

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Applewood Subdivision
660 Sunningdale Road East
Application for Zoning By-law Amendment
Request for Revisions to Draft Plan of Subdivision

Public Participation Meeting on: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Auburn Developments Ltd. to portions of the lands located at 660 Sunningdale Road East:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on January 12, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h*h-100*h-173*R1-4(27) Zone **TO** a Holding Residential R4 Special Provision (h*h-100*h-173*R4-6()) Zone, **FROM** a Holding Residential R1/R4 Special Provision (h*h-100*h-173*R1-3)/R1-4(27) Zone **TO** a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(__)/R6-5(__)) Zone; Special provisions for the proposed R5-6(__)/R6-5(__) zone would include rear yard decks to encroach in the yard setback as per section 4.27 (5) but may be closer than the stipulated maximum of 1.2m (3.9 feet) permitted.
- (b) Municipal Council **SUPPORTS** the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Clawson Group Inc., prepared by Archibald, Gray & McKay Engineering Ltd. (Drawing No. DP 1, Office File: 1442-1 dated June 4, 2020), which shows the amalgamation of Blocks 21-24, Blocks 27-29, Block 26, Block 30 and Streets "H", "J", Moon Street and Luna Crescent **SUBJECT TO** the conditions contained in the attached Appendix 'A-2'; and,
- (c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the proposed red-line revisions to the draft plan of subdivision for Applewood Subdivision, as submitted by Clawson Group Inc.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to consider a request for two zoning by-law amendments and red-line revisions to portions of the draft-approved plan of subdivision 39T-9501 and Blocks 21-24, Blocks 27-29 and Blocks 26 and 30 respectively. The redline revisions will result in the removal of proposed Streets H and J. Additional redline amendments will widen Block J along the pathway lines of the redline plan. The zoning amendments will provide additional residential uses on portions of the site in the form of, street townhouse and cluster townhouse dwellings.

Rationale of Recommended Action

1. The recommended zoning amendments and revisions to draft plan of subdivision are considered appropriate and consistent with the Provincial Policy Statement.
2. The 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 Place Type.
3. The proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential.
4. The zoning and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located in the northeast quadrant of the City and are included in the Uplands North Area Plan. The proposed amendments apply to multiple portions of the draft approved subdivision, 39T-09501 Blocks 21-24, Blocks 27-29 and Blocks 26 and 30 respectively which run north of Kleinburg Drive, south of Superior Drive and East of Blackwater Road. These locations have been highlighted in the location map in Section 2.1 below.

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

- The London Plan Place Type – “Neighbourhoods”
- Official Plan Designation – “Multi-Family, Medium Density Residential”
Existing Zoning – Holding Residential R1 Special Provision (h*h-100*h-173*R1-3) Zone and a Holding Residential R4 Special Provision (h*h-100*h-173*R1-4(27) Zone

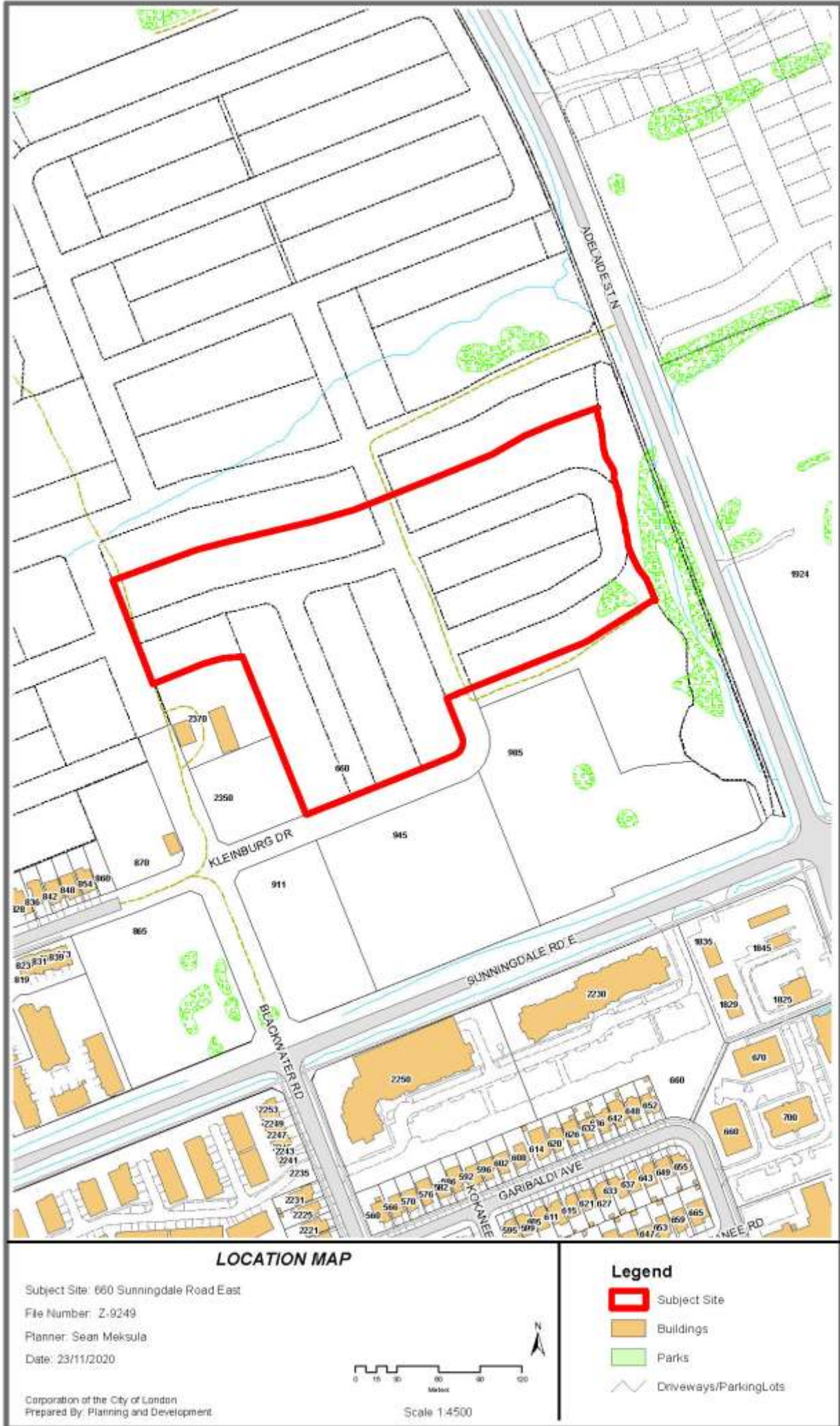
1.3 Site Characteristics

- Current Land Use – vacant/undeveloped
- Frontage – n/a
- Depth – n/a
- Area – n/a
- Shape – n/a

1.4 Surrounding Land Uses

- North – Agricultural
- East – Agricultural
- South – Residential
- West – Residential

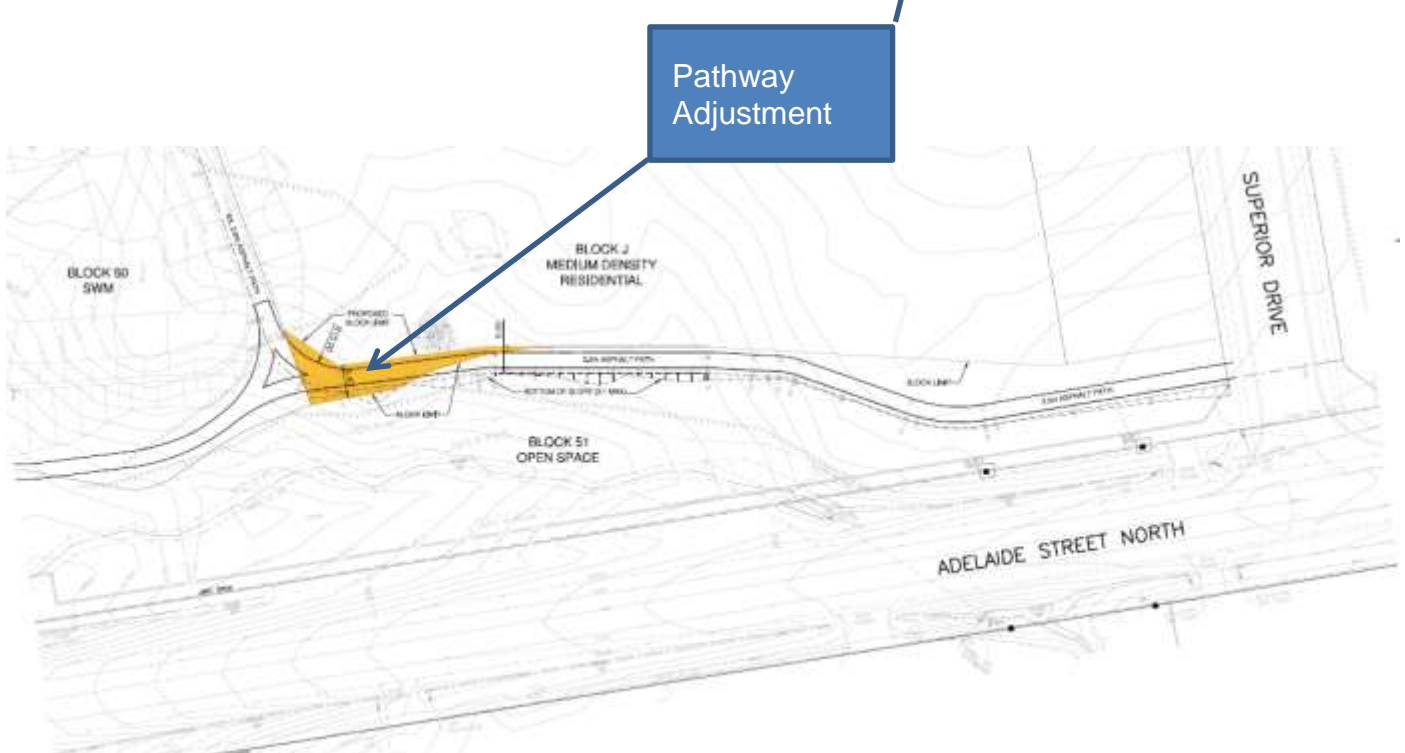
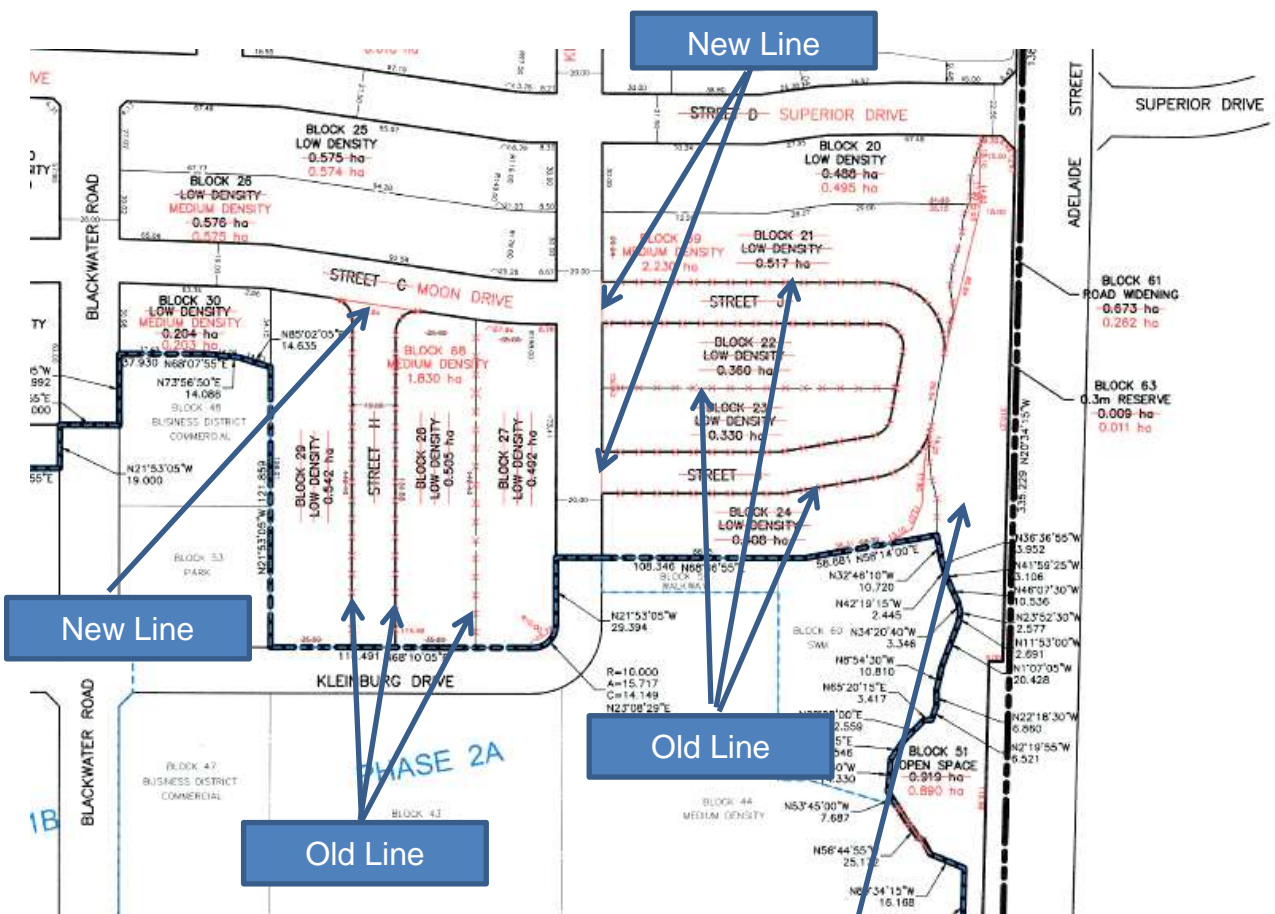
1.5 Location Map



