

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Northwest Crossings London Limited
1176, 1200, 1230 Hyde Park Road and portion of 1150
Gainsborough Road

Public Participation Meeting on: September 8, 2020 at 4:00 PM

Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Northwest Crossing London Limited relating to the property located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting September 15, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone and Open Space (OS1) Zone, **TO** a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*)), a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*)), a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*) Zone, a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone, a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***) Zone, an Open Space Special Provision (OS1(*) Zone and an Open Space Special Provision (OS5(*) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys), which substantively implements the site-specific "Design Criteria".

Design Criteria:

Site Development

- Building Sitting:
 - Buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street;
 - All service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street.
- Pedestrian Connectivity:
 - Mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A';
 - Walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A'.
- Access and Parking:
 - Vehicular access for both Blocks 1 and 2 shall be provided from Street 'A'.

- No parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage.
- Low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A'.
- Common Outdoor Amenity Areas:
 - Outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block.
 - These spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation.
 - These spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space.
 - Enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments

Built form

- All buildings:
 - The development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass;
 - Buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies
- Buildings along Hyde Park frontage:
 - The design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
 - Buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road.
 - The ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required;
 - Overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;
- Buildings along the Street 'A' frontage:
 - The development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing.
 - The design for buildings facing Street 'A' shall be defined by complementary changes in building articulation and design above the

4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.

- (b) 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 subdivision of Northwest Crossing London Limited relating to a property located at 1176, 1200, 1230 Hyde Park Road and a Portion of 1150 Gainsborough Road; and
- (c) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Northwest Crossing London Limited (File No. 39T-19502), prepared by MHBC Planning, Project No. 16-200, dated March 18, 2020, which shows two (2) mixed-use residential blocks, two (2) medium density residential blocks, three (3) open space blocks, one (1) road widening block and two (2) 0.3 m reserve blocks, all served by one (1) local/neighbourhood streets (Street A), **SUBJECT TO** the conditions contained in the attached Appendix "B".

Executive Summary

Summary of Request

The request is to permit a subdivision consisting of low to mid-rise apartment buildings, mixed-used apartment buildings, multi-use pathways, and public road access via a new street connection to Hyde Park Road.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is for Municipal Council to approve the recommended Zoning By-law Amendments, and recommend that the Approval Authority for the City of London, issue draft approval of the proposed plan of subdivision, subject to conditions.

Rationale of Recommended Action

1. The proposed and recommended amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents.
2. The proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods, Shopping Area and Green Space Place Type.
3. The proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Policies for Specific Areas 10.1.3, cplxii).
4. The proposed and recommended zoning amendments will facilitate an appropriate form of mixed-use and medium density residential development that conforms to The London Plan and the (1989) Official Plan.

1.0 Site at a Glance

1.1 Property Description

The subject properties are located on lands bounded by Hyde Park Road to the east, CN Rail Line to the South, a lumber store followed by a CP Rail Line to the North and

the Kelly Stanton ESA- North to the west. The site is isolated from the majority of its surroundings and is currently vacant with some commercial uses to the east across Hyde Park Road. The property is irregular in shape and includes approximately 267.7 metres (878 ft) of frontage along Hyde Park Road. The subject site measures approximately 10.069 ha (24.88 ac) in size and is generally described as Part of Lots 25 and 26 Concession 3 RP 33R-10194 Parts 3 To 5 PT Parts 9 & 10 RP 33R-16526 Parts 2, 3, 4, 5, 7, 13 To 15 & 18 To 20 & PT Part 8.

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

- The London Plan Place Type – “Shopping Area, “Neighbourhoods”, and “Green Space”
- Official Plan Designation – “Auto Oriented Commercial” and “Open Space”
- Existing Zoning – Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone and Open Space (OS1) Zone

1.3 Site Characteristics

- Current Land Use – vacant/undeveloped
- Frontage – 267.7 m (878 ft)
- Depth – varies
- Area – 10.7 ha (24.88 ac)
- Shape – irregular

1.4 Surrounding Land Uses

- North – lumber store/yard
- East – commercial
- South – rail line/Kelly Stanton ESA – South/low density residential
- West – Kelly Stanton ESA - North

1.5 Location Map

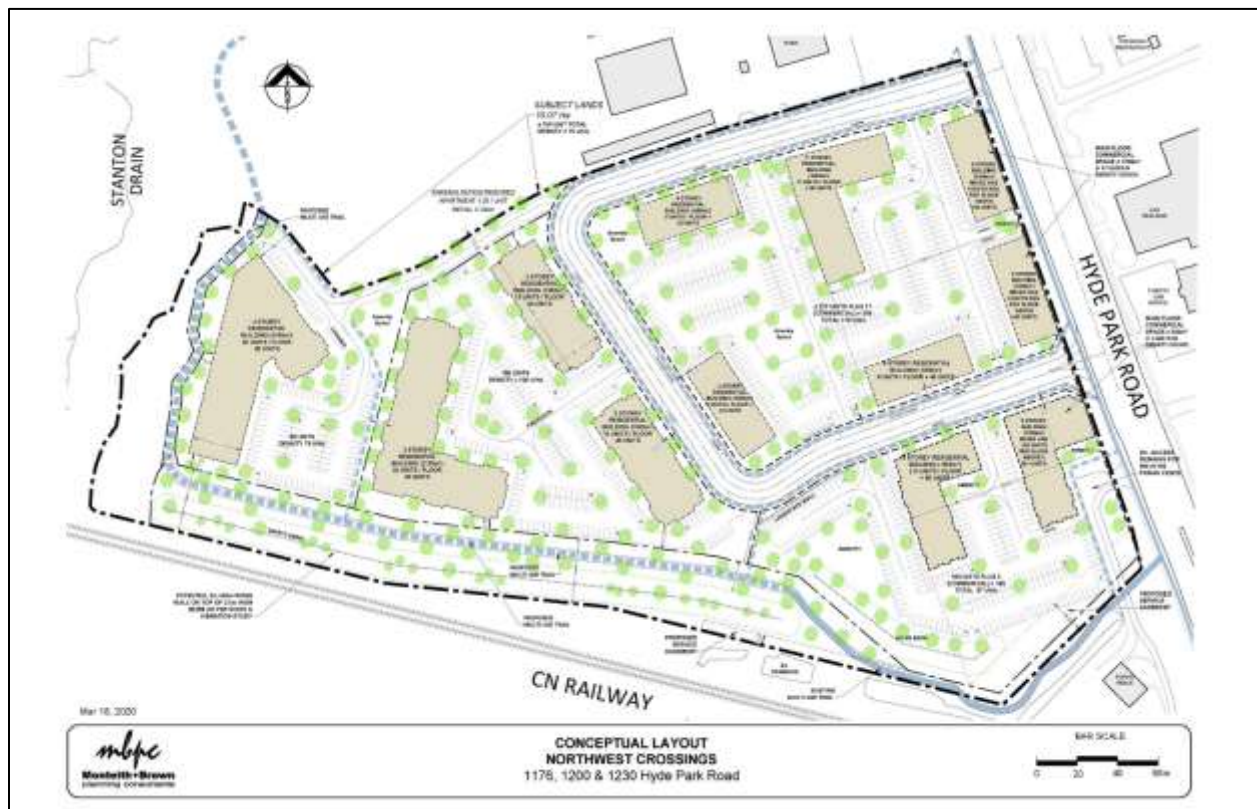


2.0 Description of Proposal

2.1 Development Proposal

The proposed Draft Plan provides 4 large blocks for future residential development in the form of mixed-use buildings along Hyde Park Road and apartment buildings internal to the site. A pedestrian connection will be established along the south and west edge of the property through Open Space blocks and will connect to the London Hyde Park Rotary Link. The Draft Plan incorporates the following key features:

- Low and mid-rise apartments which will provide a more intensive scale of development that supports a compact urban form, surrounding commercial uses and future transit services;
- Opportunities for commercial uses through mixed use developments fronting Hyde Park Road will also serve the proposed development and surrounding neighbourhoods. Currently, there is limited, neighbourhood-oriented commercial enterprises within convenient walking/cycling distance of this development area;
- An internal pedestrian network designed to support community connectivity; and
- Protection and enhancement of existing natural features and linkages to the City's multi-use pathway system.



3.0 Relevant Background

3.1 Planning History

The subject lands have remained undeveloped and were previously used for agricultural purposes. The site was subject to a Plan of Subdivision Application (39T-01507) and an Official Plan and Zoning By-law amendment (OZ-6135). Draft approval was granted on September 25, 2002 however, Council at the time did not approve the requested Official Plan and Zoning amendments. While the matter was at the OMB a revised application for Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision approval were submitted as a possible basis for the resolution of the outstanding appeals. On April 19, 2004 Council granted approval for the new Official Plan and Zoning By-law amendment resulting in a Restricted Service Commercial Designation and existing Restricted Service Commercial zoning. On September 1, 2004 the approval authority also issued Draft Approval for the revised plan of subdivision superseding the Draft Approval in 2002. The Restricted Service Commercial designation was changed in 2009 through a City-wide Commercial Policy Review which designated the lands as Auto Oriented Commercial Corridor.

On October 18, 2007 the City of London accepted a complete application for an Official Plan & Zoning amendment (OZ-7458, O-7469) which would permit two 3 storey senior citizen apartment buildings with a total of 160 units. On October 23, 2008, the file was closed as the developer at the time no longer had interest in the lands.

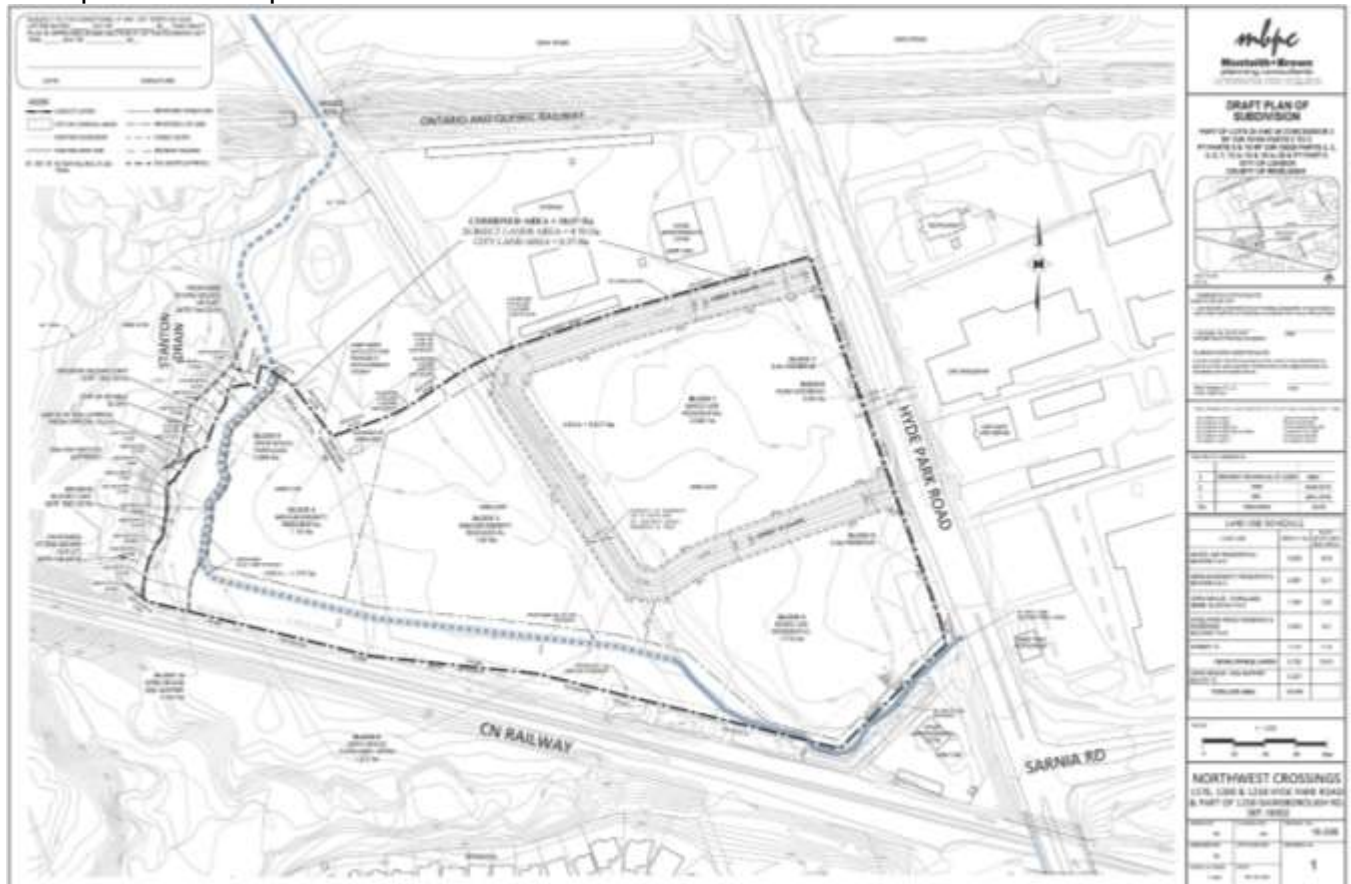
On September 20, 2010 the subdivision file (39T-01507) lapsed as no request for an extension to the draft approval was made. As a result the file was closed and draft approval on the site was removed.

An Official Plan amendment application (O-8822) was accepted on August 29, 2017. The application was for an amendment to the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Area) to permit the development of a low-rise to mid-rise mixed-use neighbourhood on the subject lands based on a specific development concept. On March 27, 2018 Council Approved the Official Plan Amendment resulting in a Policy for Specific Area clxvii) which provides detailed policies and regulations as to how the site will develop through a future Plan of Subdivision application and Zoning By-law amendment.

3.2 Applicant's Requested Amendment

The Applicant has submitted a Draft Plan of Subdivision, and Zoning By-Law amendment, to permit the creation of 4 blocks which will accommodate medium density residential development through low to mid-rise apartments and mixed-used buildings along Hyde Park Road. A multi-use pathway is to be provided along the south and westerly edge of the property and public road access via street connection to Hyde Park Road. Details on the full amendment application is provided under Appendix "C" - Public Engagement.

A map of the draft plan of subdivision is found below.



3.3 Community Engagement (see more detail in Appendix B)

Through the public circulation process no comments were received about the proposed Plan of Subdivision and Zoning By-law amendment development were expressed. The comments received by Staff are attached to Appendix "C".

3.5 Policy Context (see more detail in Appendix C)

Planning Act

The proposed plan of subdivision and Zoning By-law amendments have been evaluated with respect to the requirements under Sections 2, 51(24) and 51(25) of the *Planning Act* and for matters of provincial interest and subdivision design. Based on Development Services Planning Staff's review of the criteria in the *Planning Act*, the proposed plan of subdivision has regard for the health, safety, convenience, accessibility for persons with disabilities, and welfare of the present and future inhabitants of the Municipality.

Provincial Policy Statement

The recommended Draft Plan is consistent with the PPS 2020, summarized as follows:

1. Building Strong Healthy Communities:

The PPS provides direction for land use planning that focuses growth within settlement areas, and encourages an efficient use of land, resources, and public investment in infrastructure. To support this, the PPS defines a number of policies to promote strong, liveable, healthy and resilient communities. These policies are set out in Section 1.0, and address such matters as efficient development and land use patterns, coordination, employment areas, housing, public spaces/open space, infrastructure and public service facilities, long-term economic prosperity, and energy and air quality.

The recommended draft plan is consistent with objectives of Section 1.1.1 by creating healthy, liveable, and safe communities sustained by promoting an efficient development pattern and compact, cost effective development. The proposed plan is also consistent with policies to promote economic development and efficient use of existing municipal infrastructure. The subject lands are within the Urban Growth Boundary (settlement area) and will be serviced by full municipal services. The proposed subdivision provides permissions for a wide range and mix of residential uses and densities. The proposed conceptual plan illustrates the use of low to mid-rise apartment buildings and mixed-use buildings which provide an alternative form of housing to a surrounding area predominately made up of single detached dwellings. The recommended zoning also provides the subdivision the ability to implement alternative residential uses ranging from single detached cluster developments, cluster townhouse developments or apartments depending on market demands. This allows the subdivision the ability to accommodate an appropriate, affordable and market-based range and mix of residential types in keeping with the PPS 2020. The draft plan of subdivision also permits a range of commercial uses to be implemented through mixed use development which will serve the immediate needs of nearby residents.

The draft plan provides for a pedestrian connection along the westerly and southern edge allowing pedestrians to access Hyde Park Road and the London Hyde Park Rotary Link to the north. The large blocks also provide the ability for pedestrian connections to be established throughout the site in future site plan processes. Amenity spaces are also proposed throughout the subdivision meeting the needs of future residents.

2. Wise Use and Management of Resources:

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends upon the conservation and protection of our natural heritage and agricultural resources. Section 2.0 of the PPS establishes a number of policies that serve to protect sensitive natural features and water resources. Based on the accepted EIS, the recommended draft plan and conditions of draft approval are consistent with the Provincial Policy Statement - Section 2.1 Natural Heritage 2.1.1.: "Natural features and areas shall be protected for the long term"; Section 2.1.8: "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6

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”

The site abuts the Kelly Stanton ESA- North on the westerly edge. Through the review of the EIS, Development Services staff, including the City’s Ecologist have worked with the applicant to establish appropriate buffers and setbacks that will form part of the significant feature, and are incorporated into the final zoning. No development is proposed within any significant features.

Additional wetland habitat was identified on site and it has been determined through review with Staff that this wetland can be relocated within the buffer area provided on the westerly edge of the site adjacent to the ESA; this will provide a net benefit to the Natural Heritage System. Through conditions of Draft Approval Staff have ensured that any remaining Natural Heritage concerns are addressed ensuring the development will be in keeping with the PPS.

3. Protecting Public Health and Safety:

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. Accordingly, Section 3.0 of the PPS states a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk (1) to public health or safety or (2) of property damage. The recommended Draft Plan of Subdivision does not pose any public health and safety concerns, and there are no known human-made hazards.

