

## Report to Planning and Environment Committee

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

**From:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning and Economic Development

**Subject:** Application by Thames Village Joint Venture Corp.  
1738, 1742, 1752 and 1754 Hamilton Road  
Extension of Draft Plan Approval

**Date:** January 10, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Thames Village Joint Venture Corp. relating to the lands located at 1738, 1742, 1752 and 1754 Hamilton Road the Approval Authority **BE ADVISED** that Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision **SUBJECT TO** the previously imposed conditions contained in the attached Appendix "A" (File No. 39T-17502).

## Executive Summary

### Summary of Request

This request is for a three (3) year extension of draft plan approval for a proposed residential subdivision located north-east of Hamilton Road, between Commissioners Road East and the Thames River.

### Purpose and the Effect of Recommended Action

The purpose and effect is to recommend the Approval Authority for the City of London approve the requested extension of draft plan approval which is currently set to lapse on February 15, 2022, subject to the previously approved conditions.

### Rationale of Recommended Action

1. The requested three (3) year extension is reasonable to allow sufficient time for the registration of the subdivision plan.
2. The land use pattern, lot/block configurations, and road alignments in this subdivision do not change; therefore, an extension of the lapse date can be supported. The previous conditions of draft approval were re-circulated and reviewed with departments and agencies and no new conditions, revisions or updates are recommended.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

July 26, 2021 – Report to Planning and Environment Committee – 1738, 1752 and 1754 Hamilton Road – Thames Village Joint Venture Corporation - Special Provisions for Subdivision Agreement (File No. 39T-17502).

June 18, 2018 – Report to Planning and Environment Committee – 1738, 1742, 1752 and 1756 Hamilton Road – Thames Village Joint Venture Corporation – Applications for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (File No. 39T-17502/OZ-8147).

## **2.0 Discussion and Considerations**

### **2.1 Property Description**

The southwesterly half of the site is characterized by tableland consisting of open fields previously in agricultural use. The northeasterly half of the site is composed of steep, wooded ravines in which there are two watercourses tributary to the Thames River to the north. Residential uses existing on the property consist of a two residences fronting the east side of Hamilton Road (1738 and 1752-1754 Hamilton Road), and an existing dwelling at the back of the property located on tableland overlooking the Thames River and adjacent ravine (1742 Hamilton Road). Not far to the east is another home within the same area, but located on a separate parcel of land outside the proposed subdivision lands (municipal address 1746 Hamilton Road). Both residential properties share a private lane for access from Hamilton Road.

Development of a residential strip of single detached dwellings emerged over time along the north side of Hamilton Road. This was partly the result of a subdivision plan (R.P. 747) registered many years ago when the area was within the Township of Westminster. Through that registered plan, Oriole Drive, Bobolink Lane, and Cardinal Lane were dedicated as public highways. Oriole Drive and Bobolink Lane will be utilized to provide the subdivision with public road access to Hamilton Road.

The proposed subdivision lands are traversed by an untravelled road allowance lying east of Hamilton Road between Concession 1 and Broken Front Concession 'B' (known as the "Base Line" road allowance). The process of legally closing the road allowance as a public highway has been approved by Municipal Council. The bulk of the road allowance will be retained by the City for open space purposes, except for a small portion which is to be sold to the adjacent property owner/developer in order to connect development lands lying on either side of the road allowance. These lands are also traversed by the Hydro One Networks transmission corridor easement. Adjustments to the draft plan have been made to ensure that future residential development does not encroach into the hydro corridor easement lands.

### **2.2 Current Planning Information**

- The London Plan Place Type – Neighbourhoods and Green Space
- (1989) Official Plan Designation – Low Density Residential, Multi-family, Medium Density Residential and Open Space
- Zoning – Lots and blocks within the draft plan comprise various Residential (R1, R4, R5 and R6) Special Provision, Open Space (OS5), and Urban Reserve (UR4) Zones.

