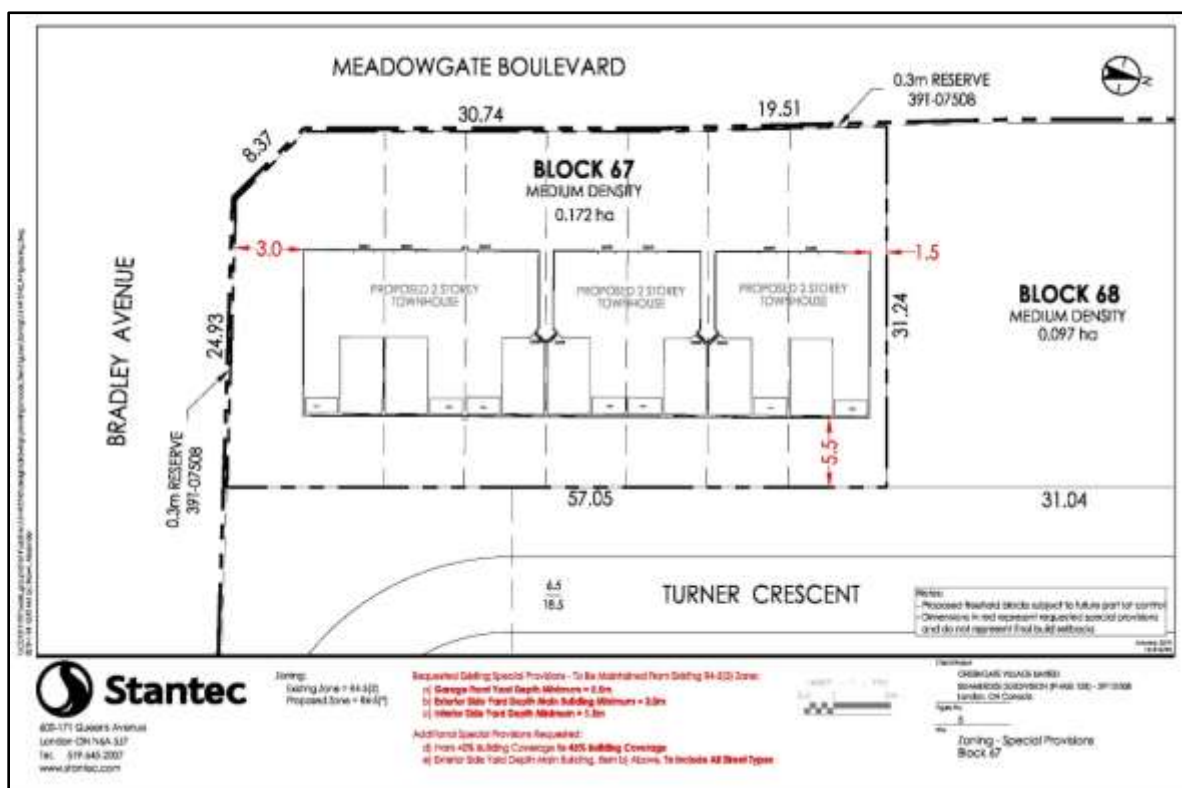
- Lot Frontage 7.0 metres minimum – The minimum lot frontage per unit of 5.5 metres is the standard zone regulation. Staff recommend increasing the minimum lot frontage per unit in order to ensure there is adequate separation for services and utilities. Concept plans for these blocks provided by the applicant indicates that the proposed building plans will meet or exceed the recommended lot frontage.

- Front Yard Depth to Garage 5.5 metres minimum – This regulation is currently in place and is proposed to be carried over to the new zone.

- Exterior Side Yard Depth to Main Building 3.0 metres minimum – Same as current zone.

