

## Report to Planning and Environment Committee

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

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

**Subject:** Sifton Properties Limited  
1938 & 1964 Commissioners Road East  
Public Participation Meeting

**Date:** September 27, 2021

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Sifton Properties Limited relating to the properties located at 1938 & 1964 Commissioners Road East:

- (a) the Approval Authority **BE ADVISED** of the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Subdivision submitted by Sifton Properties Limited relating to lands located at 1938 & 1964 Commissioners Road East;
- (b) the Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by Sifton Properties Limited, prepared by Archibald, Gray & McKay Ltd. (Plan No. 8-L-5276), certified by Jason Wilband O.L.S., dated November 25, 2020, as red-line amended, which shows a total of 12 single detached residential lots, 5 single detached residential blocks, 4 medium density residential blocks, 2 future development blocks, 7 park blocks, 1 open space block, 6 open space buffer blocks, 1 road widening block, and 1 reserve block, served by 2 new streets, **SUBJECT TO** the conditions contained in the attached Appendix 'A';
- (c) the proposed by-law attached hereto as Appendix 'B' **BE INTRODUCED** at the Municipal Council meeting to be held on October 5, 2021 to amend The London Plan by adding a Specific Policy for the Neighbourhood Place Type and to add a portion of the subject lands to Map 7 – Specific Policy Areas, of The London Plan;
- (d) the proposed by-law attached hereto as Appendix 'C' **BE INTRODUCED** at the Municipal Council meeting to be held on October 5, 2021 to amend the 1989 Official Plan for a portion of lands located at 1938 & 1964 Commissioners Road East by changing the designation on Schedule A – Land Use **FROM** Low Density Residential **TO** Multi-family, Medium Density Residential; and,
- (e) the proposed by-law attached hereto as Appendix 'D' **BE INTRODUCED** at the Municipal Council meeting to be held on October 5, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in Parts (c) and (d) above, to change the zoning of the subject lands **FROM** an Urban Reserve UR4, Open Space OS4, and holding Open Space (h-2•OS4) Zones **TO** a holding Residential R1 Special Provision (h•h-100•R1-3(16)) Zone, a holding Residential R1 Special Provision (h•h-100•R1-3(\*)) Zone, a holding Residential R1 Special Provision (h•R1-4(28)) Zone, a holding Residential R1/R4 Special Provision (h•h-100•R1-3(16)/R4-3(\*)) Zone, a holding Residential R5/R6 Special Provision (h•h-54•h-71•h-100•R5-6(8)/R6-5(31)) Zone, a holding Residential R5/R6/R8 Special Provision (h•h-100•R5-5( )/R6-5( )/R8-3( )) Zone, a holding Business District Commercial/Office/Residential R8 Special Provision (h•h-54•h-100•h-128•BDC2(5)/OF5/R8-4(17)) Zone, an Open Space OS1 Zone, an Open Space OS1 Special Provision (OS1(3)) Zone, an Open Space OS5 Zone, and an Urban Reserve UR4 Special Provision (UR4(7)) Zone.

## **Executive Summary**

### **Summary of Request**

This request is to seek approval of a residential plan of subdivision and associated zoning by-law amendments for an approximately 7.0 hectare site on Commissioners Road East consisting of single family and multi-family dwellings, future development blocks, pedestrian pathways, parkland and open space, and served by two (2) local streets with connections to the “Victoria on the River” subdivision to the west, and new subdivision development occurring on lands to the east. The plan does not propose direct vehicular access to Commissioners Road East; however, access to Commissioners Road East and Hamilton Road would be provided via the adjacent subdivision road network.

### **Purpose and the Effect of Recommended Action**

The purpose and effect is to recommend that the Approval Authority for the City of London issue draft approval of the proposed draft plan of subdivision, subject to conditions attached to this report; and that Municipal Council approve the recommended Official Plan and zoning by-law amendments.