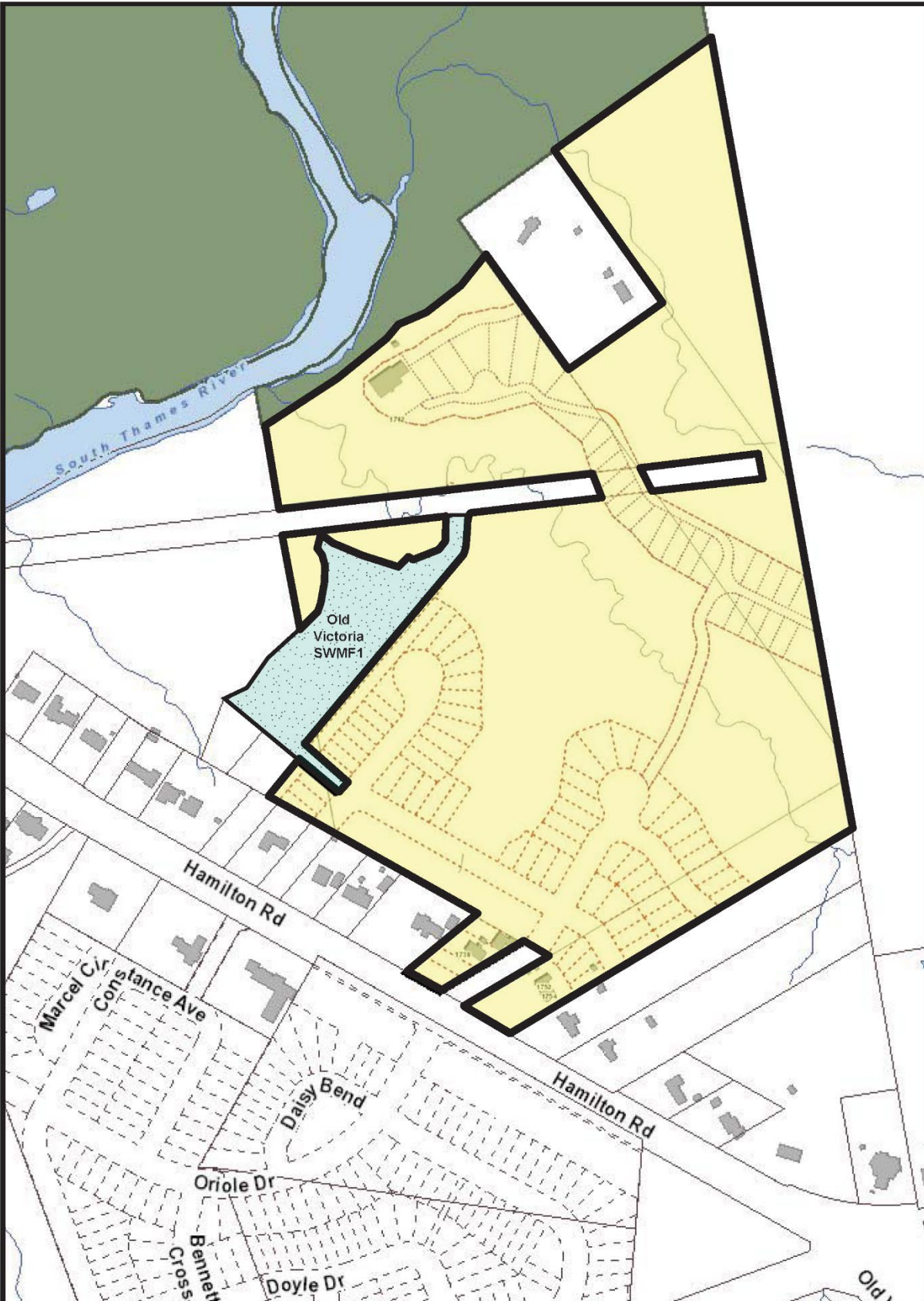
### **2.3 Site Characteristics**

- Current Land Use – residential dwellings, vacant lands, and hydro transmission corridor
- Frontage – 95 metres (312 ft.)
- Depth – varies from approx. 270 metres (886 ft.) to 600 metres (1,970 ft.)
- Area – approx. 19.4 hectares (48 acres)
- Shape – Irregular

### **2.4 Surrounding Land Uses**

- North – stormwater management facility, Thames River and open space
- East – agriculture
- South – low density residential
- West – low density residential