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 London Plan includes criteria for evaluating plans of subdivision through policy *1688 that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type in which the proposed subdivision is located
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Our Strategy

Direction #5 is to *Build a Mixed-use Compact City by managing outward growth by supporting infill and intensification within the Urban Growth Boundary in meaningful ways* (59_8). The proposed subdivision is located within the Urban Growth Boundary and within an established community of the City. The subdivision will develop a compact subdivision at a greater density than what currently exists in the area, providing an alternative form of housing within its surrounding context and providing opportunities for shopping, and access to parks, green space and transit within the area.

Direction #7 is to *Build Strong, Healthy and Attractive Neighbourhoods for Everyone* through designing complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, and allowing for affordability and ageing in place (61_2). The proposed subdivision will facilitate the development of low to mid-rise apartments providing a range of unit types along with commercial uses at grade along Hyde Park

Road. The proposed form of development provides opportunities for ageing in place, affordability and an alternative housing choice within the community. The recommended zoning for the subdivision also provides a range of alternative residential land uses depending on market demands.

Direction #8 is to *Make Wise Planning Decisions* by ensuring that planning is in accordance with the *Accessibility for Ontarians with Disabilities Act*, so that all of the elements of the City are accessible for everyone (62_11). The recommended draft plan of subdivision will be required to incorporate sidewalks on both sides of all streets to ensure a walkable and connected community that promotes active health and accessibility, as well as providing a dedicated pathway network for even greater pedestrian connections.

Our City

The Our City policies require that adequate municipal infrastructure services can be supplied prior to any development proceeding (172), and the site has access to future water, stormwater, sanitary servicing and transportation infrastructure that the proposed development can access.

City Building Policies

The City Building policies provide the over-arching direction for how the City will grow over the next 20 years. *City Design* ensures that the built form considers elements such as streets, streetscapes, public spaces, landscapes and buildings. City design is about planning the built form to create positive relationships between these elements (*189_). City design also helps us to create pedestrian and transit-oriented environments that support our plans for integrating mobility and land use (191_). The proposed development incorporates these elements by creating a consistent streetscape along Hyde Park Road which is pedestrian and transit-oriented while the building orientation through the site provides for a positive relationship with Street 'A'. *Active Mobility* is supported by requiring sidewalks to be located on both sides of all streets (*349_). The recommended draft plan conditions require the new streets to include sidewalks on both sides of the streets to reflect the intent of The London Plan for enhanced walkability and connectivity going forward. *Affordable Housing* for larger residential developments should include a 25% affordable housing component through a mix of housing types and sizes (518_). The proposed plan of subdivision provides a range of permissions in regards to the housing forms that could be implemented on the site. The proposed use of low to mid-rise apartments will provide for a choice in unit size, cost and function.

Place Types

The majority of the proposed subdivision is within the Neighbourhoods Place Type, with blocks fronting a future Neighbourhood Street. The easterly edge of the site runs along Hyde Park Road and is within the Shopping Area Place type while the westerly portion of the site is within the Greenspace Place Type. The neighbourhood place type permits a range of residential uses in accordance to street classification, ranging from single detached up to street townhouse dwellings (*921_). The Shopping Area Place Type permits a wider range of uses which includes a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses while mixed-use buildings will be encouraged (877_1,2). Within the Shopping Area Place Type heights shall not exceed four storeys however, through the use of Type 2 Bonusing a maximum of six storeys, may be permitted in conformity with the Our Tools policies of this Plan (878_2).

The Neighbourhood Place Type will be subject to a specific policy which will come into effect upon the resolution of the LPAT hearings. The specific policy will carry over the existing Policy for Specific Area's from the (1989) Official Plan which is identified below. The portion of the site within the Shopping Area Place Type will not require a special policy as the proposed form of development and range of uses within the recommended zoning will be permitted. The Greenspace Place Type on the site will also be changed to a Neighbourhood Place Type upon the resolution of the LPAT hearings based on a previous Council resolution in 2018 which changed these Place Types. The proposed plan of subdivision and zoning amendment are in keeping with these specific policies which provides for a wider range of uses and densities on the property.

“In the Neighbourhoods Place Type located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the new public street and south of the southerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 4-storeys in height.

“In the Neighbourhoods Place Type located west of the westerly limit of the new public street, and north of the northerly limit of the new public street, townhouses, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 3-storeys in height.”

(1989) Official Plan

As previously mentioned the subject site underwent an Official Plan amendment (O-8822) in 2017 which added a policy to Chapter 10 (Policies for Specific Area, 10.1.3, clxvii) to permit the development of a low-rise to mid-rise, mixed-use neighbourhood on the subject lands. The intent of this policy was to provide clear direction for the future development of the site which would be implemented through a Plan of Subdivision application and Zoning By-law amendment.

The policy permits a range of residential uses within the existing Open Space and AOCC designations which include townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings. The lands within the current Open Space designation and AOCC designation are permitted heights of 3-storeys while the lands designated Auto Oriented Commercial Corridor (AOCC) that are located greater than 100 metres west of the widened Hyde Park Road right-of-way, and east of the westerly limit of the new public street, and south of the southerly limit of the new public street are permitted 4-storeys in height. The lands fronting Hyde Park within 100 metres west of the widened Hyde Park Road right of-way permits mixed-use buildings up to 6-storeys in height which can consist of retail and service-oriented commercial use and small-scale office uses on the ground floor together with residential uses above. The 6-storeys in height can only be achieved through the use of Bonus Zoning. The policy also permits a gross maximum density of 75 unit per hectare calculated using the total site area.

The proposed draft plan of subdivision and recommended zoning-amendments are in keeping with the, Policies for Specific Area, 10.1.3, clxvii). A bonus zone has been recommended within the appropriate portion of the site to achieve 6-storeys in height along Hyde Park Road while multiple density variations will be used on specific blocks to ensure the total density on the site will remain at 75uph in keeping with the Policies for Specific Area.

3.6 Subdivision Analysis

The proposed Draft Plan has been reviewed on the principle elements, found within the policies of the London Plan:

Subdivision Design and Connectivity

Connectivity and Mobility (307_) are key principles in The London Plan. Within these principles neighbourhoods are promoted to be designed in a manner that use public spaces and parks to serve as mobility linkages through and between neighbourhoods (333_). Access management is also important in ensuring that major streets are not impeded with unnecessary driveway access points (336_). The London Plan also provides direction on connectivity and design through City design policies. It encourages street networks to be designed in a manner which ensure high-quality pedestrian environments and maximized convenience for mobility along with street patterns that are easy and safe to navigate by walking and cycling (211_, 213_). Public spaces should be designed and located as part of, and to support, the active mobility network (246_).

The subdivision design has limited its access points into the development to the two points where the new local road will connect with Hyde Park Road. The commercial

and residential units which will front Hyde Park Road are to be accessed off of the new local street (behind the future developments) ensuring that Hyde Park is not impeded with additional driveway access points. The proposed Street 'A' is a simple loop within the subdivision providing sidewalks on both sides of the road promoting a safe high-quality pedestrian environment which is easy and safe to navigate through the subdivision connecting pedestrians to commercial uses along Hyde Park Road. These internal pedestrian connections in combination with the multi-use path to be located along the southerly edge of the property will not only increase connectivity and mobility for those living within the subdivision but it will finalize the connection of the London Hyde Park Rotary Link which runs north all the way to Fanshawe Park Road connecting this community to other areas of the City.

City Design and Placemaking

The London Plan includes policies on City Design (*189_ to *309_). The design of our city is shaped by both its natural setting and its built form. The built form includes elements such as streets, streetscapes, public spaces, landscapes and buildings. City design is about planning the built form to create positive relationships between these elements, which influence how we navigate and experience the City (189_). The focus of the City Design policies of The London Plan are to encourage: a well-designed built form throughout the city; development that is designed to be a good fit and compatible within its context; development that supports a positive pedestrian environment; a built form that is supportive of all types of active mobility and universal accessibility; a mix of housing types to support ageing in place and affordability; and healthy, diverse and vibrant neighbourhoods that promote a sense of place and character (*193_).

Placemaking Guidelines were adopted by the City in 2007 to ensure new subdivision development results in livable communities that provide an identifiable character, sense of place, and a high quality of life.

The proposed draft plan of subdivision in combination with the recommended zoning has the ability to provide a mix of complementary uses which includes a range of housing types, forms and choice in combination with the commercial uses within mixed-use buildings along Hyde Park Road. The current development proposal has identified low and mid-rise apartment buildings as the main permitted uses internal to the site and 6-storey, mixed-use buildings along Hyde Park Road. These buildings provide the ability to offer a mix of unit type, size and affordability. The use of bonus zoning along Hyde Park Road also ensures that the future building designs will create an attractive and pleasant streetscape along Hyde Park Road and Street 'A' in keeping with the goals of The London Plan. The bonus zone also requires sufficiently sized amenity areas to be provided within the developments within 100m of Hyde Park Road creating focal points for residential within the community. The development provides for excellent pedestrian connections on the proposed street network and through dedicated pathway connections. The Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing, mixed-use development that is pedestrian friendly, transit supportive and accessible to the surrounding community.

Natural Heritage/Green Space

The direction of The London Plan is to become one of the greenest City's in Canada, by protecting and enhancing the health of our Natural Heritage System (58_Direction #4). The policies of The London Plan seek to protect significant natural heritage features specifically through the Green Space Place Type which consists of natural heritage features and areas. We will realize our vision by providing for the protection of natural heritage features and areas which have been identified, studied and recognized by City Council as being of city-wide or regional significance, and/or by the Ministry of Natural Resources and Forestry as provincially significant (761_7.).

The west side of the subject site abuts the Kelly Stanton ESA – North. An Environmental Impact Statement (February 24, 2019), was provided as part of the application to address the potential impacts of the development on the abutting ESA and any other significant features found on the site. Through the EIS review process Staff has worked with the applicant to establish an appropriate buffer of 30 metres (Block 5 and 10) that will form part of the significant feature, which will be protected

through the final zoning and dedication to the City and no development is proposed within any significant features.

Additional wetland habitat was also identified on site and it has been determined in consultation with Staff that this wetland can be relocated within the buffer area provided on the westerly edge of the site adjacent to the ESA; this will provide a net benefit to the Natural Heritage System. Relocation of the wetland is consistent with The London Plan wetland policies. Through conditions of Draft Approval Staff has ensured that any remaining Natural Heritage concerns are addressed. The conditions will require an updated EIS which will address Natural Heritage Feature identification, protection and mitigation, wetland and habitat compensation and relocation, restoration, monitoring, all to the satisfaction of the City.

UTRCA staff advised that a Section 28 permit be obtained for the relocation of the wetland. The Conservation Authority regulates natural hazards including wetlands in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. The landowners must obtain written approval from the Authority prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland. Accordingly the UTRCA requests that a FINAL EIS be prepared to our satisfaction which addresses the Conservation Authority's interests including but not limited to the wetlands which are located on the subject lands. The outstanding concerns/interests of the UTRCA will be addressed through the preparation of Final reports and the Section 28 permit approval along with the conditions of draft plan approval.

Parks and Pathways

The London Plan strives to develop facilities, amenities and programming that are flexible, serve multiple users and can be linked to broader community strategies and initiatives related to health, economy, development, mobility, education, sustainability, and growth management. Parks spaces are meant to be beautiful, functional, evenly distributed in size and shape throughout the City, accessible, and connected (408_). The London Plan also provides a focus on mobility, by encouraging cycling routes and pedestrian pathways that will provide linkages between open space areas, neighbourhoods, centres, corridors, employment areas and the public transit services and will enhance the convenience, safety and enjoyment of walking and cycling (*357_).

The proposed plan of subdivision is generally isolated from the surrounding context due to its location between two rail lines north and south of the site and abutting ESA to the west. Given the existing community parks in the area it was determined that no large blocks were required through the proposed plan of subdivision. The site does present an opportunity to complete the Hyde Park Rotary Link which currently ends just north of this site. Staff determined that it would be important to continue and finalize this linkage out to Hyde Park Road through land dedication to the City. Three open space blocks (Blocks 5, 6 and 10) will be dedicated to the City providing 1.677 ha (4.1 ac) of open space land to complete the connection. The City will have the ability to build a multi-use pathway within Blocks 5 and 6 creating a continuously linked open space system (410_6) providing linkages through the site and to lands outside of the subdivision. Block 5 and 10 will become part of the abutting ESA providing the continued protection of an environmentally significant feature within the City.



Community Facilities

The London Plan recognizes that schools and other public facilities have a wide range of influences on our city life, including economic development, safety, innovation, research and development, social connectedness, and health. These facilities can be fundamental to how our city's image is perceived by others. Many of these buildings and services form important hubs within neighbourhoods (425_). Small scale community facilities such as schools and churches are permitted in the Neighbourhoods Place Type along Neighbourhood Connectors. The London Plan also directs these uses, where appropriate, to create shared park/school complexes and campuses with local school boards and other institutions to maximize the use of these facilities and to coordinate the design for mutual benefit (410_8.).

Given the small scale of the proposed subdivision and previously mentioned isolation from the surrounding areas it was determined that the proposed subdivision would not be an ideal location for a community facility. The proposed subdivision is surrounded by several community facilities that will be able to accommodate the needs to the proposed development.

Archaeological and Cultural Heritage

The London Plan contains policies related to cultural heritage and the investigation and retention of significant features.

The subject site has undergone a Stage 1, 2 and 3 Archeological Assessment. No significance was found on the majority of the site however a portion of the site located at 1176 Hyde Park Road resulted in the identification of one significant archaeological site, registered with the Ministry of Tourism, Culture, and Sport as Location 6 (AfHh-922). This site is also located within the London Township Treaty Area to which Chippewas of the Thames First Nation (COTTFN) is a signatory. A Stage 4 assessment is required within these lands however, due to COVID 19 the necessary parties have been unable to meet to complete the review. As such a holding provision (h-18) is being recommended on Block 4 of the proposed development which will capture the area requiring future Archeological Review and ensure the study is completed prior to and development occurring.

Servicing

The London Plan recognizes the provision of reliable, coordinated, and cost-effective civic infrastructure is a primary function of a municipality. Civic infrastructure delivers the services that make our city run smoothly. Ensuring services are readily available or available in the near future is a fundamental requirement for subdivision development.

Stormwater Management

The ultimate SWM will be provided by on site Private Permanent Systems for all blocks within the development. Further SWM refinement will be required through detailed design.

Water

Watermain connections will be made to the municipal main along Hyde Park Road. The Applicant will be required to demonstrate water looping and water quality through phasing at detailed design.

Sanitary

Sanitary servicing will be available through the existing municipal sanitary sewer that currently crosses the site.

Transportation

Transportation has no issues with the proposed location of Street 'A' providing access through the site out to Hyde Park Road

Development Engineering is also requesting holding provisions (h and h-100) over the entire site to ensure that appropriate services will be provided on a site specific basis as development proposals are submitted for the proposed blocks.

'h' Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

and

'h-100' Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units

Affordable Housing

The London Plan provides direction on affordable housing and identifies that secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing types and sizes. In keeping with this intent, 40% of new housing units within a secondary plan, and lands exceeding five hectares in size outside of any secondary plan, should be in forms other than single detached dwellings (*518_).

The proposed low to mid-rise apartment buildings allows for opportunities to provide affordable housing as apartment buildings can provide different unit sizes, number of bedrooms and use different construction alternatives helping to reduce costs. The proposed development and recommended zoning will add to the medium density housing stock in the surrounding area and provide an alternative and more affordable form of housing in the area.

Green Development

The policies of The London Plan promote sustainability and green development, in an effort to impose minimal impact on the environment, minimize consumption of water and energy, and reduce or eliminate waste outputs such as air pollution, water pollution, wastes and heat in a sustainable fashion. Green cities also have a small ecological footprint – the amount of land and water area required to sustain a city's consumption patterns and absorb its wastes on an annual basis (687_). A healthy city is one that supports the health of those that live in it. It can do so as a result of how it is planned and developed – offering such things as active mobility options, quality parks and recreational facilities for active and passive recreation, a clean and healthy

environment, accessible health care facilities and services, protection from natural hazards, and safe and secure places (690_).

Through future site plan processes, the City will seek to promote green development methods for construction, encourage LID solutions and where possible limit the amount of surface parking and promote landscape open space throughout the site.

4.0 Key Issues and Considerations

4.2 Amendments to the Zoning By-law

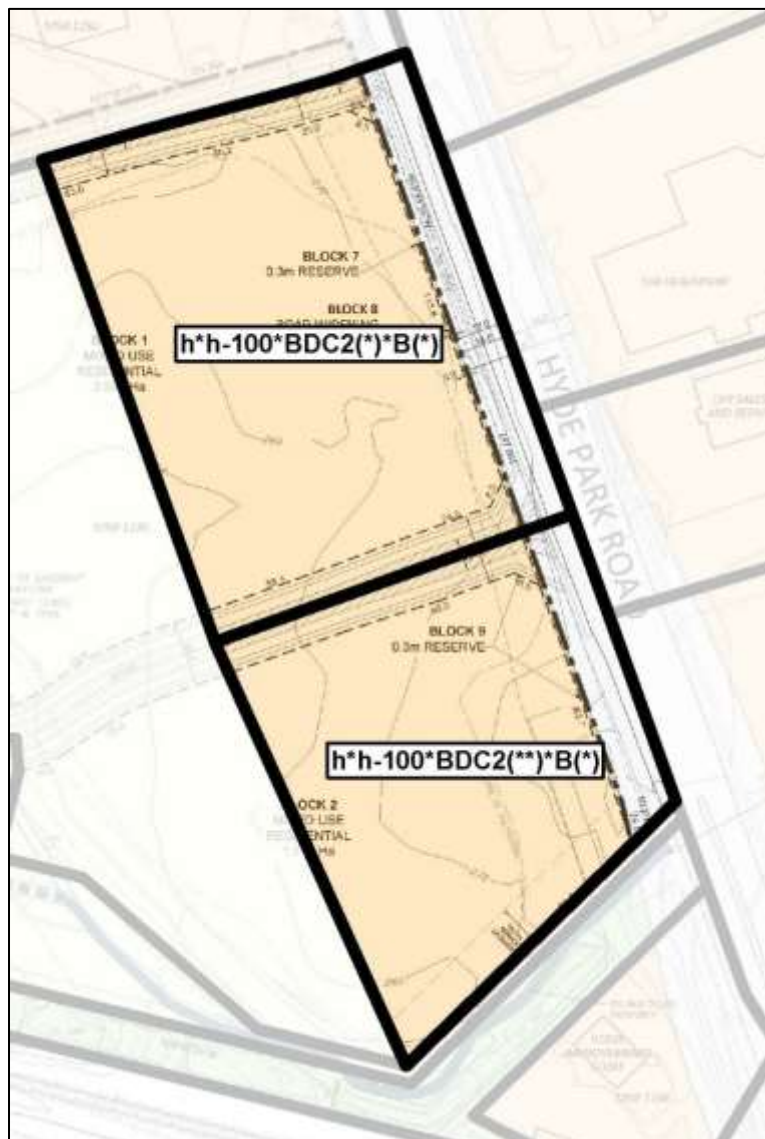
Any applications for amendments to the City of London Zoning By-law shall be subject to the applicable policies of the City of London Official Plan. Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis as described in the applicable designation of the Official Plan. Further to this, The London Plan requires amendments to consider the Use, Intensity and Form for any new development.