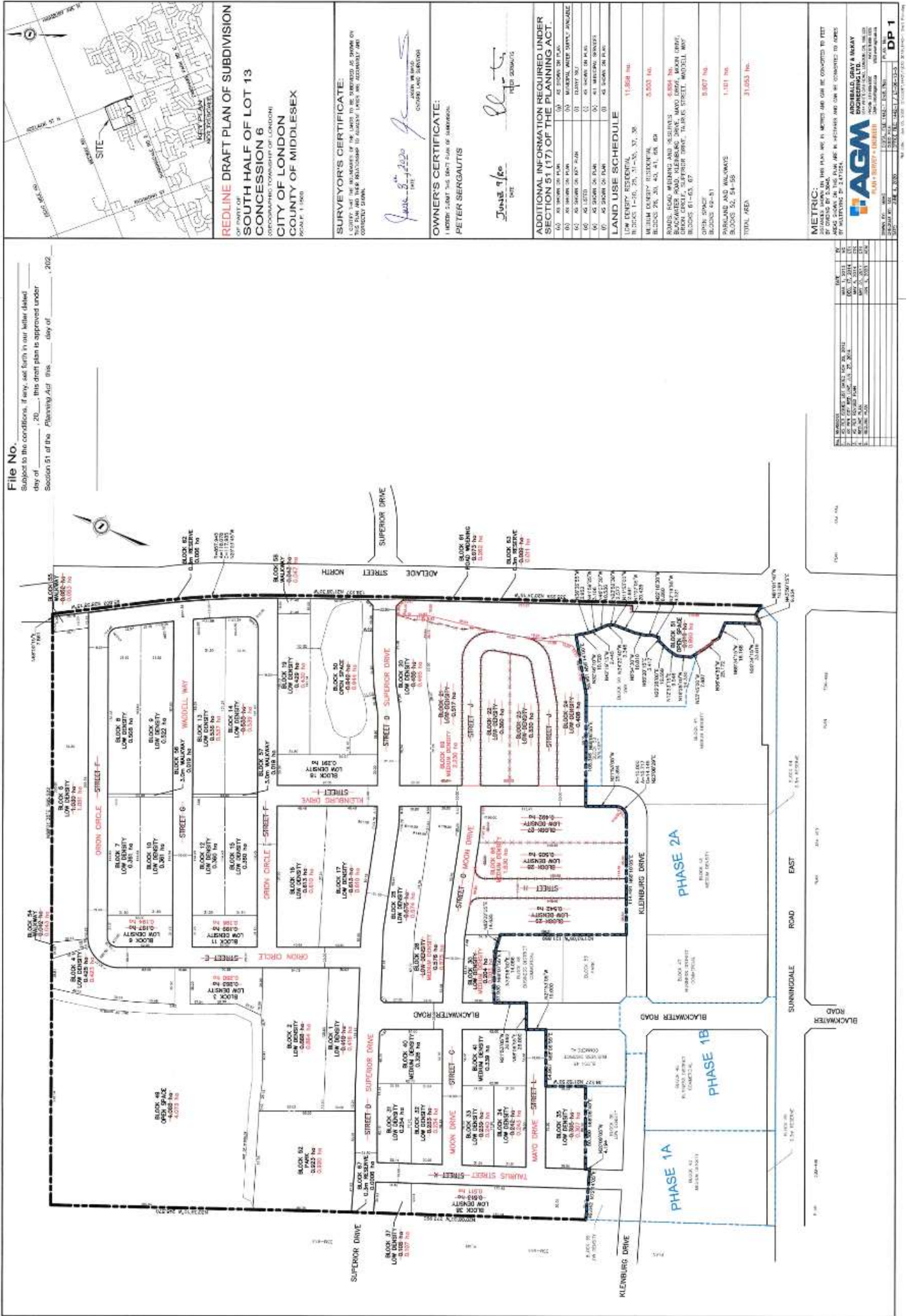
2.0 Description of Proposal

2.1 Development Proposal

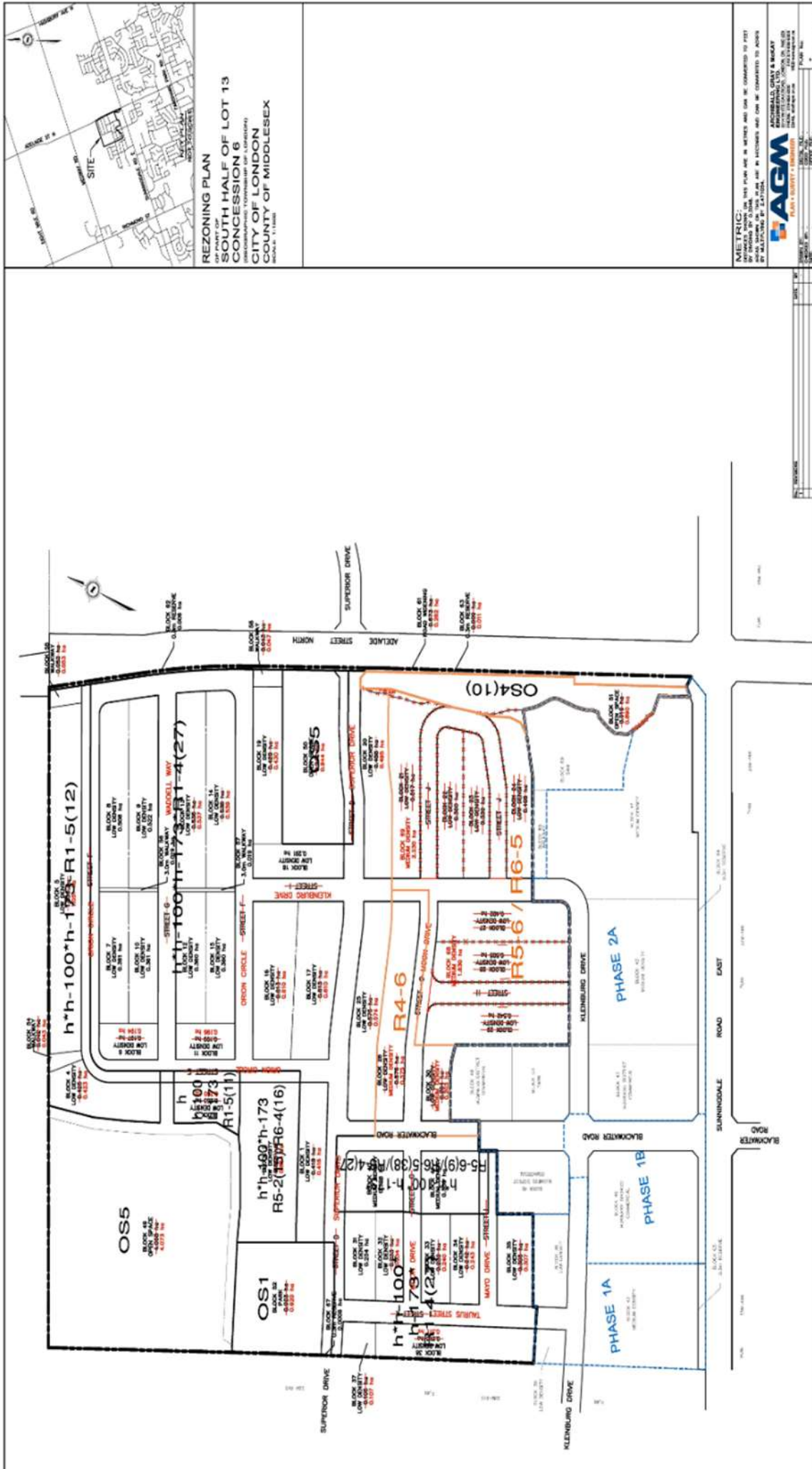
The applicant is proposing to make minor adjustments to the existing lot lines between Blocks 21-24, Blocks 27-29 and Blocks 26 and 30 of the redlined draft plan as well as the minor adjustment of Block 24 and Block 51 on the park pathway as a result of the lands being resurveyed. The elimination of Street H and Luna Crescent will create two slightly larger blocks (Block 68 & 69) allowing for the creation of additional street townhouse through a future planning process. The redline revisions and rezoning of the application will provide for additional in demand medium residential uses that could be implemented through the future development of the subdivision.