### **Rationale of Recommended Action**

1. The proposed draft plan of subdivision and zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2020*, as it achieves objectives for efficient and resilient development and land use patterns. It represents development of low and medium density forms of housing, including single detached dwelling lots, townhouse and cluster forms of housing, and low-rise apartment buildings taking place within the City’s urban growth area and within an area for which an area plan has been approved to guide future community development. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and increases community connectivity.
2. The proposed draft plan of subdivision and zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The proposed draft plan of subdivision and zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential, Multi-Family, Medium Density Residential, and Open Space designations.
4. The proposed draft plan of subdivision and zoning represents Phase 6 of the Victoria on the River residential subdivision. In terms of use, form and intensity the proposed subdivision plan is considered appropriate and in keeping with The London Plan, 1989 Official Plan, and the the Old Victoria Area Plan policies and design guidelines.

## **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 Site at a Glance

#### 1.1 Property Description

The site is composed of two contiguous parcels of land fronting Commissioners Road East (1938 and 1964 Commissioners Road East). Residential dwellings which formerly occupied these properties including a barn, horse stable and paddocks have since been removed. The lands are currently vacant of buildings and consist of isolated pockets of trees, hedgerows and remnant farm fields. A small parcel of land was recently severed from an adjacent property fronting on Hamilton Road (1645 Hamilton Road) and joined to these properties just north of where Holbrook Drive is proposed to terminate in a cul-de-sac. The southerly portion of the site along the Commissioners Road East frontage is characterized by rolling topography that slopes from west to east, and then northward towards a narrow ravine corridor and small tributary channel which flows in a northerly direction.

The ravine corridor consists of deciduous forest and swampy wetland type vegetation communities, including skunk cabbage and other groundwater indicator plants. A neighbourhood park (Sheffield Park) is located immediately adjacent the subject lands on the west. Additional park blocks will be added to the neighbourhood park as part of this subdivision's parkland dedication, including lands within the Hydro One transmission corridor which traverse the northerly portion of the subject lands. Just south of the single detached lots fronting on Kettering Place are five part blocks created as part of Victoria on the River - Phase 5. These part blocks were retained by Sifton Properties Limited to be merged with the part blocks (Blocks 38-42) in this draft plan of subdivision to create whole lots.

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

- 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 – Urban Reserve UR4, Open Space OS4, and holding Open Space (h-2•OS4)

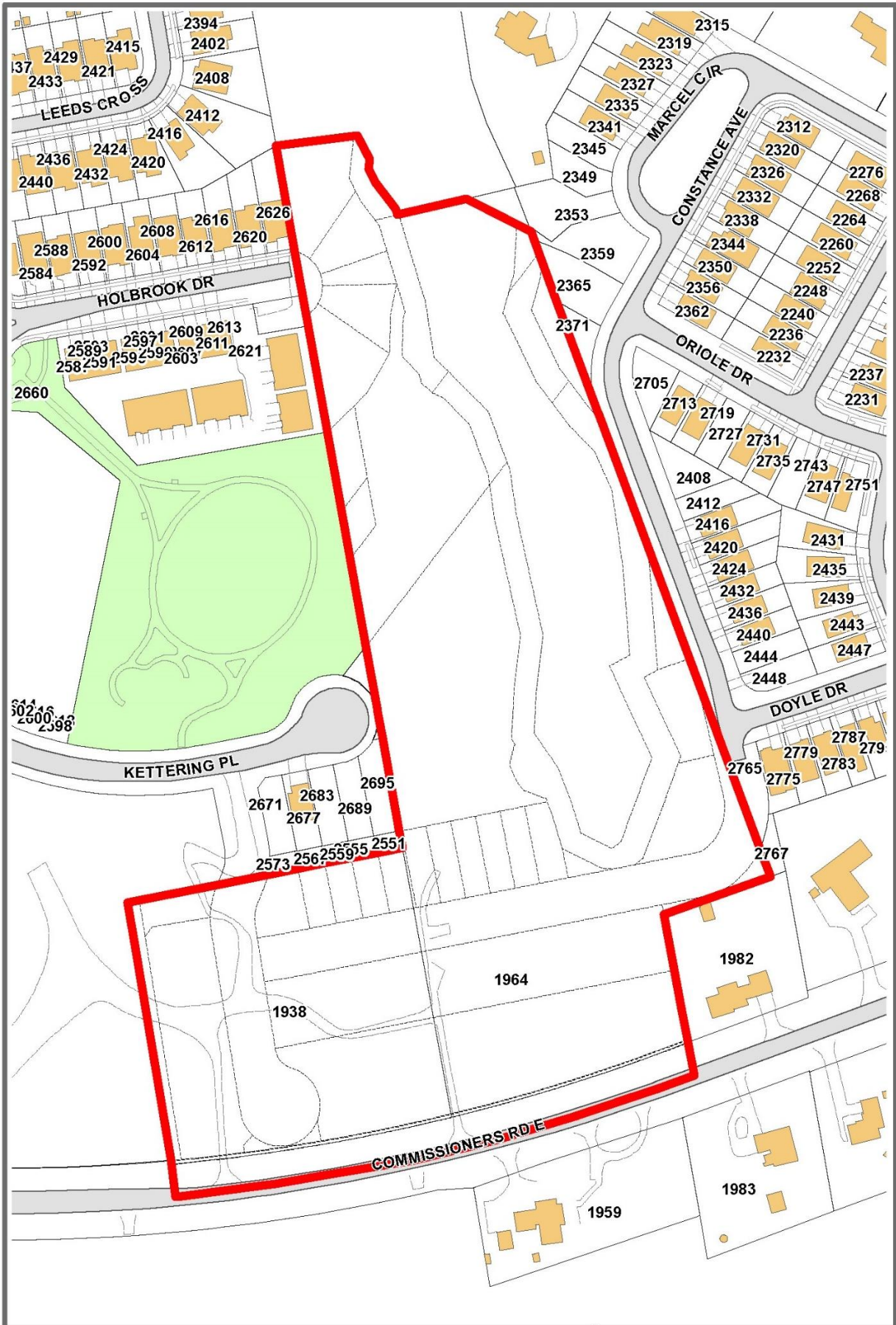
#### 1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 239 metres
- Depth – approx. 438 metres
- Area – 6.81 hectares
- Shape – irregular