## 2.5 Location Map



### Location Map

Subject Property: 1738, 1742, 1752 & 1756 Hamilton Rd  
 Applicant: Thames Village Joint Venture Corp.  
 File Number: 39T-17502 / OZ-8147  
 Created By: Rob Carnegie  
 Date: 5/25/2018  
 Scale: 1:4000

Corporation of the City of London



### Legend

- Subject Property
- Parks
- Assessment Parcels
- Buildings
- 123 Address Numbers
- Stormwater Management Facility







## **2.7 Planning History**

On June 26, 2018, Municipal Council adopted Official Plan and Zoning By-law Amendments in conjunction with a proposed Draft Plan of Subdivision submitted by Thames Village Joint Venture Corporation for lands consisting of approximately 20 hectares on the north-east side of Hamilton Road, north of Commissioners Road East and south of the Thames River. On August 15, 2018 the City of London Approval Authority issued Draft-Approval of the subdivision plan for three years. A subsequent 180 day extension was granted by the Approval Authority on August 4, 2021 extending the lapse date to February 15, 2022.

Old Victoria Stormwater Management Facility No. 1 has been constructed by the City on the east side of Hamilton Road adjacent this subdivision plan to serve the future development. Engineering design and servicing drawings for Phase 1 of the subdivision have been reviewed and accepted, and Special Provisions for the Subdivision Agreement have recently been approved by Council.

## **2.8 Requested Action**

This request is for a three (3) year extension of the draft plan which consists of 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets.

An extension of Draft Approval is required in order to have sufficient time to complete the final approval and registration process. The applicant has not proposed any changes to the lotting configuration, road pattern or zoning that applies to these lands. A Draft Approval extension period of three (3) years is being recommended in accordance with standard City practice. If final approval has not been provided within the three year period and the applicant requests an extension, there will be another opportunity to formally review the conditions and ensure that they are relevant to current planning policies, municipal servicing requirements, and the projects listed in the updated Growth Management Implementation Strategy (GMIS).

## **2.9 Community Engagement**

Notice was not circulated to the public regarding the request for extension of draft approval given that no significant changes are being proposed to the zoning, lotting pattern or roadway alignments in the draft approved plan (39T-17502). In accordance with Section 51(45) of the *Planning Act* notice will be provided to the applicant, as well as any persons or public bodies who are prescribed under the Act and anyone who previously requested notification.

## **2.10 Policy Context**

### **The London Plan**

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the developable portions of these lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, and townhouses, as the main uses. The “Green Space” Place Type has also been applied to portions of the subject lands to recognize the presence of significant natural heritage features, watercourses, and hazard lands. Proposed land uses are consistent with the Place Types in the London Plan. The Draft-Approved Plan incorporates a high degree of neighbourhood connectivity and a multi-use walking and cycling pathway system identified on the Active Mobility Network mapping. The plan incorporates elements of the City’s Placemaking and Old Victoria Area Plan Community Design Guidelines, including a strong street-oriented built form. The main attraction is the unique backdrop of natural areas and passive open space. Components of both the public and private realm, such as “window” streets providing views and the Thames Valley Pathway (TVP) providing passive outdoor recreational opportunities, incorporate these features into the subdivision design.

## **(1989) Official Plan**

These lands are designated Low Density Residential, Multi-family, Medium Density Residential, and Open Space on Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. The Multi-family, Medium Density Residential 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 up to a maximum density of 75 units per hectare. These areas may also be developed for single detached, semi-detached and duplex dwellings. The Open Space designation has been applied to existing natural features and open space, and has been further reviewed and refined through Environmental Impact Studies and hydrogeological assessments as part of the planning review and approvals process. The natural areas containing watercourses and wooded ravines, associated buffers, and restoration/renaturalization areas, are to be preserved and protected as Open Space.

### **3.0 Financial Impact/Considerations**

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

### **4.0 Key Issues and Considerations**

The key issues and considerations have been reviewed and addressed through the draft plan of subdivision approval process. The Draft Approval conditions have been re-circulated and reviewed with municipal departments and agencies. Based on our review the current conditions continue to be appropriate and no new conditions, revisions or updates are recommended.