The use of the h and h-100 holding provisions will be applied to every zone variation on the site to ensure adequate servicing is available as the blocks come in for development in the future. The subject site is also permitted a net density of 75uph for the total area. The total area of the site is 10.07 hectares intern permitting approximately 750 units to be dispersed over the site. A range of densities will be identified on specific portions of the site resulting in a net density of 75uph for the site.

The proposed zoning amendments are as follows:

- 1) Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*)*) Zone (West portion of Block 1) Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*)*) Zone (West portion of Block 2).
 - Use:
 - Through the recommended zoning, mixed-use apartment buildings fronting Hyde Park Road and apartment buildings within the rear portion of the zone will be permitted in keeping with the Policy for Specific Area (10.1.3 clxvii) and the Shopping Area Place Type. A special provision is being recommended to permit residential units on the main floor of the internal residential buildings as the BDC2 zone requires commercial uses at grade. Staff, believe commercial units within a residential building internal to the site is not the preferred location and feel the commercial units provided along Hyde Park Road through the mixed use buildings will be sufficient to service the area.
 - A wide range of commercial uses will also be permitted through the implementation of the BDC2 zone. These uses are in keeping with the Shopping Area Place Type of The London Plan.
 - Additional uses have also been requested. These include a Continuum of Care Facility, Retirement lodge or Retirement Home and Nursing Home. These uses are generally residential in nature in keeping with the intent of the Shopping Area Place Type and are being recommended for approval.
 - Intensity:
 - The recommended zoning would permit a density of 175 uph on the front portion of Block 1 and 144 uph on the front portion of Block 2. These densities combined with the other recommended densities within the subdivision ensure the site remains under 75uph as per the Policy for Specific Areas.
 - Form:
 - Through the recommended bonus zone mixed-use apartment buildings fronting Hyde Park Road and apartment buildings within the rear portion of the zone are permitted a to maximum height of 6-storeys (22m). The bonus zone identifies specific design criteria which will be implemented through future Site Plan Approval applications in return for the proposed increases in height. The proposed heights are permitted through

- bonusing within the Policy for Specific Area (10.1.3 clxvii) and the Shopping Area Place Type;
- Regulations within the bonus zone also ensure a 4.5 metre main floor height for commercial uses is required along Hyde Park Road. This will create a strong pedestrian interface along the street edge and provide a more appropriate scale, helping to reduce the visual impacts of the 6-storeys.
 - Special provisions are being recommended to reduce setback requirements for the rear yard depth when abutting a residential zone. The recommended regulation is for 3 metres, whereas the previous regulation required 3.0 metres (9.8 feet) plus 1.2 metres (4.0 feet) for each 3.0 metres (9.8 feet) of building height or part thereof above the first 3.0 metres (9.8 feet). Given the likely hood of the rear portion of the BDC2 zone developing for residential uses this provides for a more appropriate setback from the abutting residential lands to the west. However, if commercial uses were developed appropriate buffering is still in place.
 - A special provision has also been recommended for a minimum setback of 30 metres from the railway right-of-way similar to the bonus zone. A special provision is being recommended to permit residential units on the main floor of the internal residential buildings as the BDC2 zone requires commercial uses at grade.
- Planning Impact Analysis:
 - Overall, the proposed zones will be compatible with future lands uses. The proposed blocks and Zone boundary are of a sufficient size and shape to accommodate the proposed uses.



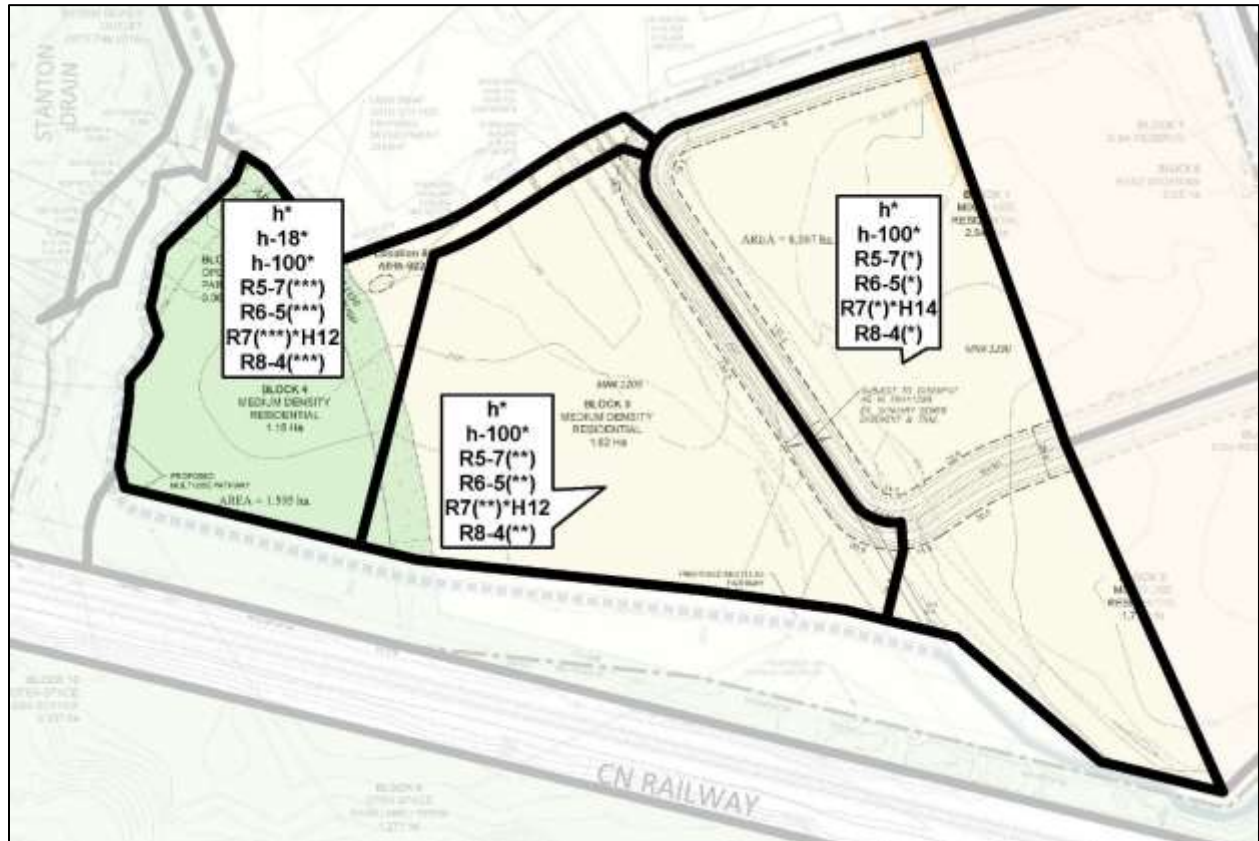
- 2) Holding Residential R5/R6/R7/R8 Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*) Zone (East Portion of Block 1 & 2) and Holding Residential R5/R6/R7/R8 Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone (Block 3) and Holding Residential R5/R6/R7/R8 Special Provision (h*h-

100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***) Zone (Block 4).

The above recommended zones share the same base residential zones. Different special provisions have been applied to specific blocks but the range of permitted uses is the same.

- Use:
 - The range of uses permitted with the proposed zones range from low density cluster developments to apartment buildings. These uses are considered appropriate and are specifically permitted within the Policy for Specific Area (10.1.3 clxvii). This policy is being carried over into the Neighbourhoods Place Type of The London Plan, ensuring the continuation of these uses in the future.
- Intensity:
 - East portion of Blocks 1 & 2: A special provision is being recommended to permit a maximum net density of 35 uph for the portion of lands within this zone. The net density is required in this instance as the proposed concept plan does not identify any development on the rear portion of Block 2 so no potential density could be established specific to this block. Since the site is able to pull densities from different land areas, the applicant is requesting that this land area be included when calculating the total number of units permitted for Block 1. Staff are in agreement with this approach as the net density being recommended is 35uph for this portion of the development. This would allow the proposed density and form of development shown on Block 1 within the Concept Plan however not sterilize the portion of lands on Block 2 in case the development concept were to change.
 - Block 3: The recommended special provision within the proposed zoning would permit a density of 100uph. This density when combined with the other recommended densities within the subdivision ensure the overall development remains under 75uph as per the Policy for Specific Areas.
 - Block 4: The recommended special provision within the proposed zoning would permit a density of 90uph. This density when combined with the other recommended densities within the subdivision ensure the overall development remains under 75uph as per the Policy for Specific Areas.
- Form:
 - East portion of Block 1 and 2: The proposed apartment buildings on Block 1 permits up to 4-storeys in height. Through the recommended special provision an increase in height to 14m is required to achieve the proposed 4-storeys maximum permitted. This special provision and request for 4-storeys in height is in keeping with the Policy for Specific Area (10.1.3 clxvii) which permits apartments at 4-storeys in height, specifically within this portion of the subdivision.
 - Block 1, 2 and 3: A special provision is being recommended to reduce the front and exterior side yard depths. This allows the buildings to be brought closer to the roads and create a stronger street wall and enhanced pedestrian interface along Street 'A' through the interior of the development. This direction was provided through comments from Urban Design Staff.
 - Block 4: Due to the location of Block 4 at the rear of the site and limited frontage along Street 'A' a reduced lot frontage of 10m is required through the special provision. This provides enough room to permit access from Street 'A' to the rear block.
 - All Blocks: Due to the abutting railway along the southerly portion of the site a special provision is required for all zones ensuring a minimum 30 metre setback is in place from the railway.
 - The recommended residential zones listed above which have frontage along Street 'A' will have a special provisions helping guide the form of development. The provision ensures that the front face and primary entrance of dwellings shall be oriented to adjacent streets. This provision was a result of comments provide by Urban Design Staff to encourage street oriented development.

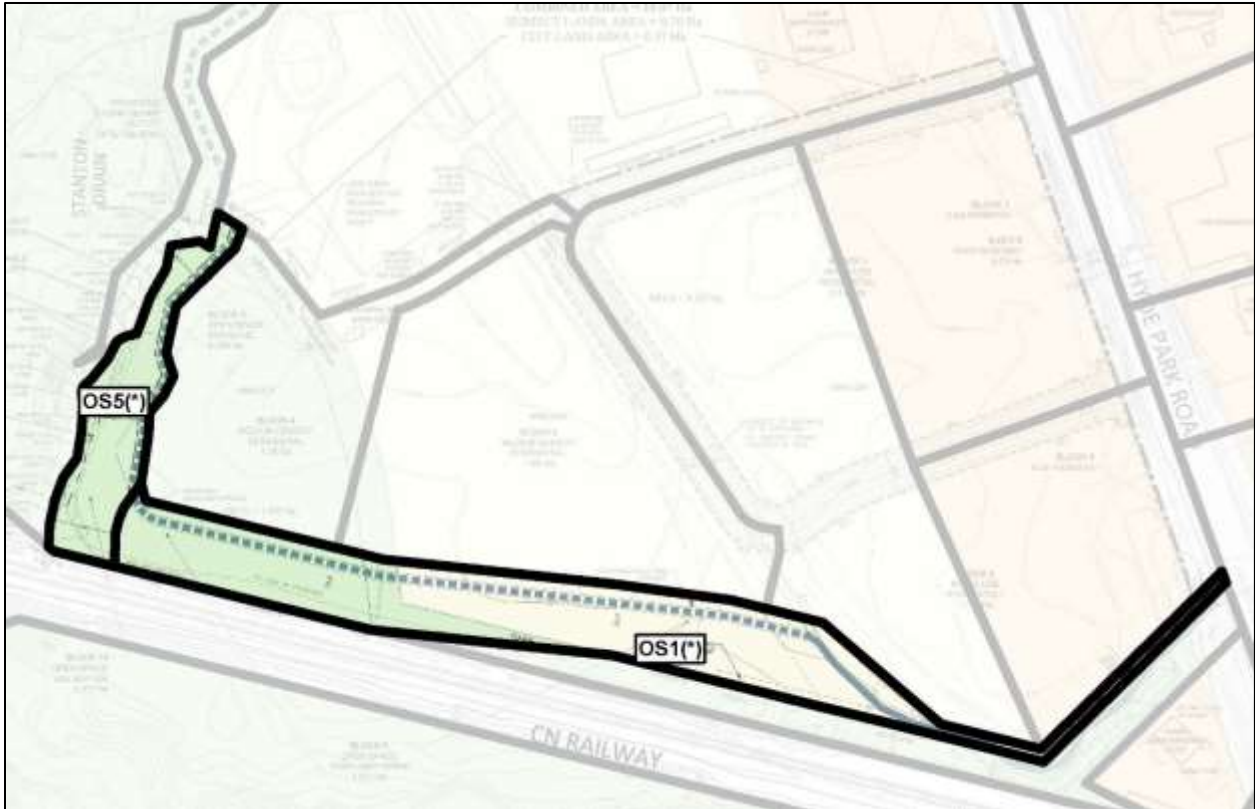
- Planning Impact Analysis:
 - Overall, the proposed zones will be compatible with future lands uses. The proposed blocks and Zone boundary are of a sufficient size and shape to accommodate the proposed uses.



3) Open Space (OS1(*) Zone (Blocks 5 & 6), an Open Space (OS5(*) Zone (Block 10)

- Use:
 - **Block 6:** The lands within the proposed OS1(*) zone will be dedicated to the City. This area will provide for a multi-use pathway, 15m in width, followed by a berm with a future noise wall on top which will reduce noise impacts on future development from the abutting rail line. The proposed multi-use path is considered an appropriate use within this area.
 - A special provision is required for the OS1 zone to recognize the reduced lot frontage at Hyde Park Road, 5 metres is being recommended where 15 metres is required. Given that the proposed OS1(*) corridor will abut an existing City owned OS1 corridor the lands once dedicated to the City will total approximately 28 metres of frontage along Hyde Park Road.
 - **Block 5 & 10:** The lands located within Block 5 and 10 is the agreed upon 30 metre buffer between the future development and abutting ESA. These lands are to be zoned OS5 and dedicated to the City to ensure the protection of the ESA. The OS5 Zone ensures that no development shall occur within these lands. Within Block 5 Parks Planning has agreed to a 5 metre wide multi-use pathway along the easterly edge of the buffer area. This reduced size and location help ensure the continued protection of the abutting ESA. Both The London Plan and the (1989) Official Plan recognize and permit parks and multi-use pathways within various designations and Place Types;
- Intensity and Form:
 - Pathways, parks and open space features are integral parts to any new and developing subdivisions and are encouraged through multiple policies in all Plans. The form and size of the pathways and parks have been agreed upon with staff and the Applicant;
- Planning Impact Analysis:
 - The parks, pathways and opens space areas are not anticipated to negatively impact the proposed subdivision, and will provide the necessary open space that are envisioned through The London Plan and

- the (1989) Official Plan;
- Additional:
 - o The OS5 lands require a special provision for reduced lot frontage and lot area.



4) Bonus Zone Design Criteria:

As mentioned a bonus zone has also been applied for to permit an increase in height up to 6-storeys within 100m of Hyde Park Road. Below is the Design Criteria that will be attached to the recommended Zoning By-law in return for the proposed increase in height.

Design Criteria

Site Development

- Building Sitting:
 - o Buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street;
 - o All service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street.
- Pedestrian Connectivity:
 - o Mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A';
 - o Walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A'.
- Access and Parking:
 - o Vehicular access for both Blocks 1 and 2 shall be provided from Street 'A'.
 - o No parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage.
 - o Low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A'.
- Common Outdoor Amenity Areas:

- Outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block.
- These spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation.
- These spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space.
- Enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments

Built form

- All buildings:
 - The development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass;
 - Buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies
- Buildings along Hyde Park frontage:
 - The design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
 - Buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road.
 - The ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required;
 - Overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;
- Buildings along the Street 'A' frontage:
 - The development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing.
 - The design for buildings facing Street 'A' shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.

5.0 Conclusion

The proposed amendments are consistent with the Provincial Policy Statement, 2014 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The proposed changes to the Zoning By-law No. Z.-1 will implement the recommended draft plan, which will ultimately support the proposed range of commercial and medium density residential development opportunities within the site, including more intensive, mixed-use apartments along Hyde Park Road. The Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing, mixed-use development that is pedestrian friendly, transit supportive and accessible to the surrounding community.

Prepared by:	Mike Corby, MCIP, RPP Senior Planner, Development Services
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
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.	

MC/mc

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ted Koza, Manager, Development Engineering

Appendix “A” – Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road.