#### 1.4 Surrounding Land Uses

- North – residential
- East – residential
- South – residential and agricultural
- West – residential, neighbourhood park, and vacant lands for future development

# 1.5 Location Map



### LOCATION MAP

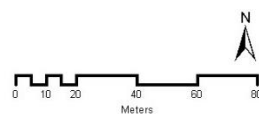
Address: 1938 & 1964 Commissioners Road East

File Number: 39T-19501 / Z-9015

Planner: Larry Mottram

Date: 2021/08/06

Corporation of the City of London  
Prepared By: Planning and Development



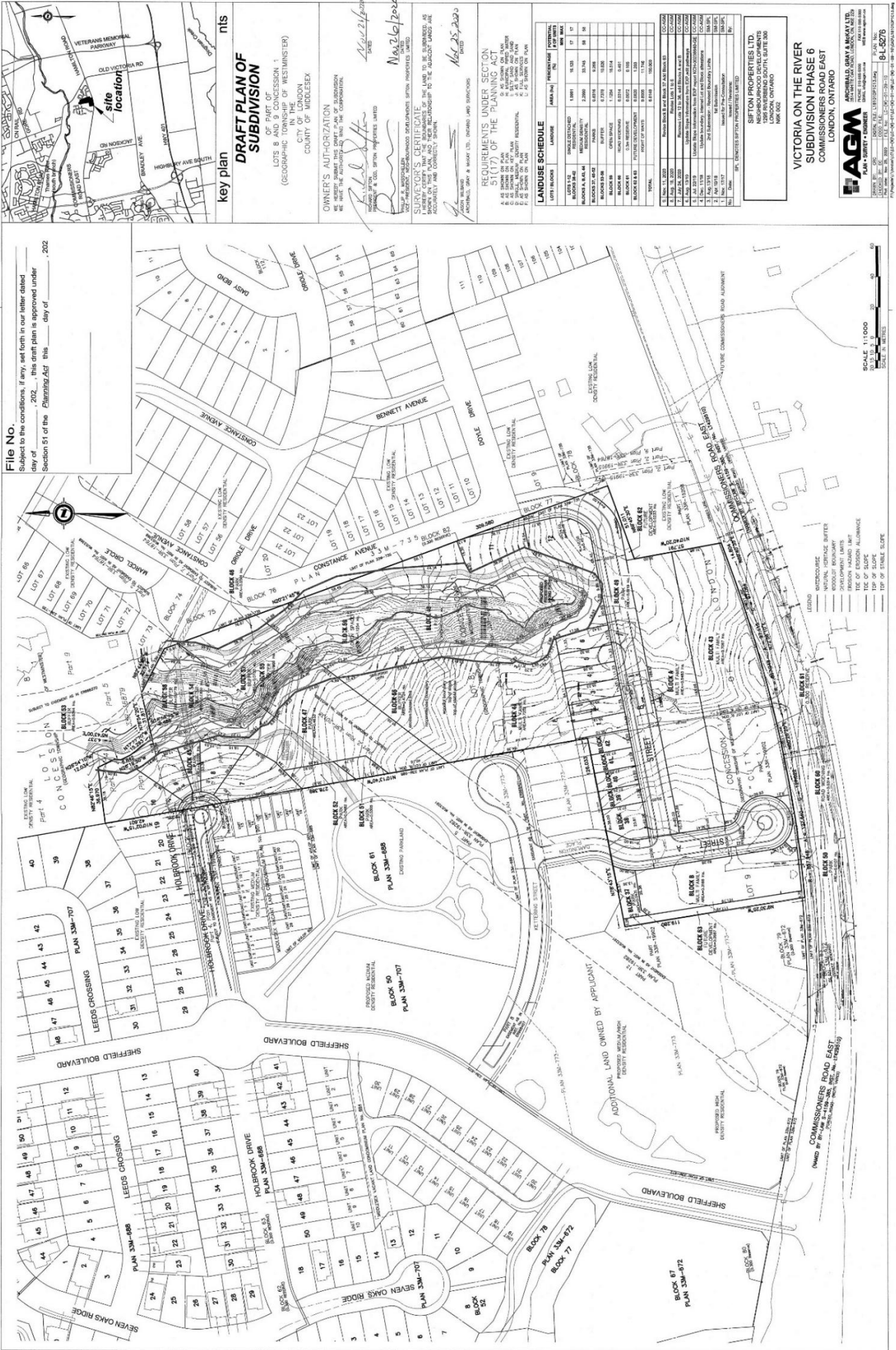
Scale 1:2000

### Legend

-  Buildings
-  Driveways/Parking Lots
-  Assessment Parcels
-  Subject Site
-  Submitted Under Review Subdivisions

# 2.0 Description of Proposal

## 2.1 Proposed Draft Plan of Subdivision



## 2.2 Requested Draft Plan and Zoning By-law Amendments

Request for consideration of a Draft Plan of Subdivision consisting of 12 single detached lots (Lots 1-12), five (5) single detached blocks (Blocks 38-42), four (4) multi-family blocks (Blocks A, B, 43 & 44), two (2) future development blocks (Block 62 & 63), nine (9) park blocks (Block 37 & Blocks 45-52), one (1) open space block (Block 59), six (6) open space buffer blocks (Blocks 53-58), one (1) road widening block (Block 60), and one (1) 0.3 metre reserve (Block 61) serviced by two (2) local streets (Streets A and B), with public road connections to Constance Ave, Kettering Street and Holbrook Drive.

Request to amend to the zoning by-law to change the zoning from Urban Reserve UR4, Open Space OS4, and holding Open Space (h-2•OS4) Zones to the following zones:

- Residential R1 Special Provision (R1-3(16)) (**Lots 1-6, Blocks A & B, and Blocks 38-42**)– to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 11 metres;
- Residential R1 Special Provision (R1-3(\*)) (**Lots 11-12**) – to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; together with a special provision for a front yard setback to main building (minimum) of 3.0 metres, and rear yard setback (minimum) of 3.0 metres;