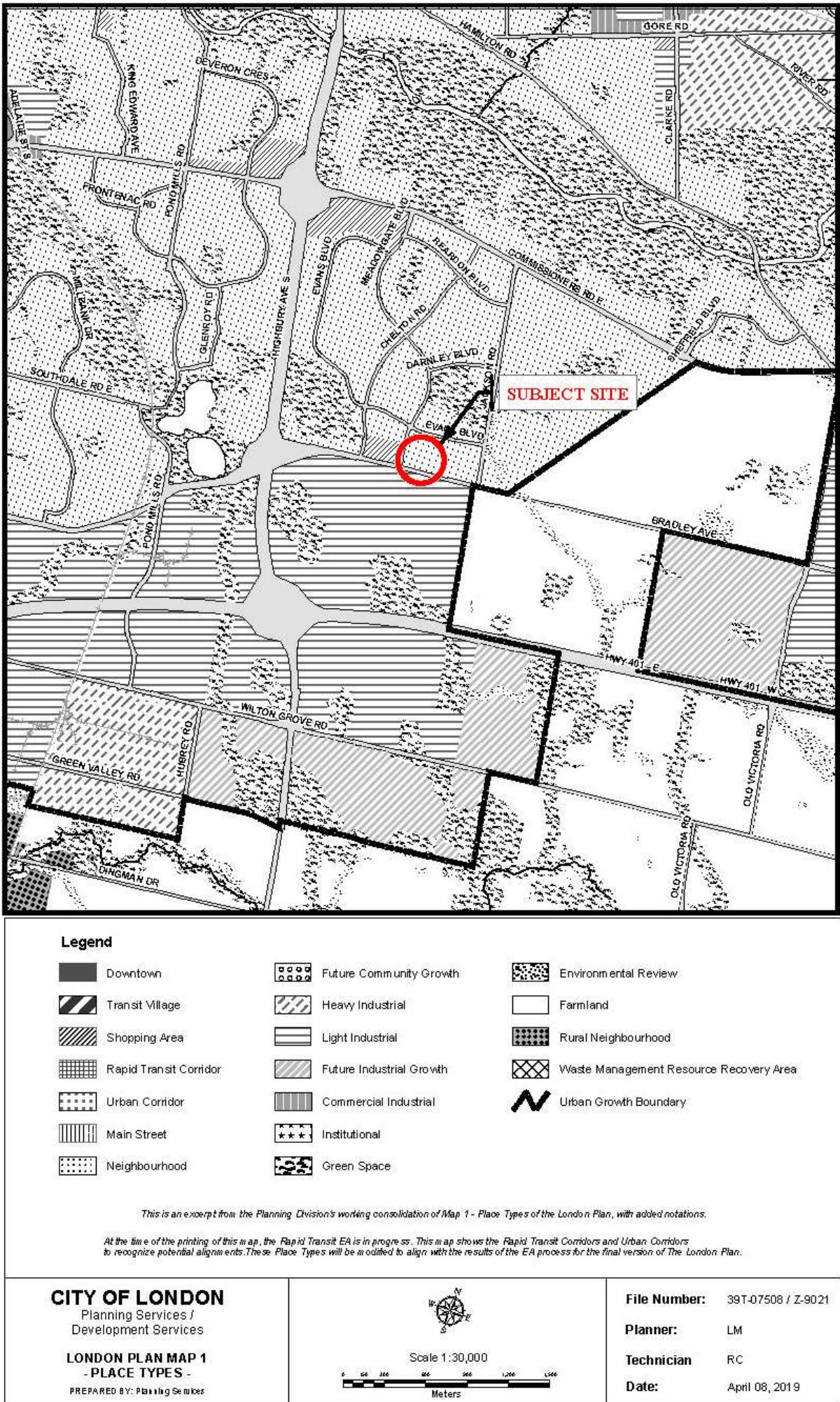
- Interior Side Yard depth 1.5 metres minimum – Same as current zone.

- Lot Coverage 45% maximum – This represents a modest increase of 5% from the current lot coverage regulation in order to accommodate the developer's product, and to ensure that adequate parking and amenity space can be provided. The Committee of Adjustment previously granted minor variances for relief to the lot coverage requirements for similar street townhouse blocks to the east along Asima Drive and Strawberry Walk. The requested coverage is not considered an over-intensification of these multi-family blocks, and is not expected to impact neighbouring properties.
- Exterior side yard depth to main building shall apply to all adjacent street classifications – To ensure the interpretation of the 3.0 metre exterior yard setback will be applied consistently to buildings adjacent an arterial road (Bradley Avenue) or local street (Turner Crescent). At the time the zoning was applied to these lands, the special provision setback regulation was intended to be applied to all street classifications.