WHEREAS Northwest Crossings Ltd. has applied to rezone an area of land located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, 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 the easterly portion of the lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone, to a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*) Zone and Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*) Zone .
- 2) Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:
 -) BDC2(*) 1230 Hyde Park Road
 - a) Additional Permitted Uses:
 - i) Continuum-of-Care Facility (with any or all of the other permitted uses on the first floor)
 - ii) Retirement Lodge or Retirement Home (with any or all of the other permitted uses on the first floor)
 - iii) Nursing Home (with any or all of the other permitted uses on the first floor)
 - b) Regulations:
 - i) Density (maximum) 175 uph (71 units per acre)
 - ii) Interior Side Yard & Rear Yard Depth Abutting a Residential Zone (minimum) 3 metres (9.84 feet)
 - iii) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.
- 3) Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:

-) BDC2(**) 1230 Hyde Park Road
- a) Additional Permitted Uses:
- i) Continuum of Care Facility (with any or all of the other permitted uses on the first floor)
 - ii) Retirement Lodge or Retirement Home (with any or all of the other permitted uses on the first floor)
 - iii) Nursing Home (with any or all of the other permitted uses on the first floor)
- b) Regulations:
- i) Density (maximum) 144 uph (59 units per acre)
 - ii) Interior Side Yard & Rear Yard Depth Abutting a Residential Zone (minimum) 3 metres (9.84 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - iv) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

- 4) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

-) B(*) 1230 Hyde Park Road

The Bonus Zone shall be implemented through a development agreement to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys) which substantively implements the site-specific "Design Criteria".

Design Criteria

Site Development

- Building Sitting:
 - Buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street;
 - All service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street.
- Pedestrian Connectivity:
 - Mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A';
 - Walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A'.
- Access and Parking:
 - Vehicular access for both Blocks 1 and 2 shall be provided from Street 'A'.
 - No parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage.

- Low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A'.
- Common Outdoor Amenity Areas:
 - Outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block.
 - These spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation.
 - These spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space.
 - Enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian-oriented environments

Built form

- All buildings:
 - The development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass;
 - Buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies
- Buildings along Hyde Park frontage:
 - The design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
 - Buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road.
 - The ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required.”;
 - Overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;
- Buildings along the Street 'A' frontage:
 - The development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing.
 - The design for buildings facing Street 'A' shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a

step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.

a) Regulations:

- i) Height (maximum) 22 metres (72 feet) (6-storeys)
- ii) Ground Floor Height (minimum) 4.5 metres (14.76 feet)
- iii) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

5) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the middle portion of the lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone to a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*) Zone and from an Open Space (OS1) Zone to a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*) Zone.

6) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

) R5-7(*) 1200 & 1230 Hyde Park Road

a) Regulation[s]

- i) Net Density (maximum) 35 uph (based on total land area within the zone)
- ii) Height (maximum) 14 metres (45.9 feet)
- iii) Front & Exterior side Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

7) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

) R6-5(*) 1200 & 1230 Hyde Park Road

a) Regulation[s]

- i) Net Density (maximum) 35 uph (based on total land area within the zone)

- ii) Height (maximum) 14 metres (45.9 feet) (4 storeys)
- iii) Front & Exterior side Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

8) Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

) R7(*) 1200 & 1230 Hyde Park Road

a) Regulation[s]

- i) Net Density (maximum) 35 uph (based on total land area within the zone)
- ii) Height (maximum) 14 metres (45.9 feet), 4-storeys
- iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

9) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

) R8-4(*) 1200 & 1230 Hyde Park Road

a) Regulation[s]

- i) Net Density (maximum) 35 uph (based on total land area within the zone)
- ii) Height (maximum) 14 metres (45.9 feet), 4-storeys
- iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

10) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and

portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) an Open Space (OS1) Zone, to a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone.

- 11) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

) R5-7(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road

a) Regulation[s]

- | | | |
|------|--|----------------------------|
| i) | Density
(maximum) | 100uph (41 units per acre) |
| ii) | Front & Exterior side Yard Depth
(minimum) | 3 metres (9.84 feet) |
| iii) | Setback from Railway
Right of Way (minimum) | 30 metres (98.4 feet) |
| iv) | The front face and primary entrance of dwellings shall be oriented to adjacent streets | |

- 12) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road

a) Regulation[s]

- | | | |
|------|--|-----------------------------|
| i) | Density
(maximum) | 100 uph (41 units per acre) |
| ii) | Height | 3 storey (maximum) |
| iii) | Front & Exterior side Yard Depth
(minimum) | 3 metres (9.84 feet) |
| iv) | Setback from Railway
Right of Way (minimum) | 30 metres (98.4 feet) |
| v) | The front face and primary entrance of dwellings shall be oriented to adjacent streets | |

- 15) Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

) R7(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road

a) Regulation[s]

- | | | |
|-----|----------------------|----------------------------|
| i) | Density
(maximum) | 100uph (41 units per acre) |
| ii) | Height | 3 storey (maximum) |

- iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

13) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

-) R8-4(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road

a) Regulation[s]

- i) Density (maximum) 100uph (41 units per acre)
- ii) Height 3 storey (maximum)
- iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

14) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) an Open Space (OS1) Zone, to a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***) Zone.

15) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

-) R5-7(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road

a) Regulation[s]

- i) Density (maximum) 90uph (37 units per acre)
- ii) Lot Frontage (maximum) 10 metres (32.8 feet)
- iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

16) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(***) 1176 & 1200 Hyde Park Road and a portion of 1150
Gainsborough Road

a) Regulation[s]

- | | | |
|------|--|---------------------------|
| i) | Density
(maximum) | 90uph (37 units per acre) |
| ii) | Height | 3 storey (maximum) |
| iii) | Lot Frontage
(minimum) | 10 metres (32.8 feet) |
| iv) | Setback from Railway
Right of Way (minimum) | 30 metres (98.4 feet) |

17) Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

) R7(***) 1176 & 1200 Hyde Park Road and a portion of 1150
Gainsborough Road

a) Regulation[s]

- | | | |
|------|--|---------------------------|
| i) | Density
(maximum) | 90uph (37 units per acre) |
| ii) | Height | 3 storey (maximum) |
| iii) | Lot Frontage
(minimum) | 10 metres (32.8 feet) |
| iv) | Setback from Railway
Right of Way (minimum) | 30 metres (98.4 feet) |

18) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

) R8-4(***) 1176 & 1200 Hyde Park Road and a portion of 1150
Gainsborough Road

a) Regulation[s]

- | | | |
|------|--|---------------------------|
| i) | Density
(maximum) | 90uph (37 units per acre) |
| ii) | Height | 3 storey (maximum) |
| iii) | Lot Frontage
(minimum) | 10 metres (32.8 feet) |
| iv) | Setback from Railway
Right of Way (minimum) | 30 metres (98.4 feet) |

19) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the southerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)), to an Open Space Special Provision (OS1(*)) Zone.

- 20) Section Number 36.4 of the Open Space (OS1) Zone is amended by adding the following Special Provision:

36.4) OS1(*) 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road

a) Regulation[s]

i) Lot Frontage (minimum) 5 metres (16.4 feet)

- 21) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from an Open Space (OS1) Zone, to an Open Space (OS5) Zone.

36.4) OS5(*) 1176, Hyde Park Road

a) Regulation[s]

i) Lot Frontage (minimum) 0 metres (0 feet)

ii) Lot Area (minimum) 3,300 m² (0 feet)

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

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. 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 September 15, 2020.

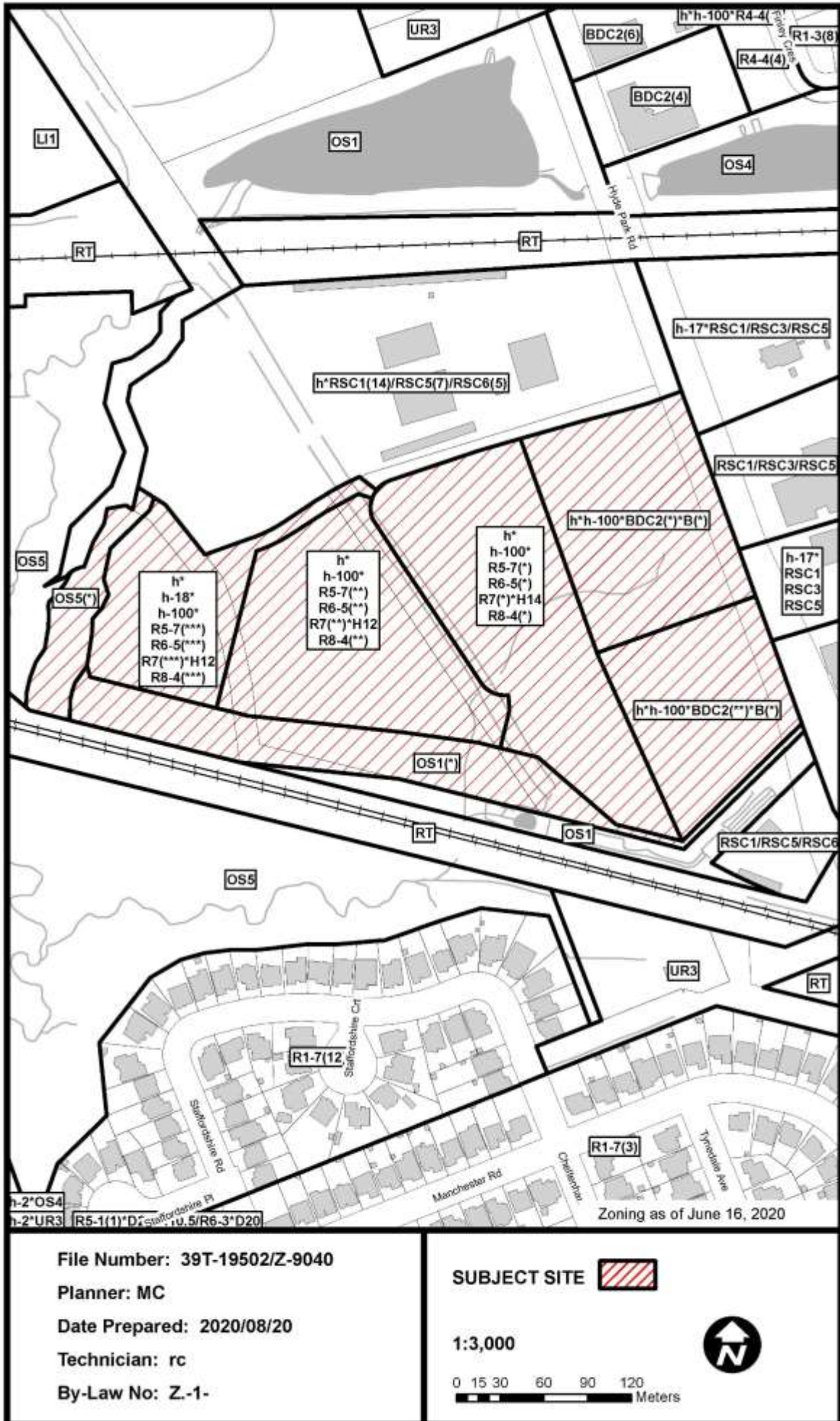
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Schedule "A"

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



Appendix “B” – Draft Approved Plan and Conditions

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-19502 ARE AS FOLLOWS:

NO. CONDITIONS

General

1. This draft approval applies to the draft plan submitted by Jay McGuffin on behalf of Northwest Crossings London Limited. (File No. 39T-19502), prepared by Monteith Brown Planning Consultants, and certified by Peter Moreton OLS, (Project No. 16-200, dated March 18, 2020), which shows two (2) mixed use residential blocks, two (2) medium density residential blocks, three (3) open space blocks, one (1) road widening block and two (2) 0.3 m reserve blocks, all served by one (1) local/neighbourhood streets (Street A).
2. This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The Owner shall enter into a subdivision agreement with the City, in the City’s current approved form (a copy of which can be obtained from Development Services), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.
4. 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.
5. In conjunction with the first submission of engineering drawings, street(s) shall be named and the municipal addressing shall be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
8. Prior to final approval the Owner shall pay in full all financial obligations/encumbrances owing to the City on the said lands, including property taxes and local improvement charges.
9. Prior to final approval, the Owner shall provide copies of all transfer documentation for all land transfers/dedications and easements being conveyed to the City, for the City’s review and approval.
10. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, final plans, and any required studies, reports, data, information or detailed engineering drawings, and to advise the Approval Authority 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 Approval Authority, such submission will be returned to the Owner without detailed review by the City.

Planning

11. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
12. In conjunction with the submission of Focused Design Studies, and prior to any demolition, site alteration activities or any other soil disturbances, the Owner shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out all required archaeological assessment(s) for Block 4 and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The archaeological assessment(s) must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport. All archaeological assessment reports, in both hard copy and as a pdf, must be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry. The Owner shall submit the Ministry's compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied prior to any site works.
13. The Owner shall construct or install the recommendations of the submitted noise and vibration report or these recommendations may be included as a provision or set of provisions in the subdivision agreement, entered into between the Owner and the municipality that is to be registered on title.

The following warning clauses shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for the affected lots:

"Purchasers are advised that despite the inclusion of noise control measures within the subdivision and within the individual building unit, noise levels may continue to be of concern, occasionally interfering with some activities of the dwelling occupants. There may be alterations to or expansions of the Rail facilities on such right-of-way in the future including the possibility that the Railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual dwellings; and the Railway will not be responsible for any complaints or claims arising from the use of its facilities and/or operations."

"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision."

"The City of London assumes no responsibility for noise issues which may arise from the existing or increased traffic of the Canadian National Railway, the Canadian Pacific Railway or Hyde Park Road as it relates to the interior or outdoor living areas of any dwelling unit within the development. The City of London will not be responsible for constructing any form of noise mitigation for this development."

Blocks 1-2:

"Purchasers/tenants are advised that sound levels due to increasing rail and road traffic may occasionally interfere with some activities of the

dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of Environment."

Blocks 2-4:

"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing rail and road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of Environment."

14. Prior to the issuance of Certificate of Conditional Approval, the Owner shall erect a 1.83 metres chain link fence from the return on the noise attenuation fence to the mutual property line with CN Rail.
15. Prior to the issuance of the Certificate of Conditional Approval, the Owner shall erect a berm, or combination berm and noise attenuation fence, having extensions or returns at the ends, located entirely on the subject property, parallel to the railway right-of-way with a minimum total height of 5.5 metres above top-of-rail, a minimum berm height of 2.5 metres and sides slopes not steeper than 2.5 to 1, and a noise attenuation fence or wall to be constructed to CN Rail standards. No openings in the noise attenuation fence shall be permitted unless otherwise approved by the City.
16. The Owner shall circulate the lot grading and drainage plan to CN Rail for its review in a timely manner. The City Engineer will have regard for the comments from CN Rail when reviewing and approving the lot grading and drainage plans.
17. In conjunction with the first submission engineering drawings, if any proposed alterations to the existing drainage pattern affecting railway property are proposed, the Owner shall substantiate the proposed changes by having its consultant prepare and submit a drainage report for review by the CN Railway and the City Engineer.
18. The subdivision agreement shall contain clauses that all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing, noise control measures and vibration isolation measures implemented are not to be tampered with or altered and further that the owner shall have sole responsibility for maintaining these features in accordance with the approved plan and/or provision or set of provisions included in the subdivision agreement.

Parks Planning

19. The Owner shall convey up to 5% for residential lands and 2% for commercial lands of the lands included within this plan to the City of London for park purposes. This shall include redlined Blocks 5 and 6 (less land within the existing municipal easements) and/or a cash-in-lieu payment to satisfy any outstanding balance in accordance with By-law CP-9.
20. In conjunction with the first submission of Engineering drawings, the Owner shall include a table detailing the manner in which parkland dedication requirements will be satisfied for this development.
21. In conjunction with the first submission of Engineering drawings, and in conjunction with the above table, the Owner shall confirm all railway infrastructure and safety features (such as berms and fences) are not located within municipally owned parkland.
22. Prior to the submission of the first engineering drawings, the owner shall consult with Environmental and Parks Planning Division to prepare:

- A concept/buffer plan for all open space blocks, and
 - A concept plan for all proposed pathway blocks
23. In conjunction with the first submission of Engineering drawings, the Owner shall include all grade, service and seed details on all areas dedicated for parkland, to the satisfaction of the City.
24. The Owner shall construct a 1.5m high chain link fencing without gates and/or property monuments in accordance with current City park standards or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing and/or the installation of monuments shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.
25. The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.
26. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Development Services Division monthly during development activity.
27. The Owners shall dedicate Open Space Block 10 to the City in exchange for the City's acceptance of Block 6 which contains the constructed railway safety berm and noise wall. The condition of the constructed noise attenuation wall and safety berm will be to the satisfaction of the City.

Natural Heritage

28. In conjunction with Focused Design Studies submissions, the Owner shall provide an updated and Final Environmental Impact Study in the form of an addendum, to address Natural Heritage Feature identification, protection and mitigation, wetland and habitat compensation, restoration, monitoring, all to the satisfaction of the City.
29. In conjunction with the Focused Design Studies submission, the Owner shall have their ecological consultant detail the implementation for each of the recommendations and the Environmental Management Plan in the approved Environmental Impact Study and all addendums, all to the satisfaction of the City.
30. As part of the Focused Design Studies submission, the Owner's Landscape Architect and Ecologist shall prepare and provide a Restoration Plan for all ecological buffers and naturalization areas within the OS lands, all to the satisfaction of the City.
31. In conjunction with the first submission of engineering drawings, the Owner's Landscape Architect and Ecologist shall prepare drawings detailing the buffer and naturalization areas restoration plan for the OS lands, all to the satisfaction of the City.

Monitoring of Ecological Works

32. In conjunction with the first submission engineering drawings, the Owner's ecological consultant shall prepare and submit a minimum 3 to 5 year detailed monitoring program for the OS zoned lands and for all ecological works, to the satisfaction of the City. The Owner's consultant shall provide a bi-annual monitoring report for each year of the program to Development Services, unless otherwise directed in writing by the City Engineer or City Planner.

Erosion and Sediment Control

33. The Owner shall implement the requirements of the City concerning sedimentation and erosion control measures during all phases of construction, all to the satisfaction of the City. The Owner shall provide monthly status reports to the City Planner and the City Engineer ensuring the approved measures are in place and fully functioning, prior to and during all work on the site, unless otherwise directed in writing by the City Planner or City Engineer.
34. Prior to construction, site alteration or installation of services, robust double run silt fencing with straw bales and other erosion control measures must be installed and certified with a site inspection report, all to the satisfaction of the City.