- Residential R1 Special Provision (R1-4(28)) (**Lots 7-10**) - to permit single detached dwellings on lots with a minimum lot area of 360 square metres and minimum lot frontage of 12 metres;
- Residential R4 Special Provision (R4-3(\*)) (**Blocks A & B**) – to permit street townhouse dwellings on lots with a minimum lot area of 200 square metres per unit; together with a special provision for an exterior side yard setback to a local road of 1.2 metres, an exterior side yard setback to an arterial road of 6.0 metres, and maximum lot coverage of 55 percent;
- Residential R5/R6 Special Provision (R5-6(8)/R6-5(31)) (**Block 43**) – to permit townhouses and stacked townhouses up to a maximum density of 50 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres;
- Residential R5/R6/R8 Special Provision (R5-5( )/R6-5( )/R8-3( )) (**Block 44**) - to permit townhouses and stacked townhouses up to a maximum density of 45 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings and senior citizen apartment buildings up to a maximum density of 65 units per hectare and maximum height of 16 metres (4-storeys); together with a special provision for a front yard setback to main building (minimum) of 4.5 metres, rear yard depth to an OS Zone (minimum) 4.0 metres, and interior side yard depth to an OS Zone (minimum) of 1.2 metres;
- Holding Business District Commercial BDC / Office OF / Residential R8 (h•h-54•h-100•h-128•BDC2(5)/OF5/R8-4(17)) (**Block 63**) – to permit a mix of commercial, institutional, office and residential uses.
- Open Space OS1 and OS1(3) (**Blocks 37 and 45-58**) - to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks; and,
- Open Space OS4 (**Block 59**)– to permit conservation lands, conservation works, golf courses, public and private parks, and sports fields all without structures.