## **Conclusion**

Staff recommend a three (3) year extension to Draft-Approval for this plan of subdivision, subject to the previously approved conditions included in Appendix A. The recommended extension is considered appropriate and reasonable to allow sufficient time for final approval and registration of this subdivision plan.

**Prepared by:** Larry Mottram, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

**Recommended by:** Gregg Barrett, AICP  
Director, Planning and Development

**Submitted by:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

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 Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

December 23, 2021

GK/GB/BP/LM/lm

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## Appendix A

### APPENDIX 39T-17502 (Conditions to be included for draft plan approval)

#### THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION 39T-17502 ARE AS FOLLOWS:

1. This draft approval applies to the draft plan as submitted by Thames Village Joint Venture Corporation (File No. 39T-17502), prepared by Archibald, Gray & McKay Ltd., and certified by Juan D. Zapata, Ontario Land Surveyor dated September 20, 2017 (Project No. OVE DP), as red-lined revised, which shows 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets.
2. This approval applies for three years until February 15, 2025 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) be named to the satisfaction of the City.
5. The Owner shall request that the municipal addresses 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 Owner shall enter into the City's standard subdivision agreement (including any added special provisions) which shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
9. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
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, such submission will be returned to the Owner without detailed review by the City.

## **SEWERS & WATERMAINS**

### Sanitary:

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

- i) A preliminary sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City. Due to the depth of the outlet sewer on Hamilton Road, the sanitary plan shall include design details related to the connection of the internal sewers to the existing sewer on Hamilton Road and the proposed inverts of the internal subdivision sewers;
- ii) A servicing report for the lands which have been identified as requiring pumped sanitary servicing. The report shall confirm that there is no viable option to provide gravity servicing, identify that a pumped system would be constructed at the Owner's cost and be privately owned and operated, identify the type of private servicing system(s) which may be implemented and describe how the ownership and operation of the private system will be managed for the development of the lands within Blocks 70 and 71.
- iii) A servicing report that demonstrates an outlet to serve the subject lands and how it will ultimately outlet to the municipal sanitary sewer on Hamilton Road.
- iv) A suitable routing for the sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;
- v) 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;
- vi) Confirmation that the Upper Thames River Conservation Authority has agreed in principle to the construction of any proposed sanitary sewer through any Blocks in this Plan within the UTRCA regulatory area.

12. 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 750 mm (30") diameter sanitary sewer located on Hamilton Road.
- ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
- iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
- iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

13. 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) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
- iv) Implementing any additional measures recommended through the engineering drawing submission.
- v) 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.

14. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

#### Storm and Stormwater Management (SWM)

15. In conjunction with the Focused Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:

- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City. This plan is to indicate any interim and ultimate conditions and any associated infrastructure and easements;
- iii) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility to be built by the City;
- iv) Addressing the rerouting, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses;
- v) Providing details of the crossing of the watercourse to Block 70;
- vi) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and
- vi) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.

16. 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 South Thames Subwatershed Study and any addendums/amendments;
- ii) The Municipal Class Environmental Assessment Environmental Study Report for Old Victoria Plan – Storm Drainage and Stormwater Management Servicing Works

(January 15, 2009);

- iii) The approved Functional Stormwater Management Plan/Report for Old Victoria SWMF # 1 (AECOM 2015) and any other applicable Storm/Drainage and SWM Servicing Functional Report(s) for the subject lands or outlet systems;
- iv) The City's Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and residential development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
- v) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
- vi) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
- vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
- viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
- ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
- x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

17. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:

- i) Construct storm sewers to serve this plan, located within the South Thames Subwatershed, and outlet them to the Thames River via the proposed regional Stormwater Management (SWM) Facility (Old Victoria SWM # 1) and the identified Tributary 2 in the Functional Stormwater Management Plan/Report for Old Victoria SWMF # 1 Report and all related stormwater/drainage servicing infrastructure in and related to, this plan of subdivision;
- ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan;
- iii) Grade and drain all boundaries of the Lots/Blocks, open space and renaturalization areas in this plan to blend in with the abutting SWM Facility in this plan, at no cost to the City;
- iv) 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, the Owner shall confirm the required erosion and sediment control measures were maintained and operating as intended during all phases of construction, and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
- vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

18. Prior to the issuance of any Certificates of Conditional Approval for any lot/block in this plan, or as otherwise approved by the City, the Owner shall complete the following:

- i) All storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
- ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
- iii) Implement the re-routing, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses, to the satisfaction of the UTRCA and City; and,
- iv) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City.