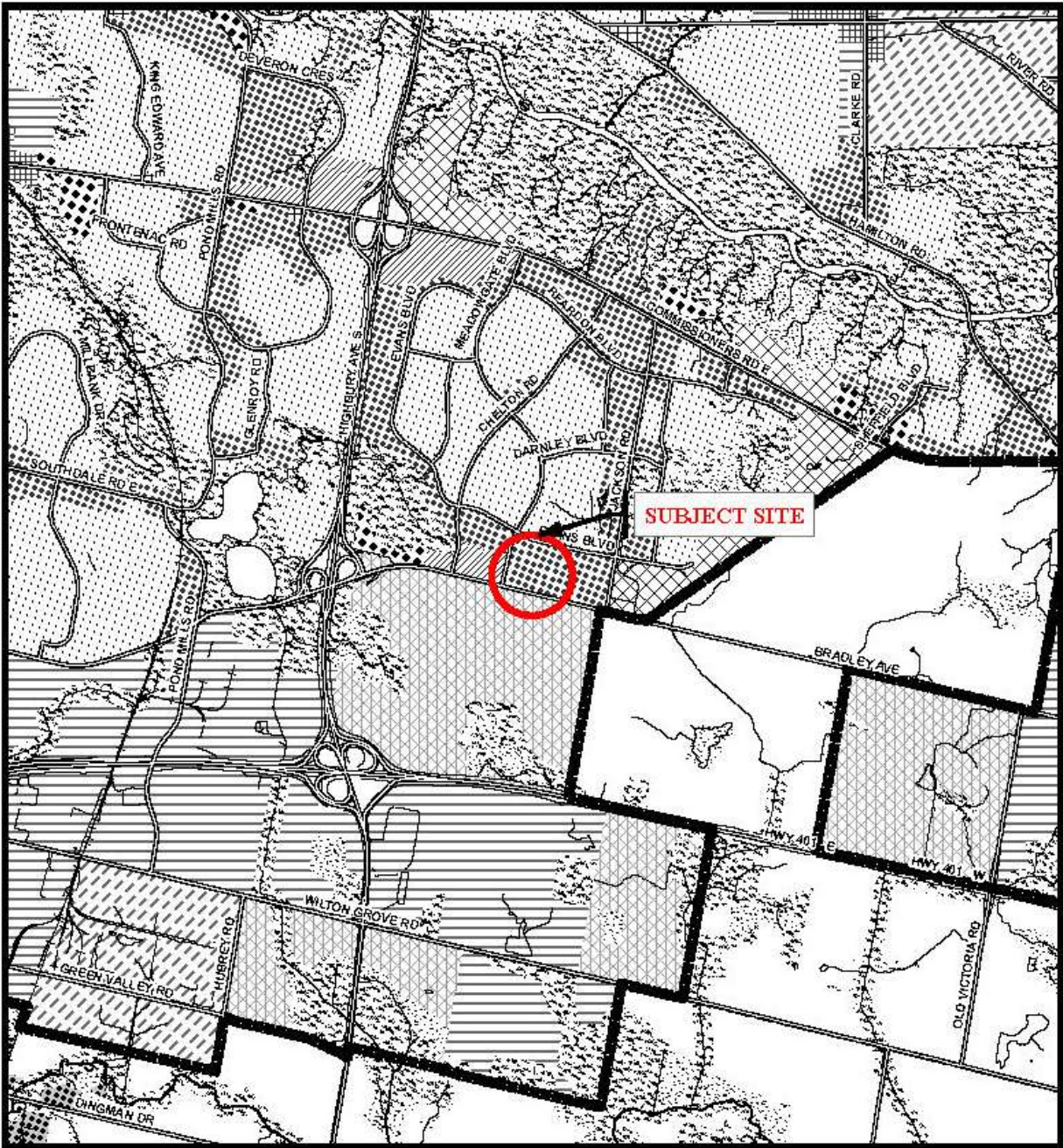


Appendix D – Relevant Background

London Plan Map Excerpt



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 |
| NewFormat 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 |

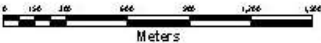
CITY OF LONDON

Planning Services /
Development Services
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