Tree Preservation

35. As part of the Focused Design Studies, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision as required by the Tree Inventory. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the preservation of quality specimen trees within Lots and Blocks and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree Preservation Reports and Tree Preservation Plans all to the satisfaction of the City. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.
36. Focused Design Studies, the Owner's qualified consultant shall undertake a Hazard Tree Assessment Study for the Block xxx. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of lot lines and provide recommendations to abate the hazard, all to the satisfaction of the City.

Homeowners Guide

37. As part of the first submission of engineering drawings, the Owner shall prepare for delivery to all residences an education package which explains the stewardship of natural area, the features and its functions, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City. The approved package shall be delivered to homeowners upon occupancy.

UTRCA

38. In conjunction with the first submission of engineering drawings, that a Final Geotechnical Report (slope stability analysis) be prepared to the satisfaction of the UTRCA which addresses the outstanding comments/concerns regarding the slope assessment.
39. In conjunction with the Focus Design Studies submission, that a Final Environmental Impact Study be prepared to the satisfaction of the UTRCA that addresses our interests including but not limited to the wetlands and habitat compensation.
40. In conjunction with the first submission of engineering drawings, that a Final Stormwater Management Report be prepared to the satisfaction of the City of London and which also addresses the interests of the UTRCA.
41. In conjunction with the first submission of engineering drawings, that a Water Balance Analysis be prepared to the satisfaction of the UTRCA to address the concerns identified through the review of the EIS and the SWM report.

42. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, that the Owner/Proponent obtain the necessary permits and approvals from the UTRCA prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

SEWERS & WATERMAINS

Sanitary:

43. 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) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
 - ii) Provide clarification that the proposed zoning amendments and the respective changes in population, drainage area and the outlet(s) is compatible with accepted record drawings and drainage area plans. Any external areas that are tributary are to be accommodated and routing and sewer extensions are to be shown such that they could connect to their respective outlet locations. Any upgrades, if required, are to be at no cost to the City.
 - iii) Propose a suitable routing for the sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;
 - iv) Provide sufficient information to confirm that the sewer easement/lot frontage for Block 4, proposed by the Owner, at the north limit of Block 3, is adequate and viable to comply with City standards;
 - v) Provide sufficient details of the private drain connections, invert elevations, separation distance and impact on proposed foundations for these Blocks. The proposed blocks should also identify proposed building envelope on these blocks. The building should align more with the lot flankage opposite the easement to reduce impact or provide adequate setback from the easement including building overhangs and may need deepened footings.
 - vi) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide a hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken;
44. 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 1200 mm diameter Hyde Park Trunk sanitary sewer, in this Plan of Subdivision;
 - 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) Implementing all 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;
 - iv) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - v) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary

sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

Storm and Stormwater Management (SWM)

45. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) 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) Providing details on any proposed municipal Oil Grit Separator(s) for stormwater management purposes, if necessary;
 - v) Providing details on berm and linear stormwater management facility abutting rail-line;
 - vi) Providing details of outlet through CPR embankment to discharge to SWM 1B1;
 - vii) Details of storm sewer and proposed easement through Block 4 & to Stanton Drain;
 - viii) Conduct a Headwater Drainage Feature (HDF) assessment of all open watercourses and Municipal Drains located within this plan and confirm an appropriate management strategy for each, in consultation with the City and the UTRCA, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority;
 - ix) Conduct a hydrogeological assessment to identify a target infiltration rate in millimetres per hectare and implement Low Impact Development measures to achieve the water balance and meet ground recharge objectives, to the satisfaction of the City Engineer;
 - x) Addressing any rerouting, enclosure and/or removal of any existing open watercourses in this plan, if necessary, and identify the needs for any setbacks from the open watercourses;
 - xi) Providing a preliminary plan demonstrating how the proposed grading will match the grading of the existing linear Stormwater Management Facility built by the City;
 - xii) Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements;
 - xiii) Provide an erosion/sediment control plan as a component of the Functional Storm/Drainage Servicing Report associated with any proposed LID features that will identify all erosion and sediment control measures to be used prior, during and after the LID features are implemented and any other identified erosion and sediment control measures for the site; and
 - xiv) 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.

46. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Stanton Drain Subwatershed Study and any addendums/amendments;
 - ii) The Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class Environmental Assessment Study, completed in 2002;
 - iii) The Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class EA Addendum (2018);
 - iv) The Storm Drainage and SWM Servicing works Letter/Report for the subject lands/development prepared and accepted in accordance with the File Manager process, City requirements and to the satisfaction of the City Engineer;
 - v) 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.;
 - vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - viii) The Ministry of the Environment, Conservation and Parks (MECP) SWM Practices Planning and Design Manual, as revised, including updates and companion manuals; and
 - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
47. Prior to any work on the site, the Owner's professional engineer shall submit these sediment and erosion control measures as a component of the Functional Storm/Drainage Servicing Report and is to have these measures established and approved all to the satisfaction of the City Engineer. Further, the Owner's professional engineer must confirm that the required sediment and erosion control measures are being maintained and operated as intended during all phases of construction
48. Should there be any proposed stormwater management design deviations for the major and minor storm outlets from the pertinent Functional SWM reports listed above for the development of this plan, than these proposed design changes are to be provided in a detailed functional SWM report for this development identifying both major and minor flow proposals, and if required, the Owner shall make arrangement to revise any issued ECA's for the existing facilities to reflect the proposed changes at no cost to the City and to the satisfaction of the City Engineer.
49. 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 Stanton Drain Subwatershed, and outlet Blocks 3 and 4, to the Stanton Drain and Blocks 1 and 2, to the existing railway culvert beneath the CN rail line, as per the accepted engineering drawings;
 - ii) Blocks 1 and 2 shall be provided with Permanent Private Stormwater Systems;
 - iii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;

- iv) Grade and drain the boundaries of Blocks 3 and 4, to blend in with the abutting Open Space on Block 5 in this Plan, at no cost to the City;
 - 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.
50. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
 - iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and
 - iv) Update the draft plan to adapt to the conclusions of the HDF assessment, including but not limited to, adjustments to the road pattern and lot fabric to accommodate existing watercourse alignments, proposed realignments, enclosures, abandonments or removal of any open watercourse or Municipal Drains in accordance with the final HDF report, to the satisfaction of the City Engineer and the UTRCA;
 - v) submit a Monitoring and Operational Procedure Manual for the maintenance and monitoring program for any proposed municipal Oil Grit separators within this plan, in accordance with the City's "Monitoring and Operational Procedures for Stormwater Management Facilities" requirements to the City for review and acceptance. The program will include, but not be limited to, the following:
 - a. A work program manual for the maintenance and monitoring of these facilities;
 - b. Protocol of sediment sampling and recording of sediment accumulation volumes; and
 - c. Storage and discharge monitoring.
51. Following construction and prior to the assumption of any proposed municipal Oil Grit separators, the Owner shall complete the following, at no cost to the City, all to the satisfaction of the City Engineer:
- i) Operate, maintain and monitor the proposed municipal Oil Grit separators in accordance with the accepted maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities";
 - ii) Have it's consulting professional engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" to the City for review and acceptance; and
 - iii) Ensure that any removal and disposal of sediment is to an approved site satisfactory to the City Engineer.
52. The Owner shall red-line the draft plan and transfer to the City, at no cost to the City, the lands along the northern portion of the existing SWM facility located in Part 25, Plan 33R-16526 of size and location as identified and required in the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class EA Addendum (2018) to accommodate a maintenance path, recreational path and access to the existing watermain, all to the satisfaction of the City Engineer.

53. The Owner shall provide all adequate easements, if required, at no cost to the City, in relation to stormwater/drainage and SWM Servicing works of the subject lands as indicated and required to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class EA Addendum (2018), to the satisfaction of the City Engineer.
54. 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.
55. In conjunction with the first submission of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydrogeological investigation carried out by a qualified consultant, or provide confirmation that the existing hydrogeological investigation is adequate 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.
 - 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.

56. In conjunction with the first submission of engineering drawings, the Owner shall have a qualified consultant carry out a hydrogeological investigation and/or addendum to the existing hydrogeological investigation(s) based on the final subdivision design, to determine the potential short-term and long-term effects of the construction associated with the development on existing ground water elevations and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. The report should identify any abandoned wells in this plan, as well as provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City Engineer. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendation regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on site. Elements of the hydrogeological investigation should include, but are not limited to, the following:
- i) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;
 - ii) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features;

- iii) Evaluation of potential nearby domestic wells;
- iv) Completion of a water balance for the proposed development, revised to include the use of LIDs as appropriate;
- v) Completion of a water balance for the nearby natural heritage features that may be impacted as a result of the proposed development, if applicable, revised to include the use of LIDs as appropriate;
- vi) Details related to proposed LID solutions, if applicable, including details related to the long term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table. Note that if LIDs are being considered as part of the overall design for the site, field testing (eg. field infiltration testing) should be undertaken at proposed LID locations;
- vii) Estimation of dewatering requirements to support construction related activities, including anticipated dewatering rates, radius of influence, proposed discharge locations and sediment and erosion controls;
- viii) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
- ix) Evaluation of construction related impacts and their potential effects on local significant features, including nearby domestic wells (if applicable);
- x) Development of appropriate short-term and long-term monitoring plans (if applicable);
- xi) Development of appropriate contingency plans (if applicable) in the event of groundwater interference related to construction.

57. The Owner shall ensure the post-development discharge flow from the east portion of the subject site must not exceed the capacity of the existing culvert beneath the CN rail line. 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

58. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following 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 low-level (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) Including modeling for two fire flow scenarios as follows:
 - a) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
 - b) Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI 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 staging and 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 and area plan(s) which includes identifying the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings and outlet, the fire hydrant rated capacity & marker colour, and the design domestic and fire flow applied to development Blocks.
59. 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 municipal system, namely the existing 450 mm diameter watermain on Hyde Park Road.
 - 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;
 - 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; and
60. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of all Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.
61. The Owner shall include an 18 metre easement at the south limits of Block 2 adjacent to the existing watermain, as per the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class EA Addendum (2018), to the satisfaction of the City Engineer.
62. The Owner shall make all necessary arrangements to have adequate municipal easements for the existing watermain registered on title and include in the Agreement of Purchase and Sale or Lease and in the transfer of deed of Block 2 in this Plan, a covenant by the purchase or transferee stating that the purchaser or transferee of the said Blocks shall observe and comply with the City easement, all to the satisfaction of the City, at no cost to the City.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

63. 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.
64. In conjunction with the first submission of engineering drawings submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
- i) provide 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, tangents, 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) provide a concept of the restricted access of Street 'A' (south) to Hyde Park Road in accordance with City standards;
- ii) confirm that the centreline of Street 'A' (north and south legs) are aligned perpendicular to Hyde Park Road, to the satisfaction of the City Engineer.
- iv) confirm 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:"

65. 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.

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

- i) Street 'A' has a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
- ii) Street 'A' (north and south legs) from Hyde Park Road to 30 metres west have a minimum road pavement width (excluding gutters) of 10.0 metres with a minimum road allowance of 21.5 metres, including enhanced landscape boulevards. The widened road on Street 'A' (north and south legs) shall be equally aligned from the centreline of the road and tapered back to the 8.0 metres of road pavement width (excluding gutters) and 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.

67. The Owner shall align Street 'A' perpendicular to Hyde Park Road, to the satisfaction of the City.

68. The Owner shall comply with all City standards as found in the Design Specifications and Requirements Manual (eg. reverse curves, 6 metre straight tangents, etc.), to the satisfaction of the City Engineer.

69. The Owner shall construct a rights-in/rights-out access on Street 'A' (south leg) with Hyde Park Road, to the satisfaction of the City.

70. 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>
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m

Sidewalks

71. The Owner shall construct a 1.5 metre sidewalk on both sides of the boulevard of Street 'A', to the satisfaction of the City.

Street Lights

72. In conjunction with the first submission of engineering drawings, the Owner shall design and 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

73. In conjunction with the first submission of engineering drawings, the Owner shall provide an update to the Transportation Impact Assessment in accordance with the Transportation Impact Study Guideline, including but not limited to, the following revisions and to determine the impact of this development on the abutting arterial roads to the satisfaction of the City:
- i) a background growth rate of 1.5% is to be used
 - ii) include the development proposed at 1018 – 1028 Gainsborough Road into the background growth
 - iii) Highlight critical analysis in red ($v/c > 1$, LOS F, queue lengths exceeding storage)
 - iv) update tables to include existing and available left turn lane storage (Hyde Park Road at Sarnia Road west bound)
 - v) include the turn lane recommendations from the analysis into the conclusion and recommendations
 - vi) The signal warrants are not met for the installation of signals, the conclusion and recommendations should not include this recommendation. Alternative mitigation measures to reduce operational delay should be examined. Signals are being installed at South Carriage Road and Hyde Park Road this year (2019).
74. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment to the satisfaction of the City Engineer and at no cost to the City.
75. In conjunction with first submission of engineering drawings, the Owner shall provide a pavement marking plan, to include all turn lanes, etc., to the satisfaction of the City Engineer.
76. In conjunction with the first submission of engineering drawings, the Owner shall have its professional consulting engineer submit design criteria for the left turn lane on Hyde Park Road at Street 'A' (north leg) for review and acceptance by the City.
77. The Owner shall make minor boulevard improvements on Hyde Park Road adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

Road Widening

78. The Owner shall dedicate sufficient land to widen Hyde Park Road to 18.0 metres from the centreline of the original road allowance.
79. The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street 'A' (north and south legs) with Hyde Park Road in accordance with the Z-1 Zoning By-law, Section 4.24.

Vehicular Access

80. The Owner shall ensure that no vehicular access will be permitted to Blocks 1 and 2 from Hyde Park Road. All vehicular access is to be via the internal subdivision street.
81. The Owner shall restrict access to Hyde Park Road by establishing blocks for 0.3 metre reserves along the entire Hyde Park Road frontage, with the exception of the existing access to 1166 Hyde Park Road, to the satisfaction of the City.
82. The Owner shall maintain access to 1282 Hyde Park Road (RONA) at all times, to the satisfaction of the City Engineer.

83. The Owner shall notify the future owner of Block 2 that the easement and access to 1166 Hyde Park Road is to be maintained, to the satisfaction of the City. .

Construction Access/Temporary/Second Access Roads

84. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hyde Park Road as designated by the City.

85. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

GENERAL CONDITIONS

86. 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.

87. 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.

88. 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.

89. 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 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.

90. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.

91. 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.
92. 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.
93. The Owner shall have the common property line of Hyde Park Road graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Hyde Park Road are the the ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

94. 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.

95. 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.

96. 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.
97. 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.
98. 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".
99. 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.)
100. 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.
101. 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.
102. 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.
103. 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.
104. 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.

105. Owner shall remove all existing accesses, with the exception of the access to 1166 Hyde Park Road, and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
106. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
107. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed, if necessary, to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing municipal or 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 municipal and/or 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 arrangements to have any section(s) of easement(s) in this plan quit claimed, if necessary, to the satisfaction of the City, at no cost to the City.

108. The Owner shall include in any Agreement of Purchase and Sale or lease and in the transfer of deed of all Blocks in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said Blocks shall observe and comply with the City easements, private easements and private sewer serviced required for the servicing of this Plan and external lands to this plan, to the satisfaction of the City.

The Owner(s) further acknowledge that no landscaping, vehicular accesses, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading or drainage that services other lands and/or easements.

109. In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
110. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Hyde Park Road, adjacent to this plan to accommodate the proposed works and services on this street to accommodate this Plan (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City.
111. In conjunction with the first submission of engineering drawings, the Owner shall provide details how Block 4 will be serviced and accessed (eg. driveway locations, etc.), to the satisfaction of the City Engineer.
112. The Owner shall either register against the title of Blocks 1 and 2, inclusive, in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

Appendix “C” – Public Engagement

Community Engagement

Public liaison: Circulation - On April 9, 2019, Notice of Application was sent to 38 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 11, 2019. A “Planning Application” sign was also posted on the site.

No (0) replies from the public were received.

Nature of Liaison: 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road; approx. 10 hectares. The purpose and effect of this application is to consider a proposed draft plan of subdivision and zoning amendment to allow two (2) mixed use residential blocks, five (5) residential blocks, two (2) open space blocks, served by 1 new local street. Also, consideration of an amendment to the zoning by-law to change the zoning from Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC5(4)) Zone and an Open Space (OS1) Zone to a Business District Commercial Special Provision Bonus (BDC2(*)*B(*)*H22 to permit a range of commercial uses on the first floor and residential use above the first floor to a maximum height of 22 metres (approx. 6 storeys), a Residential Special Provision (R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*) Zone to permit a range of cluster forms of residential dwellings, including townhouses, street townhouses and apartments with 75 units per hectare and a maximum height of 14 metres (approx. 4 storeys), a Residential Special Provision (R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone to permit a range of cluster forms of residential dwellings, including townhouses, street townhouses and apartments with 75 units per hectare and a maximum height of 12 metres (approx. 3 storeys), an Open Space Special Provision (OS1(*) Zone and an Open Space Special Provision (OS5 (*) Zone . The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, that a subdivision agreement or development agreement is entered into and to ensure the completion of an archaeological assessment. An Environmental Impact Study has been prepared by Stantec Consulting Ltd. dated February 9, 2019 to assist in the evaluation of this application.

Agency/Departmental Comments

Development Engineering (June 13, 2019)

Please find attached the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Wastewater and Drainage Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

Zoning By-law Amendment

Development Services and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

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

Required Revisions to the Draft Plan

Note: Revisions are required to the draft plan as follows:

- i) Revise and identify an 18 metre easement at the south limits of Blocks 2 and 3 to the City for the existing City watermain.
- ii) Remove reference to access easements on the draft plan.
- iii) Transfer to the City, at no cost to the City, the lands along the northern portion of the existing SWM facility located in Part 25, Plan 33R-16526 of size and location as identified and required in the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class EA Addendum (2018) to accommodate a maintenance path, recreational path and access to the existing watermain, all to the satisfaction of the City Engineer.
- iv) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City.