2.2 Proposed Red-Line Revisions to Draft-Approved Plan



2.3 Proposed Zoning Amendments



2.3 Proposed Townhouse Blocks



3.0 Relevant Background

3.1 Planning History

The proposed redline-revisions apply to the Applewood Subdivision which was originally accepted on January 27, 2009. After the submission and review of a number of modified versions of the Plan, the Approval Authority granted draft approval on September 9, 2014. The owner requested a three (3) year extension of draft approval in April of 2017. Draft approval was extended to February 21, 2021.

On January 30, 2018 City Council requested that the Approval Authority approve the request for revision and a three year extension of the draft plan of subdivision approval for this subdivision subject to the revised conditions of draft approval. On February 21, 2021 this draft plan was approved by the Approval Authority.

Phase 1A was registered on August 17, 2018 as 33M-749. It consisted of which eight (8) single detached lots, one (1) multi-family residential block, and one 0.3 m reserve, all served by the extension of Kleinburg Drive. Phase 1B consists of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 1B was registered on June 20, 2019 as 33M-764. It consisted of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 2A was registered on September 14, 2020 as 33M-787. It consisted of one (1) commercial block, two (2) commercial mixed use residential blocks, two (2) multi-family residential blocks, one (1) open space block, four 0.3 m reserves served by the extensions of Blackwater Road and Kleinburg Drive.

Phase 2B will be registered in the near future.

3.2 Applicant's Requested Amendment

Zoning By-law Amendment -

- i) Amend the Zoning By-law as it applies to proposed Blocks 26 and 30 from a Holding Residential R1 Special Provision (h*h-100*h-173*R1-3) Zone to a new Holding Residential R4 Special Provision (h*h-100*h-173*R1-4(27)) Zone to permit street townhouses.
- ii) Amend the Zoning By-law as it applies to proposed Blocks 68 and 69 from a a Holding Residential R1/R4 Special Provision (h*h-100*h-173*R1-3)/R1-4(27)) Zone to a new Residential R5/R6 Special Provision Special provisions for the proposed R5-6(__)/R6-5(__) Zone to permit cluster and stacked townhouse dwellings together with special provisions that would include rear yard decks to encroach in the yard setback as per section 4.27 (5) but may be closer than the stipulated maximum of 1.2m (3.9 feet) permitted.

Red-line Revisions to Draft Plan – Peter Sergautis and the Clawson Group Inc., are proposing to maintain the street pattern established through the previous draft approval, with the exception of a minor shift in the road allowance on Turner Crescent. The applicant would also like to make minor changes park pathway. The proposed revisions to the plan will create a two (2) blocks which would permit the development of cluster townhouse dwellings, (Blocks 68 and 69). Two streets (Streets “H” and “J” aka Stormy Street and Luna Crescent) will also be eliminated. Although preliminary in nature, if the draft plan of subdivision red line revision is granted and the requested zoning is approved, an 85-unit cluster townhouse development could be constructed on Block 68 and a 95-unit cluster townhouse development constructed on Block 69. Blocks 26 and 30 will be subject to a pending rezoning amendment to permit the development of street townhouses. The applicant also wishes to realign Block 51 OS4(10) zone line to accurately reflect the setback limits of the natural features associated with the block, and to include the

additional road widening as requested by the City in July 2018. The draft plan currently provides for single detached lots and 9 low density blocks.

3.3 Community Engagement (see more detail in Appendix B)

One e-mail inquiry was received requesting if the rezoning was going to change or impact Open Space (OS5) lands on Block 49. There were no other comments/concerns received from the community.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

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

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

The PPS contains strong policies regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1).

The London Plan

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

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

1989 Official Plan

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

4.0 Key Issues and Considerations

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

The purpose is to maintain the street pattern established through the previous draft approval and make minor adjustments to incorporate additional townhouse blocks. The red-line revisions to the draft approved plan will result in four (4) street townhouse blocks replacing nine (9) single family blocks. The four (4) street townhouse blocks to be developed will yield a total of 212 units. While the overall unit yield is slightly higher, the proposed revisions will continue to maintain an appropriate mix of housing options in the area in conformity with the Official Plan designation. An amendment to the zoning by-law is required to recognize the proposed red-line revisions and to apply specific zone regulations to accommodate site development plans for the street townhouses. The proposed zoning will permit street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the original planned vision for the area. The proposed street townhouse blocks will maintain a consistent lot pattern and continuity of the streetscape along the future extensions of Mood Drive and Kleinburg Drive. There will be very little change to the road pattern except for a minor shifting of the road allowance.

A holding provision will be added to the R4-6 zone (street townhouse) to ensure the City Engineer is satisfied with the servicing arrangements and conflicts are avoided with servicing. In addition to this holding provision a sanitary servicing report is required to ensure downstream capacity exists. With the proposed Zoning amendment, the Owner may be required to construct upgrades to accommodate the requested zone amendments.

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, h-100 and h-173 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. As part of the proposed zoning amendment the applicant is requesting a Residential R4 Special Provision (R4-6(*)) Zone for Blocks 26 and 30. The requested special provision is for a minimum lot frontage of 7.0m. Staff is recommending approval of this special provision as is minor in nature and in some cases similar to or greater than the existing permissions on the subject sites and will not result in any land use conflicts in the area.

Staff is also recommending that an addition holding provision h-213 is required to ensure a sanitary servicing capacity report has been prepared and confirmation that a municipal sanitary sewer outlet is available to service the site to the satisfaction of the City Engineer. This requirement is based on the narrow lot servicing requirements of SW-7.0. The special provision ensures appropriate services can be provided to the townhouse units in the future and will also help control the level of intensity for the proposed use.

The proposed zoning amendments are as follows:

- 1) Holding Residential Special Provision (h*h-100*h-173*h-213* R4-6(8)) Zone.

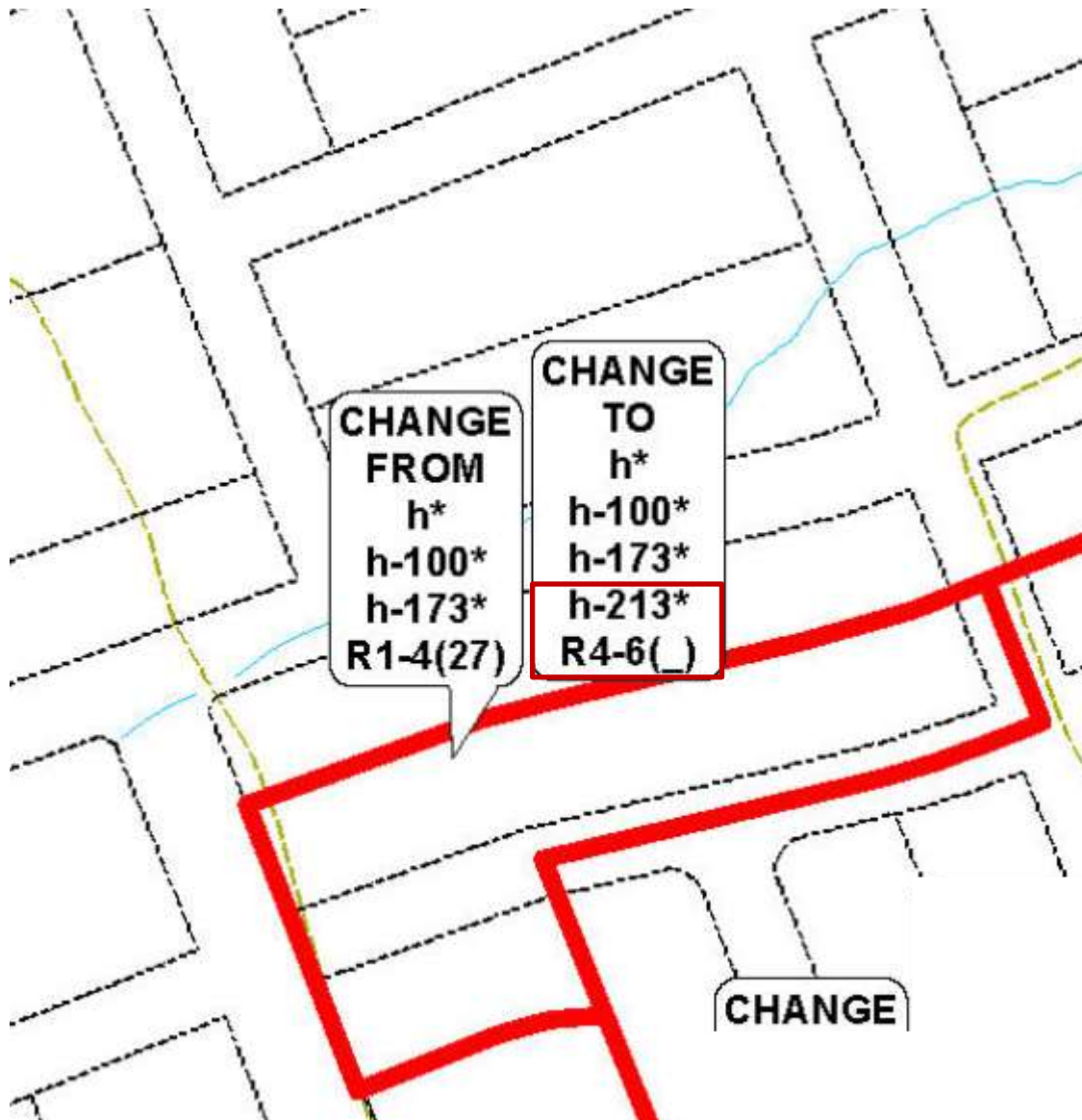


Figure 1

- Use:
 - The proposed R4-6(*) zone permits street townhouse dwellings which would be permitted within the existing Low Density Residential designation and Neighbourhood Place type.
 - The addition of R4-6 zone provides the site with additional flexibility in terms of the residential uses and intensity, where the previous R1-4 zone only permitted single detached dwellings.
 - The proposed use is in keeping with the permitted uses on the site and would have no new impacts on the abutting lands.
- Intensity:
 - The current zoning permits a maximum density of 75 uph which is in keeping with the maximum densities permitted within the Multi-Family Medium Density Residential designation.
 - The proposed street townhouse uses are not specifically regulated by density within the proposed zones. The zoning regulations associated with them ensure future development of these uses are at an intensity appropriate to the policies of the Multi-Family Medium Density Residential designation.
 - The London Plan does not restrict uses by any specific density. Instead, it encourages compatibility within the neighbourhood by limiting building heights and applying specific zoning regulations appropriate to the

neighbourhood context. The proposed zones maintain similar regulations to the existing zones and uses in the area and the potential level of intensity will remain compatible with the surrounding area.