The City is also considering an amendment to the Official Plan to change the land use designation from Low Density Residential to Multi-family, Medium Density Residential, and amendment to The London Plan to add a special policy to permit a low-rise apartment building up to four (4) storeys. This amendment would apply to Block 44 (multi-family block) within the proposed draft plan of subdivision.

### **3.0 Revelant Background**

#### **3.1 Planning History**

On January 19, 2012, the City of London Approval Authority granted draft approval to the plan of subdivision submitted by Sifton Properties Limited, known as “Victoria on the River” located on the north side of Commissioners Road East, west of Hamilton Road, and south of the Thames River (File No. 39T-09502). The draft plan consisted of 133 single family lots, one (1) multi-family, high density residential block, four (4) multi-family, medium density residential blocks, two (2) multi-family, low density residential blocks, one (1) commercial/office/mixed use block, seven (7) park blocks, seven (7) open space blocks, one (1) stormwater management facility block, and nine (9) reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Rd. East, and four (4) local streets. The plan has undergone a number of red-line revisions over time as development progressed in phases. The first phase was the Stormwater Management (SWM) facility constructed by the City in 2013. Phase 2 was registered as Plan 33M-672 on July 31, 2014; Phase 3 was registered as Plan 33M-688 on November 19, 2015; Phase 4 was registered as Plan 33M-707 on November 16, 2016; and Phase 5 was registered as Plan 33M-773 on December 16, 2019. The subject lands were not part of the original draft-approved plan; however, the properties were later acquired by Sifton Properties Limited and assembled to form this Phase 6 of the proposed development.

On September 5, 2017, Municipal Council adopted an amendment to the Official Plan (OPA No. 661) to delete the “Primary Collector” (identified as Oriole Drive) from the City’s Official Plan Schedule ‘C’ - Transportation Corridors Map. The basis for this amendment was to address the issue of the future primary collector road crossing the ravine lands identified as a natural heritage feature consisting of a stream corridor and local wetland. Avoiding the crossing would eliminate environmental impacts on the ravine and wetland feature, and significant costs and risk associated with the road crossing itself. A local road connection outside of the open space and around the southerly extremity of the ravine was identified as a feasible option, eliminating the need for a road crossing, and providing a public road and servicing connections for future development.

During the Initial Proposal Review for the current application, discussions were initiated with Siftons regarding the park and pathway layout, including the possibility of a 3.0 metre wide, lighted pathway and bridge crossing the ravine to provide a pedestrian and cycling connection between Holbrook Drive and Oriole Drive. It was agreed that a future pedestrian bridge across the ravine would benefit the community and enhance neighbourhood connectivity, subject to completion of an EIS and geotechnical study to determine the appropriate design and placement of the bridge structure.

#### **3.2 Community Engagement (see more detail in Appendix E)**

There were five (5) e-mail responses received from the community.

Comments/concerns received are summarized as follows:

- Concerns regarding access to the neighbourhood park. We have a child who uses a wheelchair and his access to the park will be made extremely difficult under this new plan.
- Concerns regarding lack of walking and running paths. Lots of houses are being built here but not many outdoor paths are available outside of this neighborhood or linking others to ours.
- Would it be possible to place the condo townhouse dwellings not at the roadway facing Commissioners Road, but tucked further back into the subdivision. It might be possible to install a tree row with a berm such as a Blue Spruce between the

homes adjacent to these lands to mitigate concerns over sound from the near by road/view.