Comments on Hydrogeological Assessment and Water Balance Report

The Stormwater and Engineering Division has reviewed the Hydrogeological Assessment and Water Balance Report and some of the specific things they would be looking for to supplement the existing information that has been submitted are as follows:

- Based on the borehole logs from the field investigation, monitoring wells at the Site were installed primarily within lower permeability material (i.e., aquitard units). Was there a rationale for not installing monitoring wells within BH8, BH10 and BH11, each of which encountered higher permeability units (i.e., sandy deposits more consistent with aquifer units)?
- The report indicates that groundwater flow is towards the west/southwest, based on an analysis of static groundwater levels observed at the Site. The report also indicates that the groundwater table is intercepted by the Stanton Drain. Based on these interpretations, groundwater flow from the Site could be inferred to be providing baseflow to both the woodlot to the west, and the ESA to the southwest. Please provide a discussion related to groundwater baseflow contributions to nearby significant natural heritage features.
- As noted in the nested monitoring well locations, downward gradients are located across the Site, suggesting that the area of the site is acting as a groundwater recharge area for the lower aquifer. The report calculates that the horizontal rate of flow within the aquitard unit is in the order of 1 m every 23 years, and concludes that the volume of water recharging the drain is likely minimal. Based on a review of the report, it is more likely that that recharge to the drain and ESA originate within laterally discontinuous higher permeability units, rather than within the lower permeable aquitard unit. Chemical analysis of water within the woodlot and drain obtained from existing piezometer locations should be compared with groundwater results to determine potential groundwater contributions from the Site.
- The section regarding groundwater dewatering to support construction activities is currently preliminary and general. Once final dewatering estimates are established please provide dewatering volume requirements and radius of influence estimates, as applicable, including proposed dewatering discharge location(s) and proposed erosion and sediment controls (ESCs) to be implemented during construction. Please note, that if City of London infrastructure is proposed as a final dewatering discharge location, the City's storm sewer system is preferred (as opposed to the sanitary sewer system). Please also note, that if City of London infrastructure is proposed as a final dewatering discharge location, approval from City Staff will be required and additional sampling activities may be necessary to support final discharge.
- As noted above, please provide a discussion on nearby natural heritage features and the potential development short-term (i.e. construction) and long-term (i.e. water balance) impact on these features.
- Please provide post-development water balance results, as appropriate, once the final development plans and layouts have been determined.
- As noted in the report, please provide details on Low Impact Development (LIDs) being considered for the Site, as appropriate, to mitigate water balance infiltration deficits. Further, if LIDs are being considered to manage stormwater flows at the

Site, additional information regarding the layout and depth of these LIDs will be required.

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

Staff Response: The necessary conditions have been added to draft approval and Holding provisions have been recommended through zoning.

Heritage/Archeological

Ecological (November 29, 2019)

Development Services (DS) has reviewed the Environmental Impact Study (EIS) completed by Stantec. Overall, DS notes there are multiple outstanding issues that need to be addressed so that the Report can be finalized and accepted by DS. The following comments must be addressed in order to be compliant with the City's Environmental Management Guidelines (EMG), London Plan policies, and the Provincial Policy Statement (PPS 2014). Please provide responses to show how comments have been addressed in either table/ memo format.

Detailed Comments on the EIS

1. Section 2.2 City of London Official Plan – Portions of this section appear to be outdated. This section needs to be reviewed and updated to the current planning environment. For example, Stantec indicates that the London Plan was adopted by Council in 2016, but that it is still waiting approval by the Minister of Municipal Affairs. The Minister approved the London Plan in December of 2016. There have also been iterations of the London Plan that highlight sections that are now in force and effect as they are no longer under appeal (see City of London Website for latest version). **Action: Review and update section accordingly.**
2. Section 3.2 Field Investigations – Table 3-1 does not accurately reflect all of the amphibian call surveys that occurred according to section 3.2.2. **Action: Review and update section.**
3. Section 3.2.2 Amphibian Call Count Surveys – Please note that the April 2017 date is quite late into the spring season, some species call quite early as soon as temperatures are suitable (>5C) and call for a short time window. It is possible that not all species/numbers were heard at this date, it is also noted that the temperature on this date was 18C, an earlier date where the temperature was more appropriate for early calling species should have been conducted. However according to numbers obtained, the ESA would be identified as SWH (woodlands) for breeding amphibians, it should be noted however that numbers are likely higher and potentially contain other species. **Action: Review and update this section and figures accordingly.**
4. Section 4.8 Vegetation Communities & 4.8.2 Wetlands – This sections identifies the narrow wetland habitats located along the spur line. These need to be properly identified on the figures as wetland habitat. Please see London Plan policies on wetlands (1330-1336). These meet the definition of wetland and should be identified as a proper ELC polygon and inclusion on the figures. Wetlands are required to be assessed under the OWES, if no PSW are located within 750m of the wetlands within the study area, a new assessment for significance should identify the likelihood of attaining PSW status for the complex of wetlands within the study area. As previously identified, this section needs to ensure conformity with the wetland policies of the London Plan. In this particular case, it should be identified that the wetlands located within the ESA should at some point in the future have the OWES applied, but given no field work was conducted within the broader ESA, it would be difficult to fully evaluate these wetlands that are not on the subject site. **Action: Review and revise section/ figures accordingly.**
5. Section 5.1 Significant Wetlands – Please review London Plan Wetland Policies (1330-1336). Wetland communities were identified on the subject lands as per the vegetation community assessment in the previous section, this was also confirmed by DS staff site visit and review. All wetlands are to be identified on the subject lands and provide additional comment on OWES evaluation, which policy indicates in required. Also,

please note that the London plan no longer has 'Locally Significant Wetlands'; all wetlands that are not identified as PSW are called 'wetlands' and are components of the NHS that are protected. The City of London has a no net loss approach to remaining wetlands on the landscape. **Action: Review and update this section/ figures accordingly.**

6. Section 5.2 Significant Woodlands – Revise this section to identify that the EMG document for evaluating woodlands is to be used for evaluating all woodlands. Many woodlands are <4 ha in size and are evaluated for significance as they could achieve another of the High criteria, as per OP policies. The 4 ha is used to automatically identify a woodland as significant if it is 4 ha or greater. While the ESA designation supersedes on the Map the significant woodland evaluation of the feature, please note that the woodlands adjacent to the site (west and south) would meet the criteria for significant woodland designation, this should be properly identified, and indicate that a full evaluation using the guidelines is not necessary as part of this process given its recognized status as an ESA. **Action: Review and update section accordingly.**
7. Section 5.3 Significant Valleylands – Please note, that according to the property line, the valleyland feature along with the ESA/Woodlands are on the subject site at the very southwest edge of the subject site. **Action: Review and revise section accordingly.**
8. Section 5.5 Significant Wildlife Habitat – This section needs to be reviewed as it does not properly apply and identify the SWH criteria to features located on/ adjacent to the subject site. The ESA meets the criteria for SWH Breeding Amphibians (Woodlands), the criteria indicate that a total of 20 individuals combined from two or more of the listed species meet criteria for significance. At station one, the minimum number of individuals identified by Stantec are as follows: 17 Spring peepers, 2 Chorus frogs, and 5 Gray tree frogs. This totals >20 individuals from a combination of 2 or more species. Also of note is that these numbers do not reflect an early spring calling count survey, nor do they reflect any additional visual searches for additional (non-calling individuals, i.e. females). Other stations also recorded large number of individuals within 120m of woodlands. During a site visit by DS staff, tadpoles were documented in the linear wetlands along the spur lines as well as Terrestrial Crayfish Chimneys (Pictures taken by DS staff), which would also meet criteria for SWH for Terrestrial Crayfish. Did Stantec search for any seeps on the slopes associated with the ESA? **Action: Review and revise section accordingly/ Figures accordingly.**
9. Section 7.0 Proposed Development and Section 8.0 Impact Assessment – These sections need to more clearly articulate the buffers and the ultimate development setback. This section indicated that the ultimate setback is 30m from the ESA, but that the buffer is only 15m. The EMG buffer calculation for this feature supports a larger buffer, this calculation was not provided in the EIS. It should be noted that the pathway can be located inside of the buffer if the buffer is large enough (in the range of 30m), but positioned at the outermost area of the buffer. The ultimate 30m setback identified by Stantec should be identified as the buffer and the pathway block located inside of this area. The pathway should not be located a 15m buffer as identified in the EIS, this is not consistent with the EMG. **Action: Review and revise section accordingly to provide a 30m buffer along the rear of the property adjacent to the ESA and a pathway block at the outermost (but within) the 30m buffer.**
10. Section 9.0 Mitigation Measures and 10.0 Conclusion and Recommendations – These sections are lacking in detail typically expected from an EIS. The identification of compensation (relocation) of the wetland features within the spur lines to the buffer at the rear of the site. These can be easily accommodated as a habitat feature within the buffer, which will provide a net benefit to the NHS (see London Plan wetland policies). The recommendations need to be a clear itemized list of what is required and recommended by Stantec to ensure these items/ requirements are carried forward to draft approval and detail design. For example, SEC measures, need for restoration plan (and goals/objectives to follow) when this is created, homeowner brochure on living next to natural areas, bird friendly designs required, SWM controls, any water balance/hydro G considerations to protect the adjacent features/functions, tree preservation report. Some of these recommendations are quite standard and found in other EIS documents. Please note that during the DS site visit it was identified that someone had recently cut down and uprooted all trees located within the subject site, Council has a clear policy that vegetation on a subject site is not to be altered until it has been assessed and reviewed. All vegetation is to be assessed as part of the process and not removed until

draft approval is granted. The current format in this EIS is not consistent with the EMG requirements. **Action: Review and revise section accordingly.**

11. Figures – Figures are to be on 11x17 and clearly identify the NHFs, buffers, and other blocks. **Action: Review and revise figures.**
12. Net Effects Table – No net effects table has been provided, please ensure all sections identified in the EMG are present within the EIS document. **Action: Review and revise EIS.**
13. Appendices – the appendices are not complete. They are to include all data sheets (ELC, Amphibians etc.), and brief CVs of staff that worked on this project. **Action: Review and revise appendices accordingly.**

Urban Design (December 16, 2019)

I have reviewed the revised materials for the subdivision application at the above noted address and provide the following comments:

1. Re-align Street 'A' (north) to continue straight along the north property line in order to ensure possibilities for street frontage, and potential extension of public streets, on the property to the north. This will avoid the creation of the triangular shaped east portion of Block 7, which will be difficult to develop without acquiring property to the north.
2. Provide for special provision to all requested zones, including:
 - a. Reduced front yard and exterior side yard setbacks in order to allow for buildings to be located closer to the any street frontage;
 - b. Specific height regulations to ensure a transition in height occurs across the subdivision from east to west; and
 - c. Specific regulations to ensure street orientation.

Staff Response: Street 'A' has been re-aligned accordingly and the necessary zoning provisions have been recommended to satisfy the Urban Design concerns.

Urban Design (May 19, 2020)

I have reviewed the revised materials for the subdivision application at the above noted address and provide the following comments:

- Comments related specifically to the creation of "Bonusing Criteria":
 - The Bonusing Criteria should speak to elements of the proposal that are not covered in the requested Zoning regulations and/or site design elements found in the Site Control Area By-Law. The Bonusing Criteria should provide the City, the general public, and the future developer of the site a clear vision, and certainty of what is to be built on the lands while providing for some architectural flexibility in the ultimate design. This guidance should be contextual and site specific rather than general. The following headings and elements should be described to provide for a better understanding of the Bonusing Criteria.
 - Site Development:
 - Building Siting – This section should speak to the location of buildings;
 - Pedestrian Connectivity – This section should cover pedestrian connections and potential for mid-block connections between the interior of the site and the Hyde Park Road frontage;
 - Access and Parking – This section should speak to how parking is intended to be integrated into the design, is it underground, surface, structured, the treatment of parking along street edges (if this condition is expected to exist), general locations or intentions related to vehicular access.

- Common Amenity Areas – This section should cover generally the intent behind any proposed amenity area(s), sizes of amenity area(s), and general location(s)
- Built Form:
 - Building Design – This section should speak to the intended design of the building(s) including, but not limited to: massing, articulation, relationship to the street (orientation, glazing, active uses), ground floor heights, materials, contextual design features, etc...
 - Figures should be developed to demonstrate some or all of the concepts above.
- Comments related specifically to the submitted “Bonusing Criteria”:
 - *Bonusing Criteria d, e, and f* should be updated and further expanded on in regards to the framework set out above;
 - *Bonusing Criteria a* should be removed as this is dealt with through the zoning. However if there is a desired heights to be in certain locations vs. others or to promote continuity between the two blocks, as they could be developed by different developers, the desired heights could be included as part of the section on Built Form – Building Design;
 - *Bonusing Criteria b* would not be in-keeping with current Official Plan policy or the Hyde Park Community Design Guidelines and as such would not be a desired outcome. Mid-rise building do not require a podium, instead a step-back above the 2, 3 or 4th storey (depending on the ultimate height of the buildings) would be appropriate and sufficient along the Hyde Park frontages in order to provide for a human scaled environment along the street;
 - *Bonusing Criteria c* is confusing as it speaks to multi-storey buildings along the Hyde Park Road frontage, is there a possibility that the buildings along the Hyde Park frontage will be single story? This would go against the intended certainty of the Bonus Zone.
- Comments related specifically to the proposed zoning regulations along the Hyde Park Road Frontage:
 - The height regulation should include a step-back above a decided upon storey this could occur above the 2, 3, or 4th floor.
 - In line with recently proposed changes to BDC zones city-wide, by City Planning, the front yard setback minimum should be increase to 1m in order to reduce the need for encroachment agreements.

Urban Design (August 4, 2020)

I have reviewed the revised materials for the subdivision application at the above noted address and provide the following comments:

- The previous staff comments described the approach and layout of the Bonusing Criteria required in order to proceed with this type of Bonus Zone. The applicant provided most of the required materials within their last submission, however the resulting proposed Bonus Criteria, found within the proposed Zoning Table requires further refinement to capture the previously mentioned requirements. The submitted bonusing criteria has been reviewed and proposed changes are found below. These changes generally incorporate the wording found in the latest submission, including the “building design guidelines”, while streamlining the language of this section. The Bonus Criteria must be clear, understandable and implementable as everything within the Bonus Criteria must be achieved, through the Site Plan Process, in order to avail of the bonus zoning.
- The following is the proposed revised “Bonusing Criteria”:

- Site Development
 - Building Sitting:
 - Buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street;
 - All service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street.
 - Pedestrian Connectivity:
 - Mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A';
 - Walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A'.
 - Access and Parking:
 - Vehicular access for both Blocks 1 and 2 shall be provided from Street 'A'.
 - No parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage.
 - Low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A'.
 - Common Outdoor Amenity Areas:
 - Outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block.
 - These spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation.
 - These spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space.
 - Enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments
- Built form
 - All buildings:
 - The development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass;
 -
 - Buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies

- Buildings along Hyde Park frontage:
 - The design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
 - Buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road.
 - The ground-floor street facing façade shall be comprised primarily of floor-to-ceiling vision glazing for views into and out of the building contributing to an animated streetscape;
 - Permanent architecturally-integrated canopies shall be installed above the first floor to architecturally differentiate the building base and provide overhead protection from natural elements;

- Buildings along the Street 'A' frontage:
 - The development shall provide street-oriented features for residential buildings, including: individual entrances to ground floor units with operable and lockable front doors, private amenity areas designed as enclosed courtyards with a combination of planters and low decorative fencing, and pedestrian scale features such as lighting and weather protection.

- The following is a proposed change to the proposed zoning regulations along the Hyde Park Road Frontage in order to ensure appropriate height of the ground floor for the mixed use buildings;
 - Building height (maximum): 22 metres
 - Ground floor height (minimum): 4.5 metres for the ground floor

Staff Response: Staff has worked with the applicant to refine the above mentioned bonusing criteria and special provisions which has been recommended through the proposed zoning by-law.

Parks Planning (November 28, 2019)

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 2% for commercial uses. Parkland dedication calculations for the proposed development are listed in the table below. It is the expectation of E&PP that the majority of the required parkland dedication will be satisfied through land dedication with the remainder as a cash-in-lieu payment.

- The table below summarizes the information as per the submitted Plan.

Land Use	Area (ha)	5% Area	Expected Dedication (ha)
Site Area	10.1	0.51	0.51
Required Parkland			.051
Parkland Dedication– Block 9			

Land Use	Area (ha)	5% Area	Expected Dedication (ha)
Open Space dedication – Block 8 @ 1:27			
Total Dedication on Plan			
Outstanding Over Dedication Balance			

- As per discussions with the City ecologist, the multi-use pathways could be located within an expanded 30 meter ecological buffer. A separate 5 meter wide block within the buffer is to be created to assist in the calculation of parkland dedication.
- If the buffer width is not increased, an 8 meter wide park block will be required outside of the buffer for the multi-use pathway.
- Within the southeast corner of the site, the pathway block is proposed south of the safety berm. For safety and operational requirements, the pathway block is to be located north of the safety berm.
- The value of parkland dedication will be calculated once the width of the buffer lands has been finalized.
- The balance of parkland dedication that is not satisfied with land dedication will be taken as cash-in-lieu.
- Prior to the submission of the first engineering drawings, the owner shall consult with Environmental and Parks Planning Division to prepare:
 - - A concept/buffer plan for all open space blocks, and
 - A concept plan for all proposed pathway blocks
- As part of the first engineering submission, the Owner shall prepare an education package as approved by the City Planner that explains the stewardship of natural areas and the value of existing tree cover. The owner shall ensure that the education package is deliver to all purchasers and transferees of the lots in this plan.
- The Owner shall construct a 1.5m high chain link fencing without gates and/or property monuments in accordance with current City park standards or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing and/or the installation of monuments shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.
- The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.
- Prior to the submission of the first engineering drawings, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site

inspection reports submitted to the Development Services Division monthly during development activity.