19. Prior to the issuance of any Certificates of Conditional Approval for any Lots/Blocks in this plan, the Old Victoria SWMF # 1, to be built by the City, to serve this plan, must

be constructed and operational.

20. The Owner shall cross reference the submitted draft plan with the reference plan 33R- 19767 for the adjacent Old Victoria SWM Facility # 1 block to ensure they are consistent as there are some discrepancies. Any additional land shall be included as part of the adjacent Open Space Block.

21. In conjunction with the engineering drawing submission, 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.

22. In conjunction with the Focused Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:

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

23. 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.

24. The Owner shall ensure that any storm drainage areas within this draft plan of subdivision which cannot be serviced by the proposed SWM Facility shall be identified and SWM on- site controls for these specified areas shall be provided in accordance with the accepted Design Requirement for Permanent Private Stormwater Systems, all to the satisfaction of the City Engineer. Also, any parts of this draft plan that are not serviced by the proposed Old Victoria SWMF # 1 shall be required to provide quality controls for all storm flows, all to the satisfaction of the City Engineer.

25. The Owner's professional engineer 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 specification and satisfaction of the City Engineer.

26. The Owner shall develop the proposed plan of subdivision 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.

27. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

### Watermains

28. In conjunction with the engineering drawings submission, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:

- i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
- ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level 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:
  - Max Day + Fire confirming velocities and pressures within the system at the design fire flows; and
  - Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
- v) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
- vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;
- vii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;
- viii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
- ix) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
- x) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
- xi) Identify the effect of development on existing water infrastructure – identify potential conflicts;
- xii) Include full-sized water distribution and area plan(s);
- xiii) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices), the fire hydrant rated capacity and marker colour and the design fire flow applied to development blocks.

29. 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.

30. 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/assumption
- 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/assumption
- iv) all works and the costs of removing the devices when no longer required

31. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling, as necessary to address water quality.

32. 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:

- iii. Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 250 mm diameter watermain on Hamilton Road;
- iv. 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
- v. 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;

33. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of all Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.

34. With respect to Blocks 70 and 71, the Owner shall include in all agreements of purchase and sale and/or lease, a warning clause advising the purchaser/transferee that if it is determined by the Ministry of Environment and Climate Change (MOECC) that the water servicing for the Block is a regulated drinking water system, then the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.

If deemed a regulated system, the City of London may be ordered by the Ministry of the Environment and Climate Change (MOECC) to operate this system in the future. The system may be required to be designed and constructed to City standards.

## **STREETS, TRANSPORTATION & SURVEYS**

### **Roadworks**

35. The Owner shall construct a cul-de-sac(s) on Street 'A' and Street 'C' in accordance with City of London Standard DWG. SR-5.0, to the specifications and satisfaction of the City Engineer. The Owner shall provide a raised circular centre island within the cul-de-sac(s) or as otherwise directed by the City Engineer.

36. 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.

37. At 'tee' intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metres (20') tangent being required along the street lines of the intersecting road, all to the satisfaction of the City Engineer.

38. In conjunction with the first submission of engineering drawings submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:

i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, centreline radii, 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.

39. 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 and/or around the cul-de-sacs on Street 'A' and Street 'C'.

40. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

Road Allowance	S/L Radius
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m

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

i) Bobolink Drive and Oriole Drive, Street 'A' (from Hamilton Road to Street 'B') and Street 'C' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').

ii) Street 'A' (from Street 'B' to cul-de-sac) and Street 'B' have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').

42. The Owner shall align Street 'A' opposite Bobolink Lane, to the satisfaction of the City Engineer.

43. The Owner shall align Oriole Drive/Street 'C' opposite Oriole Drive to the west of Hamilton Road, to the satisfaction of the City Engineer.

44. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make an application to the City to lift the existing 0.3 metre reserves at the east limits of Bobolink Lane and Oriole Drive, to the satisfaction of the City.