- More green space such as a park would be a welcome idea.
- Dedicated area for overflow parking would help. 29-35ft wide lots don't leave much room for visitors to park. Most subdivisions don't accommodate for this.
- I would very much like to ensure that the road does not connect down to the road in Daisy Bend, Constance Ave, and Oriole Dr....there is already too much traffic for the road to handle in this area, people will just use that as a cut through.

### **3.3 Policy Context (See more detail in Appendix F)**

#### **Provincial Policy Statement, 2020**

The proposal must be consistent with the Provincial Policy Statement (PPS) and land use planning policies and must consider:

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

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Section 1.4.3(c)). There are policies for promoting healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1(a)).

The PPS also recognizes the importance of the Province's natural heritage resources, and the long term protection of natural features and areas (Section 2.1.1). Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified as significant wetland and significant wildlife habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Section 2.1.8). This development application has been reviewed for consistency with the Provincial Policy Statement, as discussed further in Appendix F.

#### **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 subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, townhouses, home occupations, and group homes as the main uses. There is also an area on Map 1 - Place Types identified as "Green Space" which represents the presence of a natural heritage feature in the form of narrow ravine and tributary in the northerly portion of the subject lands. The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, Environmental Policies, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types\* is found at Appendix 'G'.

#### **Old Victoria Area Plan**

The Old Victoria Community Planning Area policies were incorporated into The London Plan under Specific Policies for Neighbourhood Place Types (Policies 1000 to 1011). Of particular note is Policy 1008 with respect to parks and multi-use trails system planning, and consideration to the need for both passive and active recreational activities and placemaking principles. Parkland dedications may include parkettes and small woodlands and may be configured to enhance linkages for multi-use trail systems. More detailed configuration and location of the neighbourhood park, multi-use trail system, and access connection points will be determined at the plan of subdivision and site plan stages.



### **1989 Official Plan**

These lands are currently designated as Low Density Residential, Multi-family, Medium Density Residential, and Open Space on Schedule 'A' in the 1989 Official Plan, which permits single detached, semi-detached, duplex and 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; public open space uses such as public parks, and private open space uses such as cemeteries and private golf courses, as the main permitted uses. An excerpt from Land Use Schedule 'A' is found at Appendix G.

As further described in Appendix F – Policy Context, Staff are of the opinion that the subdivision draft plan is generally consistent with the PPS, The London Plan and 1989 Official Plan, subject to the site-specific amendments to The London Plan and 1989 Official Plan as recommended in clauses (c) and (d).

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

The zoning on the subject lands currently is Urban Reserve UR4, Open Space OS4, and holding Open Space (h-2•OS4). The Urban Reserve zone generally provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. It is intended to protect large tracts of land from premature subdivision and development to provide for future comprehensive development on those lands. The range of uses permitted in the UR4 Zone variation include such uses as existing dwellings, agricultural uses, conservation lands, kennels and riding stables.

The Open Space OS4 Zone has been applied to recognize and protect the presence of a natural heritage feature that traverses the property from north to south. A holding (h-2) provision applies in conjunction with the OS4 Zone on the natural ravine corridor to determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System. An agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London. A map excerpt from Zoning By-law Z.-1 can be found at Appendix G.

## **4.0 Key Issues and Considerations**

### **4.1 Issue and Consideration # 1 – Use, Intensity and Form**

**Use** - The proposal consists of a mix of low and medium density housing types consisting of single detached dwellings, various forms of cluster housing, townhouses, street townhouses and low rise apartments to take advantage of existing services and facilities, and to contribute to a neighbourhood that is complete and supportive of aging in place. The proposed draft plan is part of a larger planned residential community that incorporates various elements in creating a strong neighbourhood character and sense of place and identity. The inclusion of additional publically-owned park and open space blocks, pedestrian bridge crossing the ravine and multi-use pathway connections enhances neighbourhood character, and the neighbourhood park's function as a focal point and gathering place. The proposed draft plan also implements the objective of creating a highly connected neighbourhood with access to amenities within the neighbourhood, and to other locations beyond via future extensions of the the city-wide Thames Valley Parkway multi-use pathway system.