- Form:
 - The proposed form of and street townhouses are in keeping with the existing and future developments in the area and will have no adverse impacts on the surrounding area.
 - The proposed forms of development are in keeping with the Low Density Residential Policies and Neighbourhood Place Type policies.
- Planning Impact Analysis:
 - Overall, the proposed zones will be compatible with future lands uses. The proposed block and Zone boundary are of a sufficient size and shape to accommodate the proposed uses.
 - Therefore Staff is recommending approval of the proposed zoning amendment.

2) Holding Residential Special Provision ((h*h-100*h-173*R5-6(__)/R6-5(__)) Zone.

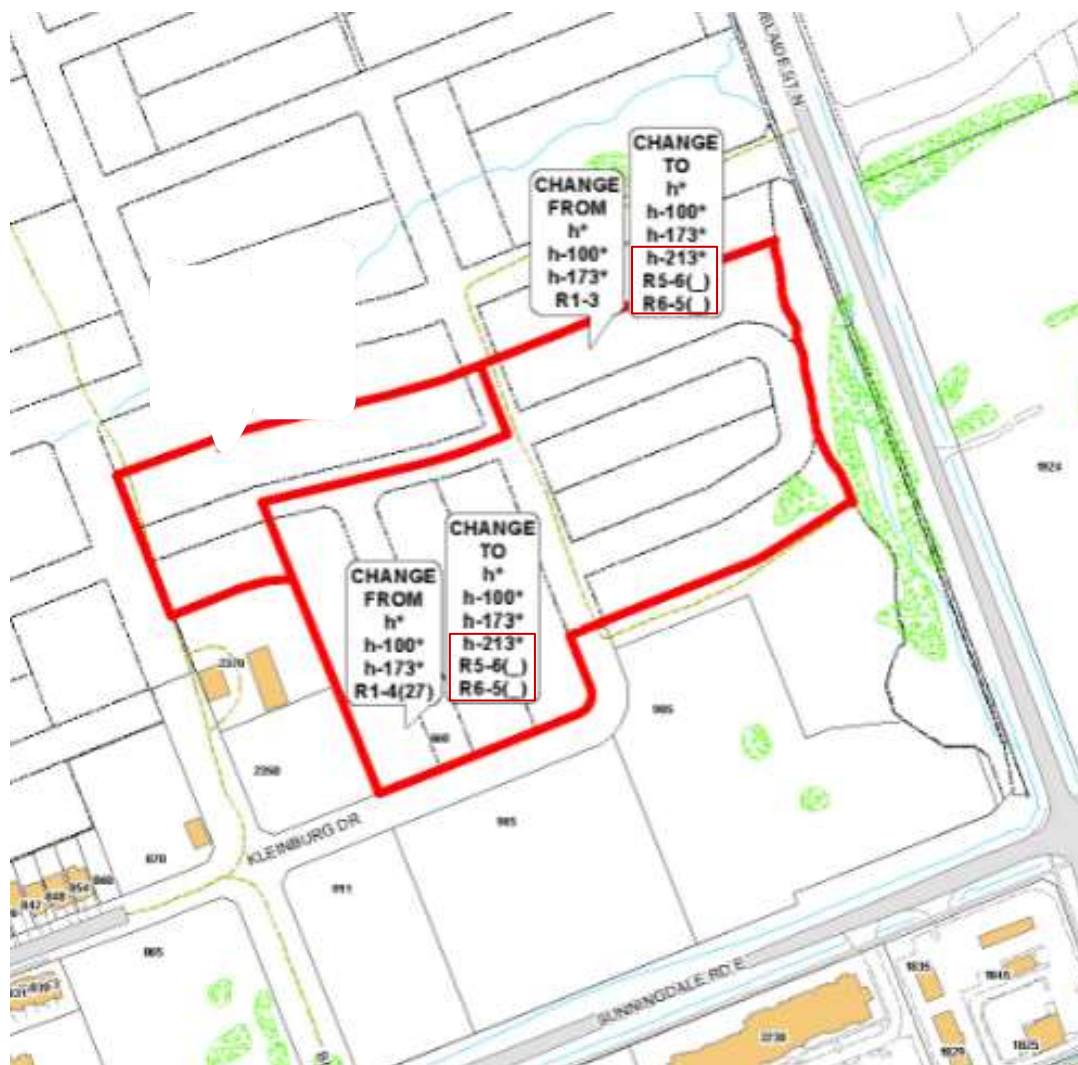


Figure 2

- Use:
 - The proposed R5-6 zone cluster townhouse and stacked townhouse dwellings and is the same as the zone on the abutting lands to the south the site.
 - The proposed R6-5 zone permits single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, apartment building and fourplex dwellings, and is the same as the zone on the abutting lands to the south the site.

- Both the Neighbourhood Place Type and Multi-Family Medium Density Residential designation permit the proposed cluster townhouse dwellings however, stacked townhouse dwellings are not contemplated within the Neighbourhood Place Type.
 - The stacked townhouse use will be removed as a permitted use on this block to ensure the future land uses are in keeping with The London Plan policies.
 - The additional uses would result in no new impacts on the abutting lands.
- Intensity:
 - The R5-6 permits a density of up to 50uph. Although this type of density is higher than the current permissions on site the R5-6 zone has been developed on the lands to the south and the subject site is an ideal location for higher densities as it is essentially at the intersection of two Civic Boulevards with easy access to both Sunningdale Road East and Adelaide Street North.
 - The proposed R6-5 zone provides a low density form of development that would have no new additional impacts in the area and is in keeping with the current intensity of the abutting lands.
 - The Neighbourhood Place Type encourages these type of intensities at locations such as this and based on the surrounding land uses and existing services in the area, would have no additional impacts.
 - The area identified was proposed to have single detached lots on these blocks. Based on the existing zoning the proposed cluster and stacked townhouse units could be developed. This difference will not have any additional impacts on the planned level of traffic and servicing for the area.
 - Form:
 - The London Plan permits heights of 2 and 2.5 storeys when a Neighbourhood Place type fronts a Neighbourhood Connector.
 - The R5-6 zone has a height limit of 12m in order to facilitate the development of Stacked Townhouses.
 - The proposed R6-5 has a height limit of 12 metres and would have no additional impacts on the abutting lands.
 - Given the proposed zoning for the lands is the same as the lands to the south and west this type of development may occur on these blocks. The proposed 2 and 2.5 storey townhouses will ensure compatibility with abutting land uses.
 - 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.

Open Space Zone (Block 24 & 51)

As previously noted Staff have identified that Block 24 & 51 required a minor adjustment of the park pathway to reduce the area to 0.890 ha. This is result of two surveys that were done on the lands. In the summer of 2018, two reference plans were completed for the barns (33R-20149) and the stormwater management block (33R-20150) and at this time there was a recalculation of the site and updated line work. Following the reconfiguration of these two plans, Block 51 was reduced to 0.892ha in size. The minor change was not updated to reflect the 2017 draft plan and is still showing 0.919ha. As part of this re-zoning application the minor adjustment from 0.892ha to 0.890ha is being made to compensate for the changes.

5.0 Conclusion

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

Prepared by:	Sean Meksula, MCIP, RPP Senior Planner, Development Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
GK/PY/sm

Appendix A

Appendix "A-1"

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 660
Sunningdale Road East.

WHEREAS Clawson Group Inc. has applied to rezone an area of land located at 660 Sunningdale Road East, 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 portions of the lands located at 660 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A.102, from a Holding Residential R1 Special Provision (h*h-100*h-173*R1-4(27)) Zone to a Holding Residential R4 Special Provision (h*h-100*h-173*h-213*R4-6(*)) Zone, from a Holding Residential R1 Special Provision (h*h-100*h-173*R1-3/ R1-4(27)) Zone to a Holding Residential R5/R6 Special Provision (h*h-100*h-173*h-213*R5-6(*)/R6-5(*)) Zone;
- 2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:
 -) R4-6(8) Blocks 26 and 30 (39T-09501)
 - a) Regulations:
 - i) Lot Frontage 7.0 metres
(Minimum) (23.0 feet)
- 3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:
 -) R5-6(*)
 - a) Regulations:
 - i) Front Yard Setback, 3 metres
Main Dwellings (Minimum): (9.8 feet)
 - ii) Front Yard Depth 5.5 metres
for Garages (18.0 feet)
(Minimum)
 - ii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R5-6(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS4 Zone.

3) Section Number 10.4 of the Residential R5 Zone is amended by adding the following Special Provision:

) R6-5(*)

a) Regulations:

- ii) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum): 5.5 metres (18.0 feet)
- ii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R6-5(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS4 Zone.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

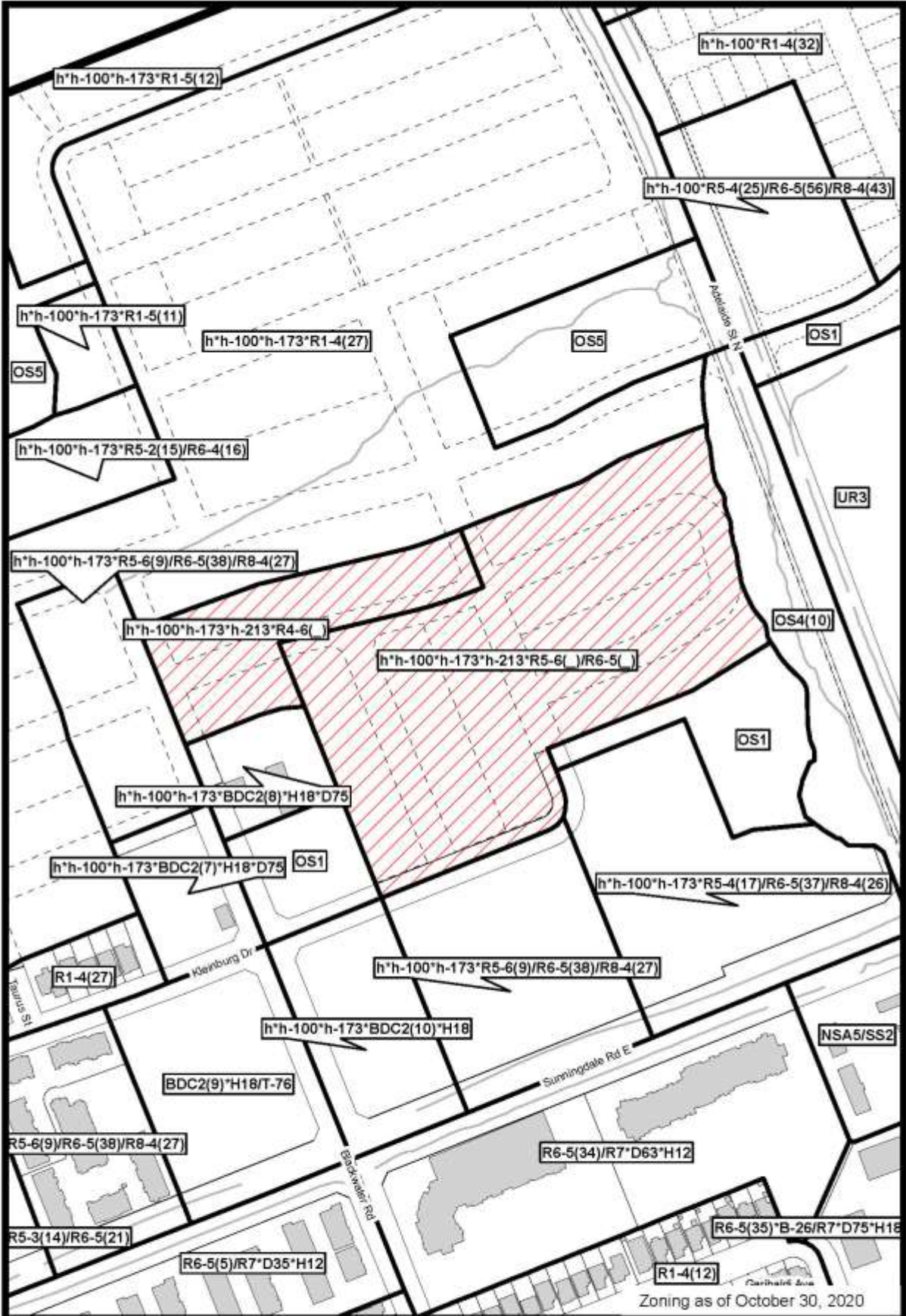
PASSED in Open Council on January 12, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 12, 2021
Second Reading – January 12, 2021
Third Reading – January 12, 2021