45. In conjunction with Focused Design Studies submission, the Owner shall submit a concept plan to show how Municipal Nos. 1742 and 1746 Hamilton Road will be serviced and accessed and identifying the location of an easement over Blocks 70, 71 and 75 if needed for servicing and access of 1746 Hamilton Road.

46. The Owner shall register an easement for access from the easterly limit of Street 'C' to 1742 and 1746 Hamilton Road, to the satisfaction of the City Engineer.

47. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall provide access for 1752 and 1754 Hamilton Road to Oriole Drive/Street 'C' and close and restore the boulevard for the existing accesses to Hamilton Road, to the satisfaction of the City, at no cost to the City.

48. The Owner shall contact the City to request the closure and conveyance of the existing road allowance within this plan, to the satisfaction of the City.

#### Sidewalks/Bikeways

49. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:

i) Street 'C' – north and west boulevard

- ii) Bobolink Lane – west boulevard from Hamilton Road to Street ‘B’
- iii) Oriole Drive – west boulevard
- iv) Street ‘B’ – north boulevard

#### Street Lights

50. 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

51. The Owner shall red-line this plan to align Oriole Drive and opposite Oriole Drive in the subdivision on the west side of Hamilton Road, to the satisfaction of the City Engineer.

52. The Owner shall construct Bobolink Lane at the intersection of Hamilton Road with a minimum pavement width of 10.0 metres for a minimum storage length of 30.0 metres tapered back over a distance of 30.0 metres to a minimum pavement width of 8.0 metres on the standard road width of 20.0 metres.

53. The Owner shall align the travelled portion of Bobolink Lane perpendicular to Hamilton Road, to the satisfaction of the City Engineer.

54. The Owner shall construct Oriole Drive at the intersection of Hamilton Road with a minimum pavement width of 9.0 metres on a right-of-way width of 20.5 metres for a minimum storage length of 30.0 metres tapered back over a distance of 30.0 metres to the standard road width of 20.0 metres.

55. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall undertake external works on Bobolink Lane and Oriole Drive, to construct fully serviced public street connections to the subdivision, all to the specifications and to the satisfaction of the City, at no cost to the City.

56. The Owner shall make minor boulevard improvements on Hamilton Road adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

57. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Hamilton Road and Oriole Drive, and the intersection of Hamilton Road and Bobolink Lane, to the specifications of the City, at no cost to the City.

58. If the temporary access to 1691 Hamilton Road is still in place and functioning, prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a restricted access to Bobolink Lane in accordance with City standards, to the satisfaction of the City Engineer, at no cost to the City. Access to Bobolink Lane is to be restricted to right in/right out until such time as the temporary access to 1691 Hamilton Road is removed and decommissioned to the satisfaction of the City Engineer.

Sufficient security shall be provided to remove the restricted access in the future, if necessary, to the satisfaction of the City Engineer.

59. The Owner shall remove the right in/right out access on Bobolink Lane at such time as the temporary access to 1691 Hamilton Road is removed and decommissioned, to

the satisfaction of the City Engineer.

#### Road Widening

60. The Owner shall dedicate sufficient land to widen Hamilton Road to 18.0 metres (59.06') from the centreline of the original road allowance.

61. The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Oriole Drive with Hamilton Road in accordance with the Z-1 Zoning By-law, Section 4.24.

#### Vehicular Access

62. The Owner shall restrict access to Hamilton Road by establishing blocks for 0.3 metre (1') reserves along the entire Hamilton Road frontage, to the satisfaction of the City. All vehicular access is to be via the internal subdivision streets.

#### Construction Access/Second Access Roads

63. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hamilton Road or other routes as designated by the City.

64. 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.

65. The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc. and provide any necessary easements.

66. 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.

67. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:

- i) Street 'B' – south limit
- ii) Street 'C' – south limit

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

68. The Owner shall notify the future owners of Blocks 70 and 71 that only one access will be permitted for the blocks to Street 'C'. A joint access agreement must be established for the shared access, to the specifications and satisfaction of the City.

#### **GENERAL CONDITIONS**

69. The Owner shall comply with any requirements of all affected agencies (eg. Hydro One Networks Incorporated, Ministry of Natural Resources, Upper Thames River Conservation Authority, etc.), all to the satisfaction of the City.