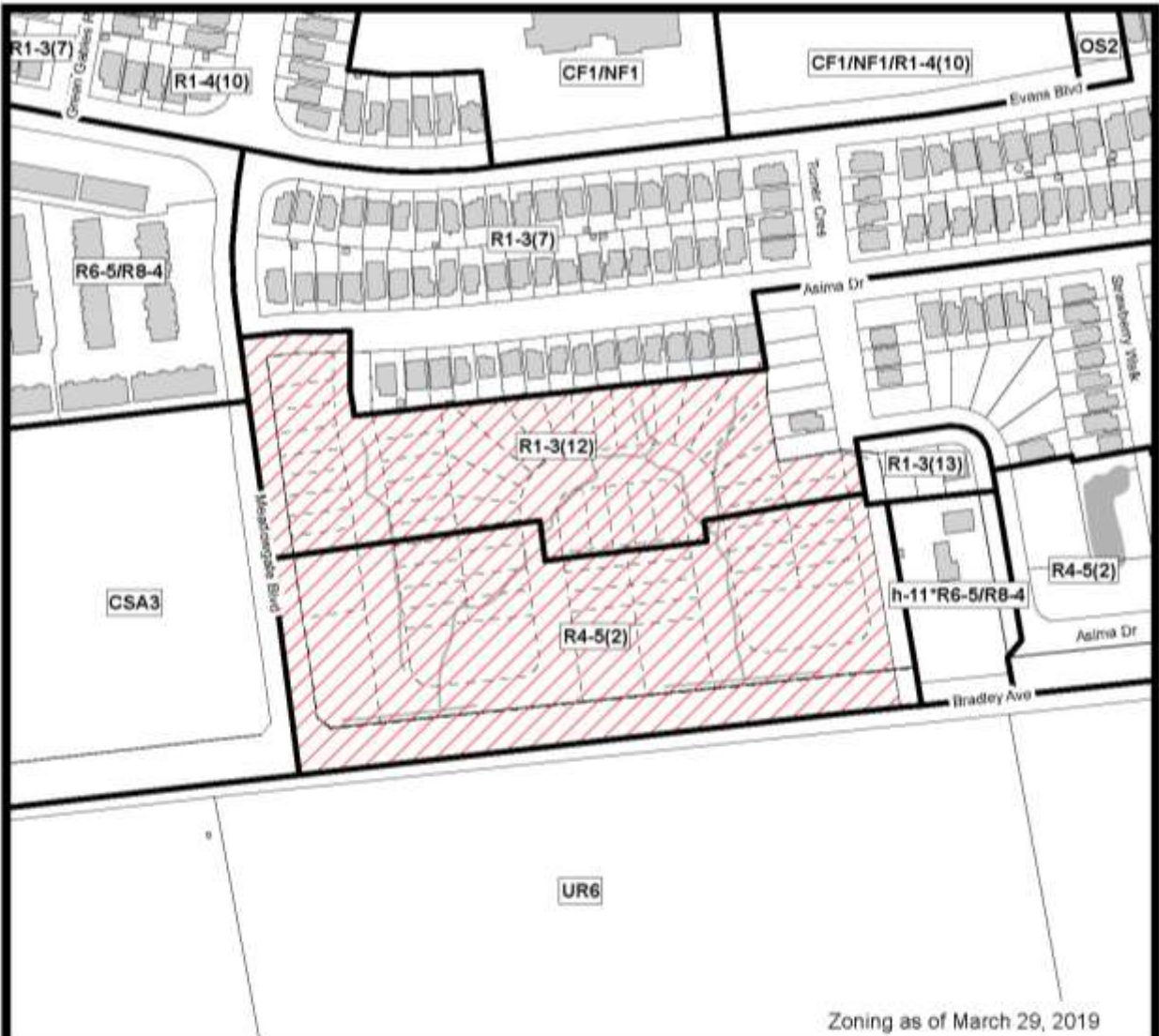
FILE NUMBER: 39T-07508 / Z-9021

PLANNER: LM

TECHNICIAN: RC

DATE: 2019/04/08

Zoning By-law Map Excerpt



Zoning as of March 29, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING
BY-LAW NO. Z-1
SCHEDULE A



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

FILE NO:
39T-07508 / Z-9021 LM

MAP PREPARED:
2019/04/08 RC

1:3,000
0 15 30 60 90 120 Meters

Additional Reports

December 4, 2017 – Planning and Environment Committee – Request by Greengate Village Limited for Extension of Draft Plan Approval relating to lands located on the north side of Bradley Avenue, between Jackson Road and Meadowgate Boulevard; File No. 39T-07508 (Agenda Item #5).