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



File Number: Z-9249
Planner: SM
Date Prepared: 2020/11/23
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120
Meters



Appendix "A-2"
Conditions of Draft Approval

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

NO.	CONDITIONS
1.	This draft approval applies to the draft plan as submitted by Extra Realty Limited (File No. 39T-09501), prepared by Zelinka Priamo Limited and certified by L.E. Gibson, (Project No. SRG/LON/11-01, dated November, 2011 and revised May 31, 2017), <u>as red-lined</u> , which shows 39 low density blocks, four (4) medium density residential blocks, two (2) commercial blocks, two (2) commercial/mixed use residential blocks, three (3) open space blocks, eight (8) parkland and walkway blocks, one (1) stormwater management block, one (1) road widening block, six (6) 0.3 m reserve blocks, all served by one (1) primary collector road (Blackwater Road), two (2) secondary collector roads (Kleinburg Drive and Street "D"), and nine (9) new local streets.
2.	This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4.	The Owner shall request that street(s) shall be named to the satisfaction of the City.
5.	The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6.	Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8.	In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
9.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
10.	Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

Planning

11. In conjunction with the first submission of engineering drawings, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
12. In conjunction with the Focused Design Studies submission, the Owner shall prepare an updated detailed urban design guideline for this subdivision. The urban design guidelines shall include the following: vision for the subdivision, urban design principles for each multi-family block (Blocks 40-44) and commercial/mixed use block (Blocks 45-48), conceptual designs for each block, and road cross sections (with utility locations and tree placements). The approved Architectural Control guidelines (July, 2016 with updates to reflect the revised plan of subdivision) will be incorporated into the urban design guidelines. These guidelines will be used for the future review of any site plan, and will be appended to the subdivision agreement, to the satisfaction of the City.
13. All building permit applications for a single detached dwelling units must include clearance from an urban designer or architect pre-approved by the City that the building plans are designed in accordance with the approved urban design guidelines
14. Within one year of registration of this plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved within Block 138 parallel to the rear property line of Block 4 and Block 5 (Lots to be determined) adjacent to the City's proposed pathway and the Sun Canadian High Pressure Pipeline, to the satisfaction of the City.
15. The Owner shall include the following clause to be registered on title within the Subdivision Agreement:

"Purchasers are advised that Blocks 4 and 5 (Lots to be determined) are adjacent to the registered Easement Lands of Sun Canadian which contains within a high-pressure petroleum products transmission pipeline. Unauthorized use of the easement by others will not be permitted. A 1.5m high chain link fence has been installed between the subject property and the City's pathway and registered easement for the Sun Canadian pipeline. The fence will be located on the City's property and will be under the ownership, control and maintenance of the City of London.

Adjoining land owners shall not alter the fence or install private/public access gates in the fence. Sun-Canadian shall inspect the fence annually, as part of the pipeline maintenance program.

Purchasers of Blocks 4 and 5 (Lots to be determined) are advised that the adjacent easement lands will contain a granular, or asphalt surface walkway in passive parkland.

The Easement Lands will be owned and maintained by The Corporation of the City of London, and will be utilized for passive parkland purposes accommodating a bicycle/pedestrian pathway. Unauthorized use of the Easement Lands by others will not be permitted.

Removal or alteration of the City owned fence located within the easement shall not be permitted. Construction equipment access shall not be permitted across the Easement Lands or through the fence.

Any proposed additions or renovations to dwelling units or structures that may reduce the setback distance to the pipeline as stipulated in the City of London Zoning By-law will not be permitted."

16. The two heritage designated barns will be incorporated into any future commercial development on Block 48. Any changes to or adaptive reuse of the barns will require a heritage alteration permit, to the satisfaction of the City. This approval is without prejudice to any position that the City takes with respect to the heritage attributes and Statement of Cultural Heritage Value or Interest at the ongoing Conservation Review Board Hearing, File No. CRB 1721 and the resulting bylaw.

UTRCA

17. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the Owner shall obtain the necessary permits/approvals from the UTRCA prior to undertaking any site alteration or development within this area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.
18. In conjunction with the Focused Design Studies submission, a Final Environmental Impact Study shall be prepared that compiles all of the addendums and also addresses the UTRCA's outstanding concerns.
19. In conjunction with the Focused Design Studies submission, a Hydrogeological Study and Water Balance Analysis shall be prepared to the satisfaction of the UTRCA to address the concerns identified through the review of the EIS and the SWM report.
20. In conjunction with the Focused Design Studies submission, a detailed Stormwater Management Report shall be prepared to the satisfaction of the City of London and which also addresses the Upper Thames River Conservation Authority's interests.

Environmental and Parks Planning

21. In conjunction with the Focused Design Studies submission, the Owner shall detail how each of the recommendations of the EIS (prepared by BioLogic, dated January, 2009), the EIS update report (dated April, 2010) and the EIS addendum letter (dated May, 2012) will be incorporated into the plan, and implemented, all to the satisfaction of the City.
22. Parkland dedication has been calculated at a rate of 2% of the commercial land area and 1 hectare per 300 residential units. The Owner shall dedicate Blocks 50, 52, 53, 54, 55, 58, 59 and the redlined walkway blocks 51, 55, and 58 to satisfy a portion of the required parkland dedication. The remaining parkland dedication for the Low Density Residential Blocks (Blocks 1-31 and BDC Blocks (Blocks 45-48) will be taken as cash-in-lieu as per By-law CP-9. The Owner shall provide 2% of the value of each BDC Block at the time of building permit. As a condition of site plan control the Owner will submit an appraisal undertaken by an Accredited Appraiser (AACI) indicating the value of the land on the day before the issuance of the building permit.
23. Prior to final approval, the Owner shall dedicate lands owned by the applicant located immediately north of the plan of subdivision within the Municipality of Middlesex Center, to permit the City of London to construct and maintain an east-west rural/urban multi-use pathway. If the noted lands are not dedicated prior to final approval, the applicant will be required to revise the plan of subdivision to include and dedicate a 15 meter wide pathway corridor within this plan of subdivision, all to the satisfaction of the City.
24. In conjunction with the first submission of engineering drawings, the Owner is to provide park concept plans for Blocks 52 and 53, to the satisfaction of the City.
25. In conjunction with the first submission of engineering drawings, the Owner shall provide initial pathway concepts for Blocks 49, 51, 54, 55, 56, 57, 58 and 59, including the incorporated pathway into the window street design for Street F, to the satisfaction of the City. The Owner shall consult with the Ecologist Planner and the document "Planning and Design Standards for Trails in ESAs (2012)" in order to establish what is needed at detailed design for the construction of trails within the ESA (Block 49). If the proposed pathway cannot be sited within Block 51 due to hazard constraints/regulations, a redline to the plan will be initiated by the City to incorporate a separate multi-use pathway block(s) outside of Block 51, up to 15m in width, to accommodate the pathway.
26. Within one year of registration of this plan, the Owner shall grade, service and seed all areas dedicated for parkland within the phase being registered, in accordance with the approved plan, to the satisfaction of the City.
27. Within one year of registration of this plan, the Owner shall construct all park improvements within blocks 52 and 53, as shown on the approved engineering plans, to the satisfaction of the City.

28. The Owner shall not grade into any open space areas (Blocks 49, 50 and 51). Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
29. 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 Environmental and Parks Planning Division monthly during development activity along the edge of the Block 48, 50 and Block 51.
34. In conjunction with the first submission of engineering drawings, the Owner shall prepare for delivery to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City. The approved package shall be delivered to homeowners upon occupancy.
35. Within one year of registration of this plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and Open Space Blocks, to the satisfaction of the City.
36. Blocks 51 and 60 shall incorporate the extension of the internal pathway linkage from Kleinburg Drive to the intersection of Adelaide and Sunningdale Roads. Parkland dedication may be applicable to this corridor for expanded access width.
37. Restoration and planting shall occur around the wetland feature in accordance with the EIS. Conceptual planting shall be reviewed at the first submission of engineering drawings. Planting plans shall be submitted at the Engineering Drawing stage.
38. In conjunction with the first submission of engineering drawings, the Owner shall have a qualified arborist prepare 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 Manager of Environmental and Parks Planning as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation. The report will also identify the locations for tree preservation fencing to protect existing trees, including those in Block 49 and the PSW in Block 50.
39. In conjunction with the first submission of engineering drawings, the Owner shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for the portion of Block 49 that abuts park and open space. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of the park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is the sooner.

Sanitary

40. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City; and
 - ii) 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.