70. 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.

71. 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.

72. 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.

73. In conjunction with the Focused Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing

geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:

- i) servicing, grading and drainage of this subdivision
- ii) road pavement structure
- iii) dewatering
- iv) foundation design
- v) removal of existing fill (including but not limited to organic and deleterious materials)
- vi) the placement of new engineering fill
- vii) any necessary setbacks related to slope stability for lands within this plan
- viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,
- ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability associated with the Thames River, existing ravines and proposed Lots and Block(s) within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback; and any other requirements as needed by the City, all to the satisfaction of the City.

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

75. 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.

76. The Owner shall connect to all existing City 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.

77. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the Plan.

78. In conjunction with Focused Design Studies submission, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be

provided to condominiums/street townhouses indicated on Street 'B'. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.

79. The Owner acknowledges that servicing for Block 72 must be approved through Site Plan Approval by the City prior to any installation of servicing.

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

Further, the grades to be taken as the centreline line grades on Hamilton Road are the existing 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 existing road grades, all to the satisfaction of the City.

81. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

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

i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;

ii) The Owner must provide a video inspection on all affected unassumed sewers;

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

82. 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.

83. 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.

84. 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.

85. 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.

86. 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.

87. In conjunction with the Focused Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

88. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".

89. The Owner shall not commence construction or installations of any services (e.g. 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 (e.g. Hydro One Networks Inc., 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.)

90. 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.

91. In conjunction with the engineering drawings submission, 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.

92. 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.

93. 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.

94. 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.

95. 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.

96. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

97. 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 municipal or private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing municipal or private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary 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.

98. The Owner shall make all necessary arrangements to have adequate private easements registered on title and included in the Agreement of Purchase and Sale or Lease and in

the transfer of deed of the external lands to the north of this Plan (1746 Hamilton Road), a covenant by the purchaser or transferee stating that the purchaser or transferee of the said Lots and/or Blocks, to allow the owner 1746 Hamilton Road, to access the external lands for private access, to the satisfaction of the City, at no cost to the City.

99. The Owner shall provide access for 1746 Hamilton Road in order to not create a land locked parcel and the existing hydro services for the residential property at 1746 Hamilton Road are to be relocated, all to the satisfaction of the City and London Hydro, at no cost to the City.



100. In conjunction with the first submission of engineering drawings, 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.

101. At the time this plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal servicing required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.

102. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services within this draft plan (e.g. Lot 16) and on Hamilton Road, Oriole Drive and Bobolink Lane, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (e.g. private services, hydro poles, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City.

103. The Owner shall include in the Agreements of Purchase and Sale or lease and in the transfer of deed of Block 70 in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said lots to observe and comply with the private easements and private sewer services needed for the servicing of Block 71 in this plan. No landscaping, vehicular accesses, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading or drainage that services other lands.

104. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have the existing access and services to 1738 Hamilton Road, 1742 Hamilton Road and 1752 and 1754 Hamilton Road relocated and/or reconstructed to the satisfaction of the City should the existing dwellings on Lots 65 and 68 and Block 71 be retained. Any portion of the existing services not used shall be removed or abandoned and capped to the satisfaction of the City, at no cost to the City. In addition, the Owner shall regrade areas within Lots 65 and 68 to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City.

## **PLANNING**

105. In conjunction with the Focused Design Studies submission, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.

106. The Owner shall construct 1.5m high chain link fencing with no gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.

107. The Owner shall construct 1.8m high continuous chain link fencing adjacent the Hydro One Networks Inc. (HONI) transmission corridor from Lots 1 to 3 and Lots 4 to 12, with no gates leading to back or side yards.

108. 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 Manager of Environmental and Parks Planning.

109. The Owner shall develop and deliver to all purchasers and transferees of the lots in this plan, a homeowner guide/education package as approved by the Manager of Parks Planning and Design that explains the stewardship of natural areas and the value of existing tree cover, as well as indirect suburban effects on natural areas. The Owner shall submit the homeowner guide/education package for review and acceptance, in conjunction with the Focused Design Studies submission.