Staff Response: Through the planning process Parks Planning Staff has worked with the applicant to address the above mentioned comments. Parks Planning Staff is satisfied with the proposed development and has addressed any concerns through conditions of draft approval.

Environmental and Ecological Planning Advisory Committee (EEPAC) – May 2, 2019

OVERVIEW

The parcel of land is located west of Hyde Park Road near the T-intersection with Sarnia Road and consists primarily of agricultural fields separated by an abandoned railway spur. To the west the Stanton Drain and the associated Kelly Stanton Environmentally Significant Area north flank the Subject lands. The south edge of the site is bounded by the railway.

The key environmental features are located off-site and include the Stanton Drain flowing through the Kelly Stanton ESA (south) and the Kains Road River Valley (ANSI) to the south of the CN Railway.

The three areas of concern are:

- a. the width of the buffer, bordering the Kelly-Stanton ESA (south) and the plan for a multi-use pathway in the buffer;
- b. the stormwater management strategy. Where development occurs there will be a reduction of water infiltrating to the subsurface due to the impervious surfaces and;
- c. lack of detail regarding the management of invasive species and an the need for enhancement through the planting of native species

Buffer:

On the west side a “15 m Open Space block (Block 9) will be dedicated to the City - Future development to the east of Block 9 will respect a 30 m from the edge of the vegetation (8.1)-will this be taken from Block 6? Will native species be planted?

Recommendation 1: Clearly delineate the 30 m buffer adjacent to the Kelly Stanton ESA on drawings and plans.

*Extend the Hyde Park Rotary Link multi-use trail along the eastern boundary of the Kelly Stanton ESA . . . in accordance with the approved but appealed map 4 - “Active Mobility Network” of the London Plan (7.2:) . It is further described that when decisions are made as to the pavement of pathways/trails that *buffer zones as locations for trails should be considered as it provides for public connection to the natural environment amenity (8:1:)**

Is a hardened trail surface planned? p.123 in “Environmental Management Guidelines”, City of London, 2007 states that impervious surfaces are not permitted in a buffer.

Recommendation 2: Situate this portion of the Hyde Park multi-use trail outside of the 30 m buffer adjacent to the Kelly Stanton ESA.

Stormwater Management Strategy

Subject site located on an area that is part of the Stratford Till Plain upon the Area Moraine

This area functions as part of a groundwater recharge area; but is not considered to be a notable contributor to groundwater recharge in the region because of the soil type. Groundwater flows into the Stanton Drain from the surrounding landscape and contributes to the base flow in this watercourse (4.1). In terms of vegetation there is an

area of “ *Fresh-Moist Mixed Meadow* identified in Block 1. Several possible LID measures are described; but the conclusion is reached that the *key constraint in using several of the LID measures is the position of the seasonally high groundwater table (7.1)*. The “Geotechnical Report, on-line describes the post-development drainage pattern with most of the area being drained to ditch running along a berm separating the site from the rail line. Information isn’t provided on where the ditch ends and possible problems with erosion. The EIS suggests this will come at detail design.

Recommendation 3: Identify steps taken to prevent erosion from surface water runoff where it is discharged towards the slope to the west of the site.

Recommendation 4: The proponent be required as a condition of development to demonstrate to the satisfaction of the City and the UTRCA how it will control flow rates under storm conditions greater than the 2 year storm.

Landscape Planting

Table 4.1 identifies the growth of buckthorn on the west edge of the site (FODM4) extending up to the buffer. Also, there is no environmental management plan in the EIS nor suggested as part of the development agreement. There is no master plan or trail plan in place for this part of the Natural Heritage System,

Recommendation 5: As a condition of development, the proponent be required to remove invasive species and landscape with native species in and adjacent to the buffer, including hawthorn or other similar native shrubs that will discourage people from leaving the multi-use pathway.

OTHER ISSUES

The EIS indicates that there are western chorus frogs in the ESA to the west of the site as well as in the SWM facility at the southeast portion of the site. There is no consideration given to the connection between the two areas as it is likely the frogs move between the sites. Western Chorus Frogs were recommended to be listed as threatened by COSEWIC.

Recommendation 6: A vegetated corridor must be maintained between the SWM facility and the ESA.

Recommendation 7: As a condition of development, the proponent be required to provide informational signage to the satisfaction of the City explaining the significance of the ESA and the western chorus frog population

On Map 5 of the London Plan, the lands identified as ESA in the EIS are not named. It is unclear to EEPAC why the EIS calls the section of the Kains Woods ANSI to the south as Kelly Stanton ESA south when it is clearly shown on Map 5 as part of the ANSI. It is also unclear why the area in between the two rail lines is its own ESA.

Recommendation 8: The areas called Kelly Stanton ESA be shown on Map 5 be included in the boundary of the Kains Woods ANSI.

MULTI-USE PATHWAY

Recommendation 9: As Council has declared a climate emergency, the materials used for the multi-use trail should be permeable.

Recommendation 10: Please indicate the “end” point (where the pathway is leading to) for the multi-use pathway.

MEMM4-FRESH-MOIST-MIXED- MEADOW ECOSITE

Recommendation 11: Characterize and provide further information such as history, size, seasonal water level pattern and any environmental services provided to the local niche.

Tracking record of such small ecosite which are lost due to development may facilitate to make decision regarding collective effect.

Staff Response: Development limits have been determined throughout this review process with appropriate buffers being provided. Portions of any trail/pathway within the accepted buffer will be located at the outermost edge of the buffer where possible. The conditions of draft approval and subsequent design meetings prior final approval being grant will address the matters raised by EEPAC in their memo.

Upper Thames River Conservation Authority (June 12, 2019)

Geotechnical Investigation - Slope Assessment

UTRCA staff has reviewed of the Geotechnical Investigation - Slope Assessment – North West Crossings, London ON, prepared by exp dated November 2018. We offer the following comments:

1. The toe of the existing slope is situated less than 15 meters of the Stanton Drain. The MNR guidelines require that a suitable toe erosion component be considered in the stable slope analysis. The proposed 2 metre toe erosion component may not be sufficient when considering the local depth of Stanton Drain, the distance between the top of bank and the toe of the existing slope, the type of local soil and the erosive forces and velocities. The frequent spills/overflows from the Stanton Drain may affect the toe of the existing slope. Please add a suitable toe erosion component to the stable slope analysis as per the MNR guidelines which considers the site conditions such local native soil, erosion and bank full velocity etc.
2. The UTRCA requires that the existing top and toe of the slope be identified through an actual survey in the field and not through using the contours of the site. Please confirm that the top and toe of the slope were identified in the field through an actual survey.
3. In Section 2.3, it is mentioned the Factor of Safety (FOS) analysis used Slope/W computer program. Please provide the cross-sections and other details used in the computer program for the FOS analysis of the slope.
4. Why has only cross-section been used to determine the development setback for the entire site? How is the one cross section used for the stable slope analysis and development setback representative of the overall slope and conditions of the site? The UTRCA recommends that additional cross-sections be provided in order to accurately represent the local slope condition and the development setback.
5. The information shown on the cross-sections shall match with the information on the site plan. The location of the cross-sections shall be at critical locations of the site and should be based on a site inspection. Justification for the location of the cross-sections should be provided in the report.
6. Please resubmit Drawing 1 titled Site Plan as a full size drawing with a suitable scale showing the location of the cross-sections, existing top of slope, toe of slope, toe erosion component, stable top of slope and the 6 metre erosion access allowance, signed, sealed and dated by P.Eng supported by contour information.
7. Please resubmit Drawing 2 showing the cross-section on 11x17 paper with suitable horizontal and vertical scales showing the existing top of slope, toe of slope, toe erosion, stable top of slope and the 6 metre erosion access allowance, signed, sealed and dated by P.Eng.
8. In section 2.2, it is mentioned that the site reconnaissance was undertaken on March 1, 2018 and in Section 4.2.1.1 it is reported that no seepage zones were observed. The timing of the site reconnaissance in winter and if there was snow on the site, would have made it difficult to observe any seepage on the face of the slope. The UTRCA recommends that a subsequent site visit be

undertaken and that pictures be taken in order to accurately report the site conditions including seepage, vegetation etc.

9. Please report the groundwater elevations if any, near the top of the slope and describe the nature and occurrence of groundwater. Please provide an opinion on the likely seasonal variations in groundwater levels or flows and the possibility for changes from those encountered at the time of exploration.
10. Please report any existing drainage features such as surface runoff, swales, gully etc. on the slope. Please note the UTRCA does not allow any drainage features within the 6 metre erosion access allowance.
11. The natural hazard lands should be appropriately zoned – either OS4 or OS5.

Environmental Impact Study

Given that no seepage zones or wetlands were observed on the slope, the UTRCA will defer the review of the EIS (**1176, 1200 & 1230 Hyde Park Road City of London Environmental Impact Study** Stantec, February 24. 2019) to the City of London's ecologist.

We offer the following comments for consideration –

Section 8.1 pertains to the proposed buffers and setback that are to be provided to protect the natural heritage features from the proposed development. Please provide a figure which clearly shows the 15 metre and 30 metre setbacks.

In Section 8.4 it is indicated that no watercourse crossings are required but then on the page numbered 8.2 it is stated that "Indirect impacts to fish habitat that may occur during construction of crossing include...." Please clarify whether there will be a watercourse crossing.

Stormwater Management (SWM)

The UTRCA has reviewed the North West Crossings Preliminary Stormwater Management Report prepared by MTE dated February 5, 2019.

Please ensure that the 250 year storm event which is the regulatory storm event is incorporated into the analysis.

In Section 5 Conclusions and Recommendations, it is indicated that the site contributes flows to the Stanton Drain directly and indirectly and that both outlets will be utilized post development. Please show the outlets on the plan of subdivision.

On p. 7 it is indicated that:

- Flow from Blocks 4-7 and the north half of Street A will flow west to Stanton Drain
- Blocks 4 & 5 will outlet through Open Space Blocks 8 & 9 and discharge to Stanton Drain on the south side of Block 6.
- Flows from Block 6 can be combined with flows from Blocks 4 & 5 or given a separate discharge location.

In addition, Figure 3.1 Post Storm Area Plan shows storm sewers directing flows to the slope at two locations. The UTRCA has concerns regarding the potential impacts of the runoff – erosion on the slope.

Please address.

Please provide more detail regarding the "proposed ditch" in Blocks 8 & 9.

RECOMMENDATION

Given the UTRCA's outstanding concerns regarding the proposed development, we recommend that this application be deferred in order to provide the applicant with the opportunity to respond to the comments.

Staff Response: required applicant to address UTRCA concerns prior to the application moving forward..

Upper Thames River Conservation Authority (June 12, 2019)

Further to our comments dated June 19, 2019, the Upper Thames River Conservation Authority (UTRCA) has reviewed:

2. **Responses to City of London and Upper Thames River Conservation Authority Comments Regarding the Final Proposal Report Application Package for Northwest Crossings (#TS2017-001), Zoning By-law Amendment and Plan of Subdivision 1176, 1200 & 1230 Hyde Park Road** prepared by Monteith Brown Planning Consultants (MBPC response letter) dated April 9, 2020.
3. **Slope Assessment Farhi Holdings Corporation North West Crossing London**, prepared by exp dated December 2019.

We offer the following comments and conditions.

SLOPE ASSESSMENT

While we are generally satisfied with the revised report, drawings and cross sections prepared by exp (December 2019), the following comments are to be addressed in a FINAL geotechnical report to the satisfaction of the UTRCA.

1. Please submit the borehole log for borehole MW1-18 shown on Drawing 1 providing details including groundwater depth, soil stratigraphy and other variables commonly shown in a borehole log.
2. In Section 1.5 it is noted that a 15 m wide multi-use pathway followed by medium residential development is proposed whereas on P.4 of the MBPC response letter it is indicated that a 30 metre buffer from the Kelly Stanton is to be provided which includes a 5 metre wide block for the pathway. Please clarify the pathway location and confirm that all development including the pathway block is located outside of the 6 metre erosion access allowance.
3. Section 1.8 mentions surficial soils on the face of the slope and minor long-term erosion due to weathering. Please confirm if the aforementioned erosion has been considered in the stable slope analysis and if an annual recession rate is required to be applied using minimum 25 year erosion data as per the MNR guidelines for surficial erosion.
4. Please resubmit Drawing 1 and Drawing 2 supported by contour information to confirm various components of the slope shown on the cross section profiles for all the three cross sections considered for this site.
5. Profile 1 and 3 shows the FOS on the cross section used in the W/slope analysis but profile 2 does not show the FOS as result of the Slope/W analysis. Please provide justification or resubmit profile 2 with the FOS.

STORMWATER MANAGEMENT

In our June 19, 2019 correspondence, the UTRCA provided the following comments on the **North West Crossings Preliminary Stormwater Management Report** prepared by MTE dated February 5, 2019 -

1. Please ensure that the 250 year storm event which is the regulatory storm event is incorporated into the analysis.
2. In Section 5 Conclusions and Recommendations, it is indicated that the site contributes flows to the Stanton Drain directly and indirectly and that both outlets will be utilized post development. Please show the outlets on the plan of subdivision.
3. On p. 7 it is indicated that:
 - Flow from Blocks 4-7 and the north half of Street A will **flow west to Stanton Drain**.
 - Blocks 4 & 5 will outlet through Open Space Blocks 8 & 9 and **discharge to Stanton Drain** on the south side of Block 6.
 - Flows from Block 6 can be combined with flows from Blocks 4 & 5 or given a separate discharge location.

In addition, Figure 3.1 **Post Storm Area Plan** shows storm sewers directing flows to the slope at two locations. The UTRCA has concerns regarding the potential impacts of the runoff – erosion on the slope. Please address.

4. Please provide more detail regarding the “proposed ditch” in Blocks 8 & 9.

On P.6 of the MBPC response letter it is indicated that –

MTE has confirmed that the comments received from UTRCA regarding the Preliminary Stormwater Management Report are minor in nature and will be addressed with the final SWM report that will be submitted during the detailed design phase, following Draft Approval.

The UTRCA’s stormwater management comments are to be addressed in a Final SWM Report to our satisfaction.

ENVIRONMENTAL IMPACT STUDY

The report titled **1176, 1200 & 1230 Hyde Park Road City of London Environmental Impact Study** prepared by Stantec dated February 24, 2019 was reviewed by the UTRCA. On P. 4.7 t, in Section 4.8.2 Wetlands it is stated that -

No wetland communities or unevaluated wetlands were identified on the Subject Lands during ELC surveys.

However, on P.5 of the MPBC response letter it is indicated that -

*Our client is also agreeable to the relocating the **wetland features** (vernal pools) on the sanitary pipeline easement to the buffer area.*

The Conservation Authority regulates natural hazards including wetlands in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. In cases where a discrepancy in the regulation limit mapping occurs, the text of the regulation prevails and a feature identified on the landscape may be regulated by the Conservation Authority. 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. Accordingly the UTRCA requests that a FINAL EIS be prepared to our satisfaction which addresses the Conservation Authority’s interests including but not limited to the wetlands which are located on the subject lands. Please note that this information is required for both the Planning Act application approval process as well as our Section 28 permit approval process.

UTRCA’S CONDITIONS OF DRAFT PLAN APPROVAL

The UTRCA is confident that the outstanding concerns/interests that are detailed in this correspondence can be addressed to our satisfaction through the preparation of Final reports and our Section 28 permit approval. Accordingly, we request the following conditions of draft plan approval:

1. In conjunction with the Focused Design Studies submission, that a Final Geotechnical Report be prepared to the satisfaction of the UTRCA which addresses the outstanding comments/concerns regarding the slope assessment.
2. In conjunction with the Focused Design Studies submission, that a Final Environmental Impact Study be prepared to the satisfaction of the UTRCA that addresses our interests including but not limited to the wetlands and habitat compensation.
3. In conjunction with the Focused Design Studies, that a Final Stormwater Management Report be prepared to the satisfaction of the City of London and which also addresses the interests of the UTRCA.

4. In conjunction with the Focused Design Studies submission, that a Water Balance Analysis be prepared to the satisfaction of the UTRCA to address the concerns identified through the review of the EIS and the SWM report.
5. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, that the Owner/Proponent obtain the necessary permits and approvals from the UTRCA prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

Staff Response: Through conditions of draft approval and future review of a revised EIS, outstanding UTRCA concerns will be address through future processes.

London Hydro (April 24, 2019)

Servicing the above proposal should present no foreseeable problems. Any new an/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. A blanket easement may be required.

Note: Transformation lead times are minimum 16 weeks.

Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

CN Rail – April 15, 2019

Thank you for circulating CN Rail on the rezoning application for the project proposed by Northwest Crossings London Limited at Hyde Park Road and Gainsborough Road.

This site abuts CN's Strathroy subdivision, which is a principal main line (PML). CN has concerns about increasing residential density in proximity to our lines for reasons of public safety and security.

Attached are CN's criteria for development in proximity to our PML. We request that these standards are entered and required conditions to be met before subdivision is granted. We anticipate the opportunity to review and sign off on the noise study and SWM plans for this project.

PRINCIPAL MAIN LINE REQUIREMENTS

- A.** Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
- B.** The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
- C.** Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
- D.** The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.

- E. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- F. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- G. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
- H. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
- I. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Staff Response: The appropriate conditions have been included in the draft approval.

Canada Post (April 15, 2019)

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program. I will specify the conditions which I request to be added for Canada Post Corporation's purposes. The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post:

- a) include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) the owner further agrees to:
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps

are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, please update our office so that we may determine any impact on mail service.

Canada Post appreciates the opportunity to comment on the above noted application and looks forward to working with you in the future.

Staff Response: Community mailbox locations will be addressed at detailed design for the subdivision. No condition added.

CP Rail – June 5, 2020

The Canadian Pacific Railway (CPR) is approximately 190 meters from the proposed development whereas it directly abuts the Canadian National Railway corridor.

On behalf of CPR, we have the following comment:

We request that the applicant be made aware of CPR's standard warning clause:

"Warning: Canadian Pacific Railway or its assigns or successors in interest has or have a railway right-of-way located within 300 metres from the subject site. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way."