41. 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 existing 250 mm diameter sanitary sewer on Kleinburg Drive 300 mm (12") sewer on Sunningdale Road East approximately 145 metres east of Adelaide Street North, at no cost to the City;**
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - iv) Where 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.
42. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
 - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
 - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer;
 - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
 - v) Implementing any additional measures recommended through the Design Studies stage.
43. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide Wastewater Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Storm and Stormwater Management (SWM)

44. **In order to finalize the Focused Design studies,** the Owner shall have his consulting engineer prepare and submit a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identify the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Develop **sediment and erosion control plan(s)** that will identify all **required sediment and erosion and sediment** control measures for the subject lands, the required protection of the Provincially Significant Wetland (PSW), the Northdale Tributary and the DFO's Northdale channel and this **sediment and erosion control plan** ESCP will be developed 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. This plan is to include measures to be used during all phases on construction;
- iv) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer;
 - v) Confirm Northdale Tributary and associated culverts have sufficient capacity for this plan. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall provide recommendations for any works required to be implemented by the Owner, to the satisfaction of the City, at no cost to the City; and
 - vi) Incorporate an engineering assessment regarding the available remaining capacity within the Stoney Creek SWM Facility 1N and in the minor conveyance system discharging to this SWM Facility, in accordance with the City's file manager process and all to the specifications and satisfaction of the City Engineer.
45. In order to finalize the Focused Design studies, the Owner shall have it's professional consulting engineer undertake a water balance evaluation report for the pre and post-development conditions for the subject lands that include, but not limited to, the following assessment/evaluations of the following:
- i) Water quality and quantity impacts on Potentially Significant Wetland (PSW's), the reconstructed Northdale tributary and the existing DFO's Northdale channel under the exiting and post-development conditions in order to minimize any adverse impacts from the proposed land development;
 - ii) Potentially directing the post-development stormwater discharges from residential backyards to the PSW by a third pipe system and the overland flows directed to the PSW may only be routed through backyards and open space;
 - iii) The required buffers for the PSW shall be consistent with the City's Official Plan and approved Environmental Impact Study (EIS); and
 - iv) The pre-development discharges from the PSW must be maintained under the post-development conditions and these discharges shall be accommodated in the proposed storm/drainage and SWM servicing works for the subject lands in accordance with the existing drainage pattern.
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 Stoney Creek Subwatershed Study and any addendums/amendments;
 - ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands, in accordance with the file manager process;
 - iii) The accepted Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (2008) and the Minor revisions/amendments to the Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (May 2011) and any amendments and/or addendums;
 - iv) The approved Functional Stormwater Management Plan for the Stoney Creek Regional SWM Facility 1N (September 2008);
 - v) The approved Functional SWM Servicing Report and the detailed design of the Uplands North (Powell) SWMF 2B by AECOM – May 2011;
 - 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) ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised;
 - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies; and
 - x) 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.

47. 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, all to the satisfaction of the City Engineer:
- i) Construct storm sewers, located within the Stoney Creek Subwatershed, and outlet the majority of this plan's minor storm flows (approx. 27 ha) to the Regional Stoney Creek SWM Facility 1N via the proposed external sewers which may be located on Adelaide Street North and Sunningdale Road. The remaining portions (drainage areas) of this plan's minor storm flows are designed to outlet to the Regional Uplands North (Powell) Storm Water Management (SWM) Facility B2 located within the Uplands North Community Area Plan via the internal proposed storm sewer system;
 - ii) Should the Owner consider outletting the remaining proposed minor storm flows to the Stoney Creek SWM Facility 1N instead of as described above, then the Owner shall have a consulting professional engineer undertake a review of the available remaining capacity within the Stoney Creek SWM Facility 1N and in the minor conveyance system discharging to this SWM Facility;
 - iii) Direct major storm flows for this plan to the proposed flood control facility (Stoney Creek SWM Facility 2) located on Block 60 within this plan of subdivision. The Owner shall direct the post development storm flows discharge from Block 60 to the realigned west branch of the Northdale Tributary east of Adelaide Street North, south of Sunningdale Road and the Department Fishery Ocean (DFO's) approved Northdale Tributary channel to meet the Ministry of the Environment's (MOE's) requirements for maintaining the estimated base flow conditions for this reconstructed Northdale system;
 - iv) Grade and drain the boundaries of Blocks abutting the SWM Facility to blend in with the abutting SWM Facility on Block 60, at no cost to the City;
 - v) Make provisions to oversize and deepen the internal storm sewers in this plan, if necessary, to accommodate flows from upstream lands external to this plan;
 - vi) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands, including the correction of any deficiencies of the erosion and sediment control measures forthwith;
 - vii) Construct any measures as recommended in the proposed water balance evaluation report; and
 - viii) Provide SWM on-site controls for lands (Blocks) located within this plan of subdivision that are zoned for Commercial, Institutional and Multi-Family. The on-site controls shall comply with the accepted Design Requirements for Permanent Private Stormwater Systems.
48. 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) For lots and blocks in this plan that are contributory to the proposed erosion control/flood storage dry Stoney Creek SWM Facility 2 (to be constructed by the City), located on Block 60, the erosion/sediment control works to protect the existing PSW located on Block 50 and all related storm/drainage servicing must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
 - iv) Implement all geotechnical/slope stability/setback recommendations made by the geotechnical report accepted by the City.
49. Prior to the issuance of any Certificate of Conditional Approval the Stoney Creek SWM Facility 2, to be built by the City, to serve this plan must be constructed and operational.
50. 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.

51. 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 hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:
 - i) The effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;
 - ii) Identify any abandoned wells in this plan;
 - iii) An analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407;
 - 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 the design and implementation of Low Impact Development (LIDs) solutions;
 - vii) Address any contamination impacts that may be anticipated or experienced as a result of the said construction on any existing watercourse or body of water on the site; and
 - viii) Provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
52. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
53. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.
54. The Owner acknowledges that the timing for construction of the Regional Stoney Creek SWM Facility # 2 shall be in accordance with the Design and Construction of Stormwater Management Facilities, Policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.
55. The Owner shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
56. The Owner shall dedicate sufficient lands to the City to enable the completion of the proposed SWM Facility and all related servicing in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process.

Water

57. 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 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) **Include modeling for two fire flow scenarios as follows:**

- i) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
- ii) Max Day + Fire confirming the available fire flows at fire hydrants at 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);

~~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 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) 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.

~~Include full-sized water distribution and area plan(s); and~~

- ~~xii) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices).~~

In conjunction with the submission of engineering drawings, the Owner shall update the hydraulic model to reflect the higher density blocks as a result of the Zoning By-law amendment and/or confirm no adverse changes to the water servicing report will occur as a result of the proposed Zoning amendment, all to the specifications and satisfaction of the City.

58. Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.

59. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:

- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
- ii) any incidental and/or ongoing maintenance of the automatic flushing devices;
- iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
- iv) all works and the costs of removing the devices when no longer required;
- and
- v) ensure the automatic flushing devices are connected to an approved outlet.

~~The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device from the time of their installation until removal. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.~~

60. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging or phasing plan as set out in the accepted water servicing design study and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging or phasing as set out in the accepted design study, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.
61. 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 300 mm diameter watermain on Blackwater Boulevard and the existing 200 mm diameter watermain on Kleinburg Drive Uplands high-pressure watermain stub at Sunningdale Road;**
 - ii) The available fire flow and appropriate hydrant colour code marker (in accordance with the City of London Design Criteria) 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;
 - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iv) Provide for future “looping” of the watermain system constructed for this subdivision to the east and west of this site, all to the specifications of the City Engineer.
62. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of any Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.
63. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

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

Transportation

Roadworks

64. 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.
65. In conjunction with the first submission of engineering drawings, 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, 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; and
 - ii) 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”.
 - iii) **prepare a conceptual design for the window street for Orion Circle to consider such issues as grading the common boulevard between Adelaide Street North and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.**

66. 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.
67. The Owner shall construct Superior Drive Street 'D' at the western boundary of the plan of subdivision in alignment with the proposed Superior Drive to the west as shown in draft plan of subdivision, 39T-05510, to the satisfaction of the City.
- ~~68. The Owner shall construct Kleinburg Drive at the western boundary of the plan of subdivision in alignment with Kleinburg Drive to the west as shown in draft plan of subdivision, 39T-05510, to the satisfaction of the City.~~
- ~~69. The Owner shall construct Blackwater Road at Sunningdale Road at the southern boundary of the plan of subdivision in alignment with Blackwater Road to the south.~~
- 70. The Owner shall construct Blackwater Road between Superior Drive Street 'D' and Sunningdale Road to neighbourhood connector** primary collector road standards.
71. The Owner shall designate Blackwater Road between Superior Drive Street 'D' and Sunningdale Road as a neighbourhood connector primary collector road with a 26 metre right-of-way.
72. The Owner shall construct Superior Drive Street 'D' to neighbourhood connector secondary collector road standards.
73. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this Plan of subdivision.
74. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
- i) Blackwater Road has a minimum road pavement width (excluding gutters) of 11.0 metres with a minimum road allowance of 26.0 metres;
 - ii) Superior Drive Street 'D' has a minimum road pavement with (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres;
 - iii) Kleinburg Drive, Orion Circle Street 'E' and Kleinburg Drive Street 'I' have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres;
 - iv) Moon Drive Street 'C', Orion Circle Street 'F' (north and south legs), Waddell Way Street 'G', Street 'H', Taurus Street Street 'K' and Mayo Drive Street 'L' have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres;
 - v) ~~Street 'J' has a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres;~~
 - vi) Orion Circle Street 'F' (window street portion) have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 18.0 metres; and
 - vii) Superior Drive Street 'D' from Adelaide Street North to 45 metres west has a minimum road pavement width (excluding gutters) of 11.0 metres with a minimum road allowance of 22.5 metres. The widened road on Superior Drive Street 'D' shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres of road pavement width (excluding gutters) and 21.5 metres of road allowance width for this street with 30 metre long tapers on both street lines.
75. The Owner shall construct the window street portion of Orion Circle Street 'F' abutting Adelaide Street North in accordance with the City's window Street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer, at no cost to the City.
76. The Owner agrees that, if a parking plan is required for this subdivision, and increased pavement width is proposed to accommodate the parking plan, the road allowance width will be increased a corresponding amount in order to maintain the standard 6.0 metre wide boulevards on either side of the road. Further, the Owner agrees that any proposed widening of the pavement and the road allowance will be to the satisfaction of the City Engineer.

77. 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

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

- i) Blackwater Road;
- ii) Superior Drive Street 'D'; and
- iii) Kleinburg Drive between Blackwater Road and Superior Drive Street 'D'.

79. The Owner shall construct a 1.5 metre sidewalk on one side of the following streets:

- i) Kleinburg Drive – west of Blackwater Road – north boulevard;
- ii) Orion Circle Street 'E' – west boulevard;
- iii) Orion Circle Street 'F' (north leg) – north boulevard;
- iv) Orion Circle Street 'F' (south leg) – south boulevard;
- v) Kleinburg Drive Street 'I' – east boulevard;
- vi) Taurus Street Street 'K' – west boulevard; and
- vii) Moon Drive Street 'C' – north boulevard;
- viii) Street 'J'—outside boulevard.

80. In conjunction with the first submission of engineering drawings, the Owner shall provide a plan and appropriate sections showing details of the proposed parks pathway on Block 55, 58 and window street portion of Orion Circle Street 'F', to the satisfaction of the City. The plan is also to incorporate how the proposed sidewalk linkages from Orion Circle Street 'F' to Adelaide Street North will be accommodated to City standards. The pathway is to be located within the right of way on Orion Circle Street 'F' between the window street berm and the easterly edge of curb for Orion Circle Street 'F'.

81. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

Street Lights

82. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lighting at the intersection of Adelaide Street North and Superior Drive Street 'D', to the specifications of the City, at no cost to the City.

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

Boundary Road Works

84. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road in 2025. The Owner shall co-operate with the City, as necessary, to complete the project, including providing access to their lands and easements as necessary.

85. The Owner shall be required to make minor boulevard improvements on Sunningdale Road East and Adelaide Street North 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.

86. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional consulting engineer submit design criteria for the left turn and right turn lanes on Sunningdale Road East at Blackwater Road and Adelaide Street North at Superior Drive Street 'D' for review and acceptance by the City.

87. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct turn lanes on the following:
- i) A left turn lane on Adelaide Street North at **Superior Drive Street 'D'**;
 - ii) A right turn taper on Adelaide Street North at **Superior Drive Street 'D'**;
 - ~~iii) A left turn lane on Sunningdale Road East at Blackwater Road; and~~
 - ~~iv) A right turn lane on Sunningdale Road East at Blackwater Road.~~

Road Widening

89. The Owner shall be required to dedicate sufficient land to widen Adelaide Street North ~~and Sunningdale Road West~~ to 18.0 metres from the centreline of the original road allowance.
90. The Owner shall provide a road widening dedication at the intersection of Sunningdale Road North and Adelaide Street East as indicated in the Sunningdale Road Environmental Assessment to accommodate a future roundabout, to the satisfaction of the City.
91. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Blackwater Road and Sunningdale Road East and at Adelaide Street North and **Superior Drive Street 'D'** in accordance with the Z-1 Zoning By-law, Section 4.24.
92. The Owner shall be required to dedicate 3.0 m x 3.0 m "daylighting triangles" at the intersection of **neighbourhood 'collector' road** streets in the Plan (ie. Where Blackwater Road meets **Superior Drive Street 'D'**) to satisfy requirements necessary for servicing bus transit routes, as specified by the City Engineer.

Vehicular Access

93. The Owner shall restrict access to Sunningdale Road East and Adelaide Street North by establishing blocks for 0.3 metre reserves along the entire frontages, to the satisfaction of the City.

Traffic Calming

94. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures along the **neighbourhood connectors** ~~primary and secondary collector roads~~, including parking bays, curb extensions, speed cushions and other measures, to the satisfaction of the City, to discourage through traffic and excessive vehicle speeds.
95. The Owner shall construct curb extensions on both sides of Blackwater Road to provide on-street parking for the commercial and business district commercial blocks. The parking bay should be removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission, to the satisfaction of the City Engineer.
96. The Owner shall construct raised intersections along Blackwater Road, at the intersections with Kleinburg Drive and with **Superior Drive Street 'D'** and at the intersection of **Superior Drive Street 'D'** and Kleinburg Drive in accordance with City standards, to the satisfaction of the City Engineer. Should it be determined the raised intersections will affect the major overland flow route, the Owner shall construct alternative traffic calming measures in consultation with the City, to the satisfaction of the City Engineer.
97. The Owner shall construct curb extensions along the south side of **Superior Drive Street 'D'** with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission, to the satisfaction of the City Engineer.
98. The Owner shall construct ~~one two~~ speed cushions on Kleinburg Drive in locations satisfactory to the City Engineer and in accordance with the Design Specifications and Requirements Manual.

Construction Access/Temporary/Second Access Roads

99. The Owner shall utilize construction access routes designated by the City.

100. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.
101. 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.
102. Should any temporary turning circle exist on the abutting street at the time this plan is registered, the Owner shall remove any existing temporary turning circles at the west limit of this plan and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.

If funds have been provided to the City by the owner of adjacent lands for the removal of an existing temporary turning circle and the construction of this section of the road and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In conjunction with the first submission of engineering drawings, should an emergency access be required to accommodate development, the Owner shall locate, construct, maintain and close the access to the satisfaction of the City Engineer. The Owner shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc. The Owner shall ensure it will be restricted to emergency vehicle use only, if necessary, all to the specifications and satisfaction of the City.

General Engineering

103. 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.
104. 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.
105. 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.
106. 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 the design and implementation of 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;

x) cutting/filling, erosion, maintenance and structural setbacks related to slope stability associated with the existing wetlands, all to the satisfaction of the City and the Upper Thames River Conservation Authority;

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

107. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
108. 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.
109. 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.
110. The Owner shall have the common property line of ~~Sunningdale Road East and Adelaide Street North~~ graded in accordance **with the accepted engineering drawings and City of London standards** ~~the City of London Standard "Subdivision Grading along Arterial Roads"~~, at no cost to the City.

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

111. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.
112. Prior to connection being made to an unassumed service, the following will apply:
 - i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City; and
 - ii) The Owner must provide a video inspection on all affected unassumed sewers.

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

113. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
 - i) Commence upon completion of the Owner's service work, connections to the existing unassumed services; and
 - ii) Continue until the time of assumption of the affected services by the City.
114. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

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

115. 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.

116. 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.

117. 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.
118. In conjunction with the engineering drawings submission, the Owner shall have it's 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.
119. The Owner shall have it's 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".
120. 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.),
121. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation,

regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.

122. 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.
123. 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.
124. 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.
125. 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.
126. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
127. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
128. In conjunction with the engineering drawings submission, the proposed block lotting plan shall be reviewed and accepted with respect to City services, road geometries, easements requirements, etc., to the satisfaction of the City.
129. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.
130. Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.
131. 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.
132. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct new services and make adjustments to the existing works and services on Adelaide Street North and Sunningdale Road East, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the City Engineer, at no cost to the City.
- ~~133. The Owner shall either register against the title of Blocks 45, 46, 47 and 48, 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.~~

In conjunction with the first submission of engineering drawings, the Owner shall identify locations of all existing infrastructure, ie. Water, septic, storm, hydro, driveways, etc. and their decommissioning or relocation, to the satisfaction of the City Engineer.

In conjunction with the first submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per SW-7.0 to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.

Appendix B – Public Engagement

Community Engagement

Public liaison: On August 26, 2020, Notice of Application was sent to 209 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 27, 2020.

Responses: 1 written reply received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** a Holding Residential R1 (h*h-100*h-173*R1-3) Zone **TO** a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(__)/R6-5(__)) Zone; **FROM** a Holding Residential R1 Special Provision (h*h-100*h-173*R1-3) Zone **TO** a Holding Residential R4 (h*h-100*h-173*R4-3(27)) Zone. Special provisions for the proposed R5-6(__)/R6-5(__) zone would include rear yard decks to encroach in the yard setback as per section 4.27 (5) but may be closer than the stipulated maximum of 1.2m (3.9 feet) permitted..

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

- The neighbour wanted to make sure that the large forested area Block 49 Zoned Open Space (OS5) was not going to be rezoned or removed as part of this application. I explanted in an email that these lands were not part of this application and would not be impacted by this rezoning application and the neighbour was satisfied with my response.

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

Telephone	Written
	Kate Zheng 857 Zaifman Circle

Agency/Departmental Comments:

London Hydro – August 26, 2020

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Upper Thames River Conservation Authority – September 14, 2020

The subject lands are regulated by the UTRCA. Given that the 15 metre setback for the Worrall Drain will be maintained and that the zone line for Open Space (OS4) Block 51 is being realigned to accurately reflect the setback limits of the natural features associated with the block, the Conservation Authority has no objections to this application. We remind the applicant and the City of London (future road widening) that the necessary Section 28 approvals must be obtained prior to any work being undertaken in the regulated area.

Development Engineering – September 20, 2020

Please find attached the recommended revised conditions (in red) for the red-lined draft plan of subdivision with regards to Z-9249 application, as well as revised conditions as it relates to the extension of draft approval and engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Sewer Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

Zoning By-law Amendment

Development Services and the above-noted engineering divisions **supports** the proposed Zoning By-law Amendment for the proposed red-lined draft plan of subdivision subject to the following:

1. Holding provision is implemented on R4-6 zone (street townhouse) until the City Engineer is satisfied with the servicing arrangements to provide adequate separation between services and avoid conflicts with City services.

A minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision.

2. Holding provision is implemented to provide a capacity report and revised design sheets prior to the submission of engineering drawings. Should the sanitary capacity report be provided and accepted prior to the Zoning By-law amendment moving forward to Committee, a holding provision may not be required.

According to the relatively new Applegate existing area plan and design sheet there was only (3l/s) remaining capacity in the 250mm at .6% in an easement through Medium Density Block 43/44 out to Sunningdale Road.

With the proposed Zoning amendment, approximately 4.8 ha of former Single Family zoning changing to Medium Density zoning could essentially double the population for those areas/blocks. The Owner may be required to construct upgrades to accommodate the request zone amendments.

The Sewer Engineering Division supports this rezoning. The Owner shall provide more design details; maximum populations, peak flows etc.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

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

1. Building Strong Healthy Communities;
 2. Wise Use and Management of Resources; and,
 3. Protecting Public Health and Safety.
- Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.3 Settlement Areas
 - 1.1.3.2
 - 1.1.3.6
 - 1.4 Housing
 - 2.0, 2.1.1, 2.1.8, 2.1.4, 2.1.5, 2.1.6
 - 3.0

In accordance with section 3 of the Planning Act, all planning decisions 'shall be consistent with' the PPS

Z.-1 Zoning By-law

Site Plan Control Area By-law

The London Plan

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning by-law amendment and red-line revisions contributes to achieving those policy objectives, including the following specific policies:

59_, 61_, 62_, 172_, *921_, *935_, *936_, *937_, *1688

Our Strategy

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

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

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

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*
7. *Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

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

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.

2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.

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

City Building and Design Policies

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

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

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

The street configuration represents a grid pattern that includes a street facing townhouses along Moon Street and Kleingburg Drive, with multiple direct connections to the existing neighbourhood to the west and south as well as the future developemtn to the north..

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

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Moon Street and Kleingburg Drive. The street network will be required to incorporate sidewalks and sidewalk links, which helps to promote active mobility in the neighbourhood.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of street townhouses and cluster townhouses are, anticipated to be a minimum 2 and 2.5 storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits primarily multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding and houses; emergency care