110. The Owner shall implement the recommendations of the Old Victoria East Subdivision 1691, 1738, 1742 Hamilton Road, London, Ontario Environmental Impact Study Addendum prepared by Natural Resource Solutions Inc. dated July 2015 for the lands on the east side of Hamilton Road, and updated by subsequent addendums, to the satisfaction of the City. In conjunction with the Focused Design Studies submission, the Owner shall provide a schedule indicating how each of the accepted Environmental Impact Study Addendum recommendations will be implemented and satisfied as part of the subdivision approval process.

111. The Owner shall convey Blocks 73, 74, 75, 76, and 77 to the City in order to satisfy a portion of the required parkland dedication based on the rates for hazard, open space and constrained lands. The remaining parkland dedication will be taken as cash-in-lieu as per By-law CP-9, to the satisfaction of the Manager of Environmental and Parks Planning.

112. Prior to undertaking any works or site alteration including filling, grading, construction or alteration to a watercourse in a Conservation Regulated Area, the Owner shall obtain a permit or receive clearance from the Upper Thames River Conservation Authority.

113. Prior to final approval, the Owner shall ensure that any lot located adjacent to the hydro easement shall have registered on title to the lot, and included in agreements of purchase and sale or lease, the appropriate Hydro One Networks Inc. (HONI) warning clause(s), to the satisfaction of the City.

114. In conjunction with the Focused Design Studies submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future residential uses adjacent arterial roads. The noise study shall be prepared in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines. Any recommended noise attenuation measures are to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner, or may be incorporated into the subdivision agreement.

115. The Owner shall carry out a Stage 1-2 Archaeological Assessment by a licensed archaeologist. Implementation recommendations as a result of the assessment must be addressed, to the satisfaction of the Approval Authority. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the owner providing confirmation that the Ministry of Tourism, Culture, and Sport has reviewed and accepted the Stage 1-2 Archaeological Assessment into the Ontario Public Register.

116. In conjunction with the Focused Design Studies submission, the owner shall provide a conceptual park plan delineating the alignment of the west-east Thames Valley Parkway (TVP multi-use pathway) from Whites Bridge to the eastern boundary of the proposed plan of subdivision with approval from all impacted agencies and utilities, to the satisfaction of the Manager of Environmental and Parks Planning. If approval of the alignment cannot be secured, redline revisions to the plan of subdivision will be

required to accommodate the 10 meter wide multi-use pathway corridor.

117. In conjunction with the Focused Design Studies submission, the owner shall prepare and submit a restoration plan and compensation plan as identified in the recommendations of the Environmental Impact Study and Addendum prepared by Natural Resource Solutions Inc. dated July 2015. The restoration plan shall also include a monitoring program for the restoration and compensation lands for a period of five (5) years. Prior to submitting the focused design study, the Owner and his consultants, shall meet with staff to scope out the requirements of the restoration and compensation plan.

118. Prior to Final Approval of this Plan, the Owner shall submit a Municipal Address Change Application with the City, to change the addresses of 1742 and 1746 Hamilton Road, all related costs shall be solely at the Owner's expense and at no cost to the City.

119. Prior to Final Approval, the southerly boundary of the draft plan shall be established through an Application for Absolute Title under the Land Titles Act.

### **UTRCA**

120. The Owner shall complete a Final Stormwater Management Plan/Report which addresses the Conservation Authority's outstanding concerns (as noted in their correspondence dated May 1, 2018), to the satisfaction of the UTRCA.

121. The Owner shall complete a Final Environmental Impact Study which consolidates all of the various ecological submissions and addresses the Conservation Authority's outstanding concerns (as noted in their correspondence dated May 1, 2018), to the satisfaction of the UTRCA. A Homeowners Information Package shall also be prepared, to the satisfaction of the UTRCA.

122. The Owner shall complete a Final Hydrogeological Assessment and Water Balance Analysis which addresses the Conservation Authority's outstanding concerns (as noted in their correspondence dated May 1, 2018), to the satisfaction of the UTRCA.

123. If it is determined through the review of the Final Environmental Impact Study, Hydrogeological & Water Balance and Stormwater Management studies that there is a need for a larger buffer to protect the natural hazard and natural heritage lands and their functions, the draft plan be redlined to accommodate the required buffer.