Staff Response: The appropriate conditions have been included in the draft approval.

Appendix “F” – Policy Context

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

Provincial Policy Statement

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1

1.1.3 Settlement Areas

1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6

1.2 Coordination

1.4 Housing

1.4.1

1.5 Public spaces, recreation, parks, trails and open space

1.5.1

1.6.7 Transportation Systems

1.6.7.4

2.0 Wise use and management of resources

2.1 Natural heritage

2.1.1, 2.1.4, 2.1.5, 2.1.6, 2.1.8

London Plan

Our Strategy: 58_; 59_8; 61_2; 62_11

Our City: 172_; 189; 191; *193_

City Building: *189-306; 307_; 333_; 336_; *357_; 408_; 410_6, 8; 425_; *518_; 687_; 690_;

Place Type Policies: 761_7; *Table 10; 877_1,2; 878_2; *921_

Our Tools: 1576_; *1577-1578_; 1610_; *1638-1647_

1989 Official Plan

Chapter 2 Planning Framework

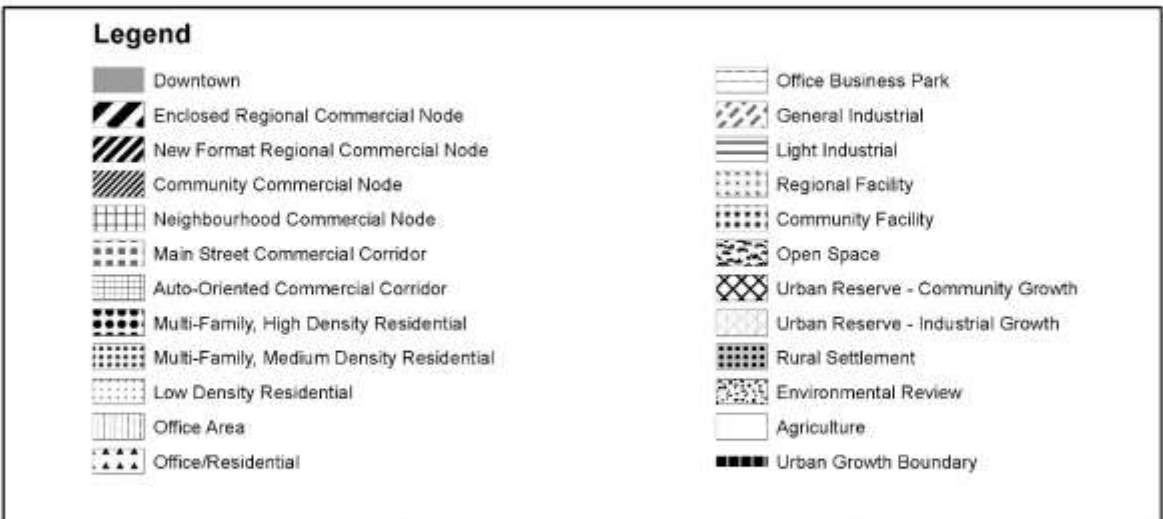
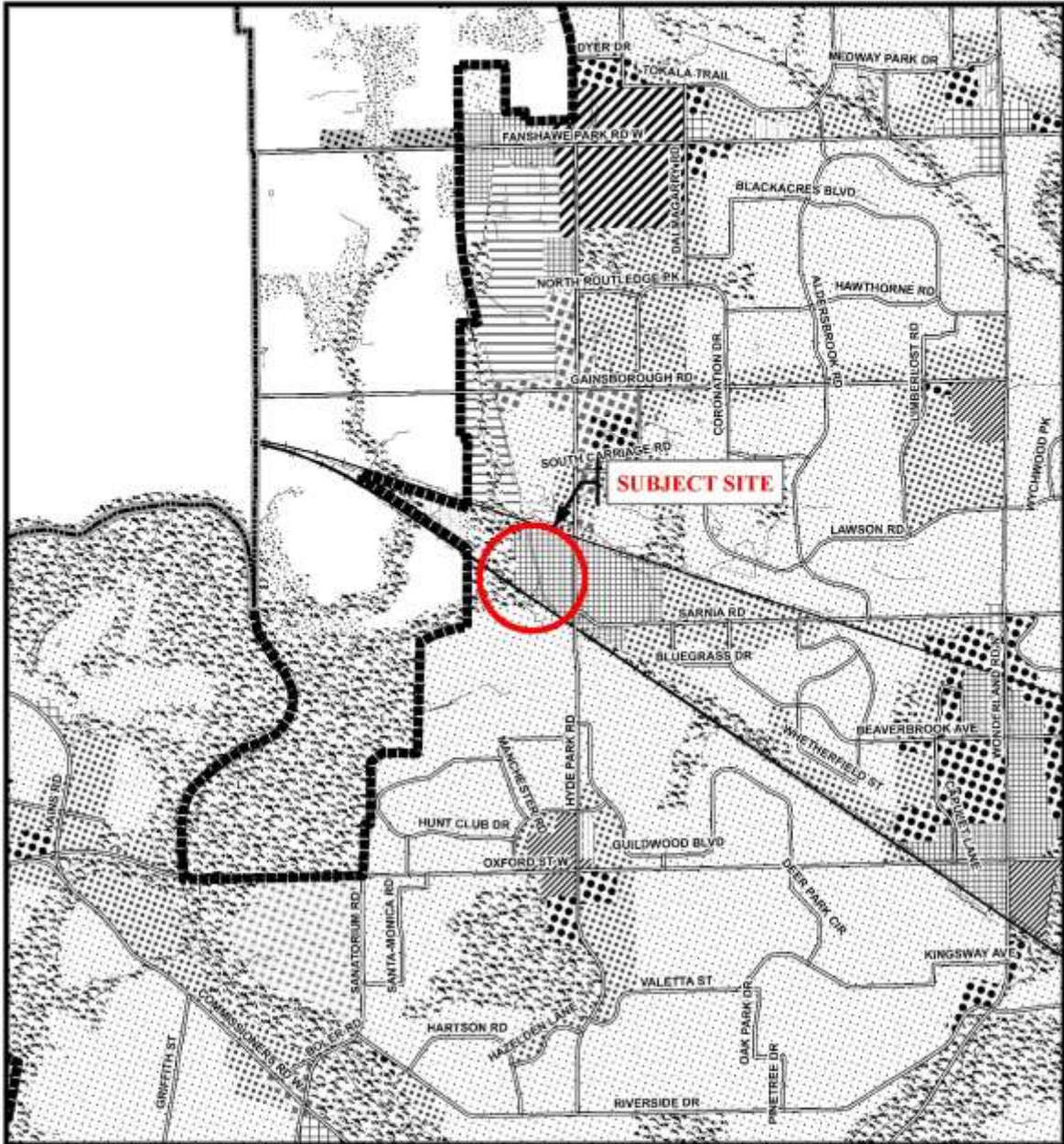
Chapter 10 Policies for Specific Areas: 1176, 1200, and 1230 Hyde Park Road clxvii).

Chapter 11 Urban Design Principles

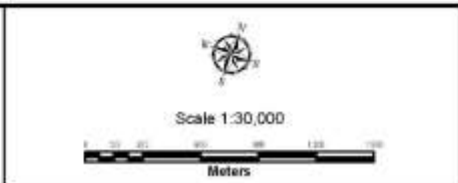
Chapter 15 Environmental Policies

Chapter 19 Implementation

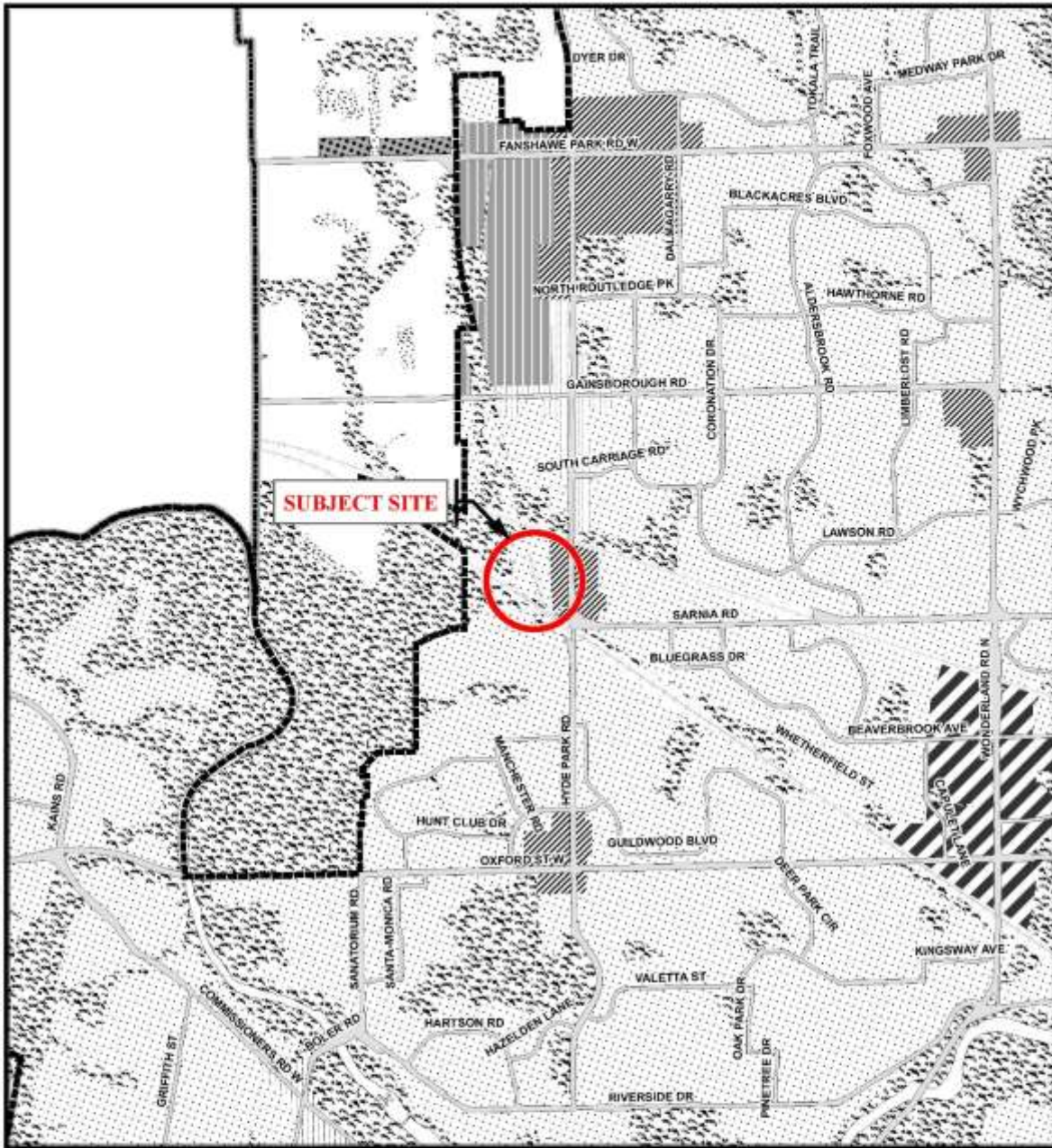
Additional Maps



CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9040
PLANNER: MC
TECHNICIAN: RC
DATE: 2020/08/20



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.

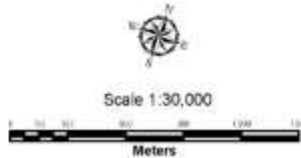
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

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

PREPARED BY: Planning Services

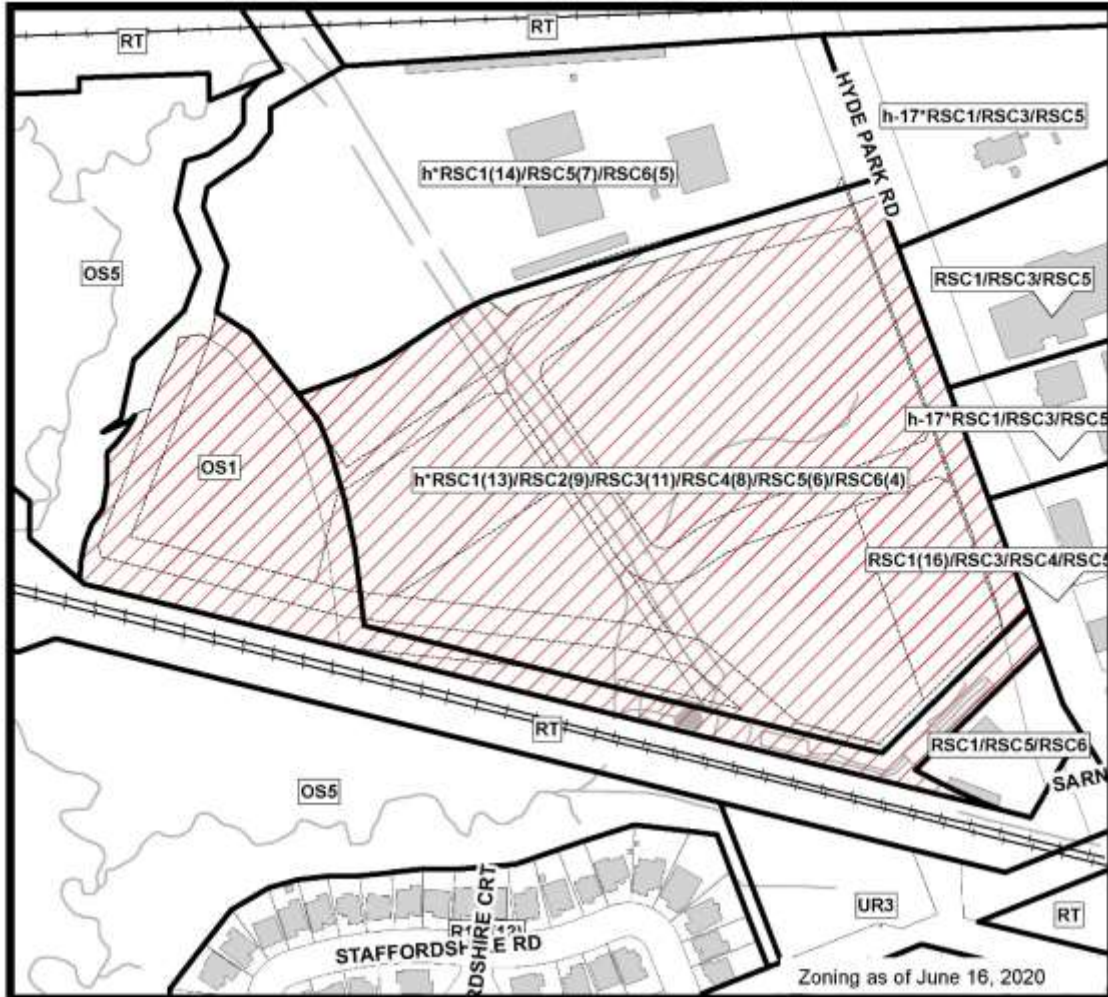


File Number: Z-9040

Planner: MC

Technician: RC

Date: August 20, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | AG - AGRICULTURAL |
| AC - ARTERIAL COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| CC - CONVENIENCE COMMERCIAL | RT - RAIL TRANSPORTATION |
| SS - AUTOMOBILE SERVICE STATION | |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HOLDING SYMBOL |
| OR - OFFICE/RESIDENTIAL | "D" - DENSITY SYMBOL |
| OC - OFFICE CONVERSION | "H" - HEIGHT SYMBOL |
| RO - RESTRICTED OFFICE | "B" - BONUS SYMBOL |
| OF - OFFICE | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
Z-9040 MC

MAP PREPARED:
2020/08/20 RC

1:3,250

0 20 40 80 120 160 Meters

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

Bibliography of Information and Materials
39T-19502/Z-9040

Request for Approval:

City of London Subdivision Application Form, completed by MBPC, submitted March 13, 2019.

City of London Zoning By-law Amendment Application Form, completed by MBPC, submitted March 13, 2019.

MHBC, Proposed Draft Plan of Subdivision with Zones, March 8, 2019.

MBPC. Proposed Draft Plan of Subdivision, Part of Lots 25 and 26 Concession 3 RP 33R-16526 Parts 2, 3, 4, 5, 7, 13 to 15 & 18 to 20 & Pt Part 8 City of London, County of Middlesex, March 11, 2019.

MPBC, Cover letter Zoning By-law Amendment and Draft Plan of Subdivision Application, March 13, 2019.

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, 2014.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *The London Plan*, June, 2016, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Submitted Reports:

MBPC, Final Proposal Report, March 2019

MBPC, Urban Design Brief. March 2019

Stantec, Environmental Impact Study, February 24, 2019

Stantec, Hydrogeological Assessment, February 25, 2019

EXP Services Inc., Geotechnical Investigation – Slope Assessment, November, 2018

EXP Services Inc., Geotechnical Investigation, February 25, 2019

Paradigm Transportation Solutions Ltd., Traffic Impact Assessment, November 2018

Development Engineering Ltd., Noise and Vibration Assessment, October 5, 2017

AECOM, Stage 1-2 Archaeological Assessment, 1176 & 1230 Hyde Park Road, July 31, 2018

AECOM, Supplementary Documentation, Stage 1-2 Archaeological Assessment 1176 & 1230 Hyde Park Road, July 31, 2018

MTE, Preliminary Stormwater Management Report Geotechnical Investigation, February 5, 2019

Revised Submission:

MPBC, Cover letter Responses to City of London and Upper Thames River Conservation Authority Comments Regarding the Final Proposal Report Application

Package for Northwest Crossings (#TS2017-001), Zoning By-law Amendment and Draft Plan of Subdivision Application, April 9, 2020.

AECOM, Stage 3 Archaeological Assessment, 1176 & 1230 Hyde Park Road, November 27, 2019

AECOM, Supplementary Documentation, Stage 3 Archaeological Assessment 1176 & 1230 Hyde Park Road, November 27, 2019

EXP Services Inc., Geotechnical Investigation – Slope Assessment, December, 2019

MHBC, Revised Draft Plan of Subdivision with Zones, March 18, 2020.