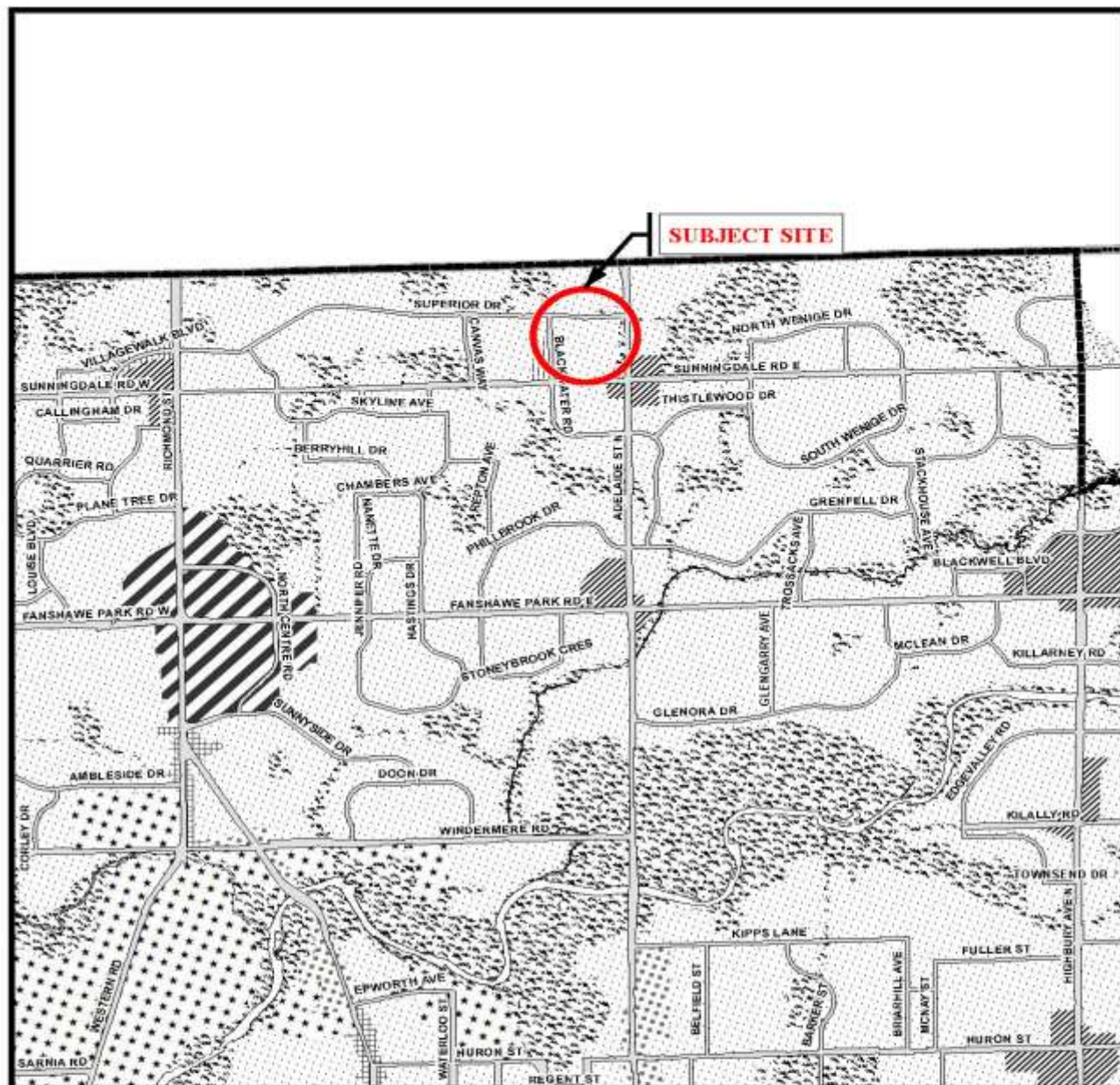
File: 39T-09501 / Z-9243

Planner: S. Meksula

facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The recommended zone variations are consistent with the Official Plan designation and range of permitted uses.

Appendix D – Relevant Background

London Plan Map Excerpt



Legend

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

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

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

CITY OF LONDON

Planning Services /
Development Services

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

PREPARED BY: Planning Services



Scale 1:30,000



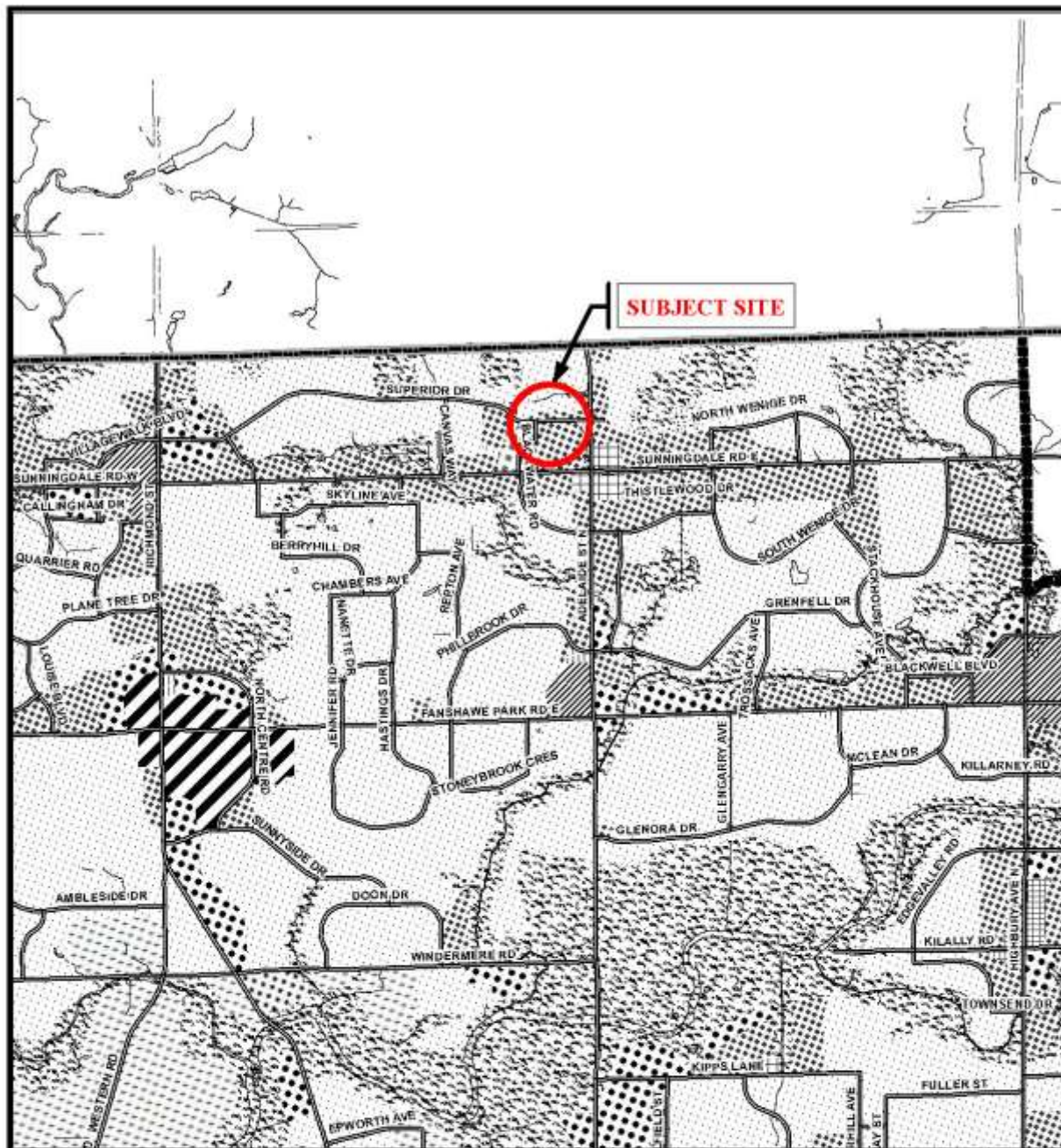
File Number: Z-9249

Planner: SM

Technician: RC

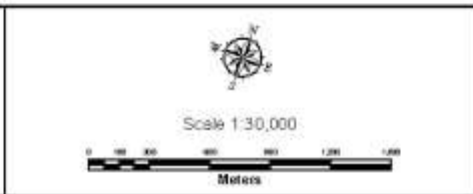
Date: November 23, 2020

Official Plan Map Excerpt



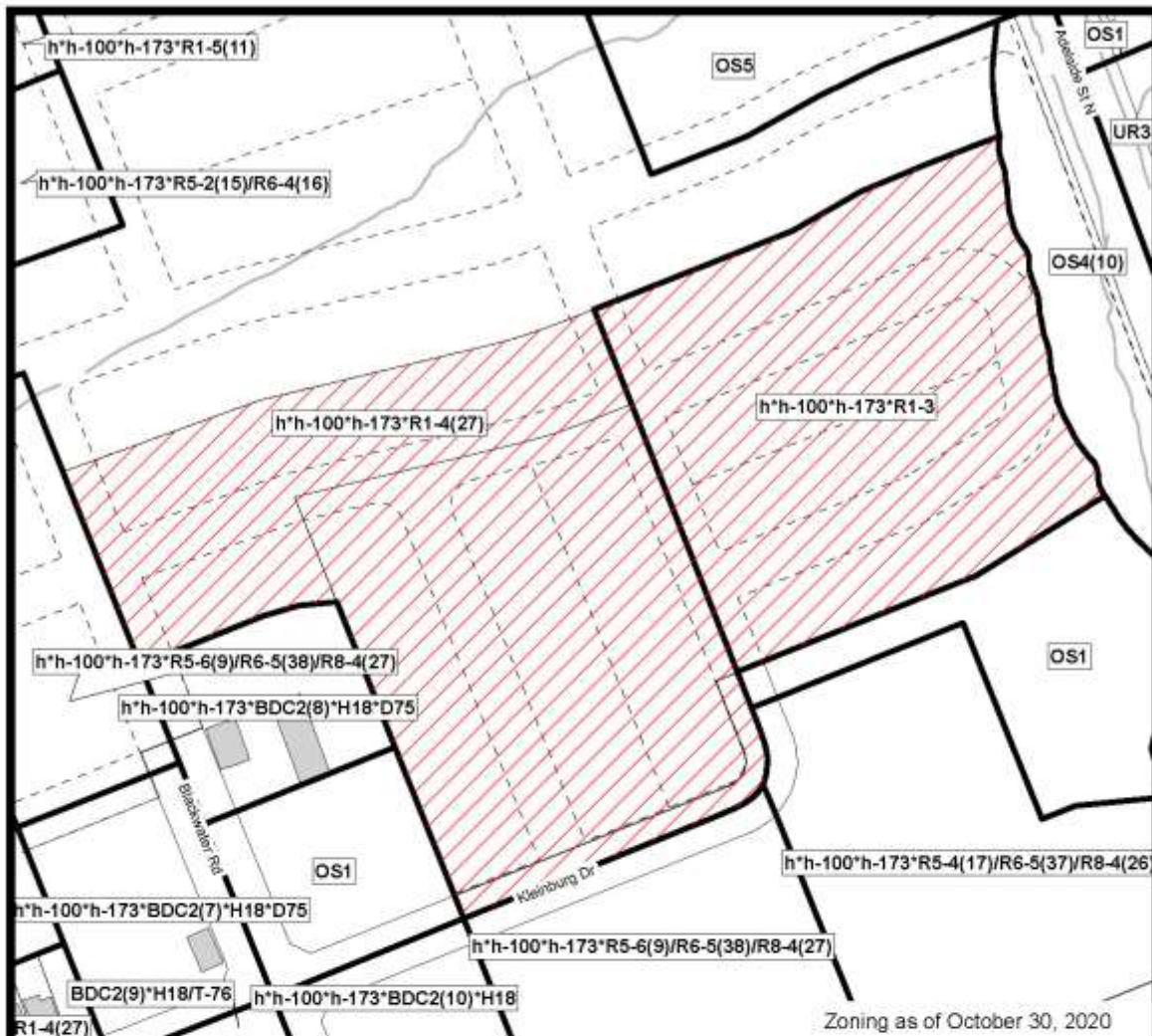
Legend	
Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial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

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



FILE NUMBER: Z-9249
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/11/23

Zoning By-law Map Excerpt



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

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

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

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



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

FILE NO: Z-9249	SM
MAP PREPARED: 2020/11/23	rc
1:2,324	