**Intensity** - The subdivision plan allows for a transition in use, form and intensity from medium density cluster housing and townhouses at the southerly end facing Commissioners Road East (Block 43) to either street-fronting townhouses or single detached dwellings (Blocks A and B), and single detached dwelling lots fronting the north side of Street B (Lots 1-6 and Blocks 38-42) and the cul-de-sac on Holbrook Drive. The smaller part blocks on the north side of Street B (Blocks 38-42) are intended to merge with Blocks 7 to 11 in the adjacent Plan 33M-773 in order to create whole lots. Lots 11 and 12 are configured to blend with the natural grade and bend in the road

where Street B connects with Constance Avenue transitioning with the Constance Avenue and Doyle Drive streetscapes. As discussed below, the multi-family block (Block 44) adjacent the neighbourhood park and open space corridor is considered appropriate for a somewhat higher use and intensity in the form of a low-rise apartment building up to 4-storeys.

The applicant has requested a special provision zone for Block 44 to permit a low-rise apartment building up to 16 metres in height, or four (4) storeys. In conjunction with the zoning request, staff have included an amendment to add a specific policy to the Neighbourhoods Place Type, and corresponding amendment to the 1989 Official Plan, as the requested special provision applies to a multi-family block having frontage on a neighbourhood street being Kettering Place. It is also recognized that this site has significant frontage directly onto the neighbourhood park and backs onto open space lands consisting of the natural ravine and tributary. The site's topography slopes down approximately 9 to 10+ metres from Kettering Place towards the top of the ravine. Environmental and hydrogeological studies undertaken as part of the application review recommend on-site stormwater attenuation controls including surface water collection and rear yard infiltration system to be incorporated into the common areas and landscaped open space of this multi-family block to maintain surface and groundwater flows to the ravine. These measures will be implemented through the subdivision engineering drawings, and approved site plan and Development Agreement.

The adjacent hydro corridor easement poses a further constraint on the size and configuration of the development block. Given these constraints, a small-scale, low-rise apartment building alone or in combination with cluster townhouses would be considered appropriate for the site at this location. This type of use is also considered compatible and a good fit with the existing adjacent low density residential and multi-family developments surrounding the neighbourhood park.

**Form** - The street configuration and lotting pattern provides an important public road connection between newly developed neighbourhoods to the east and west, as well as creates a window street at the southerly tip of the ravine corridor preserving a view to the natural heritage feature. Street A and Street B are configured to create a modified grid which in turn influences the configuration of the fronting lots and blocks. Street A south of Street B terminates in a cul-de-sac rather than intersecting with Commissioners Road East due to sight lines, vehicle speeds, and separation distance from the intersection of Sheffield Boulevard and Commissioners Road East. Holbrook Drive is proposed to terminate in a cul-de-sac with single detached lots fronting the bulb. A park access block has been provided at the end of Holbrook Drive to connect with a future pedestrian crossing the ravine to Oriole Drive.

The existing neighbourhood park (Sheffield Park) is well integrated with the subdivision plan through the provision of additional park land and open space, the multi-use pathway system, and public sidewalks and streets to promote walking and cycling, and a healthy and active lifestyle. Overall, the subdivision layout promotes connectivity and safe movement for pedestrians, cyclists, and motorists. The recommended zoning includes special provisions for minimum 4.5 metres front yard setbacks intended to allow buildings to be closer to the street creating a street wall/edge and establishing a sense of enclosure. The goal is to ensure streets are well framed by buildings that front the street encouraging a stronger relationship between the public and private realm.

More detailed information and analysis is available in Appendix F of this report.

#### **4.2 Issue and Consideration # 2 – Natural Ravine and Channel Corridor**

Various studies including an Environmental Impact Study (EIS), hydrogeological and water balance assessment, geotechnical and slope assessment, and stormwater management report have been prepared and reviewed by the City and UTRCA with respect to potential impacts from development on the natural ravine and recommendations for appropriate mitigation. Woodland communities and wetland features within the ravine lands have been evaluated and will be protected within an

open space block and adjacent open space buffers blocks, as shown on the environmental management plan and recommended red-line revised draft plan (see below). Recommended buffers include a minimum 12 m buffer along the eastern edge of the natural feature and a minimum 10 m buffer along the western edge of the natural feature. The EMG specifies additional requirements for buffer planting and restoration areas. City and UTRCA staff are satisfied that all related environmental reports and studies have advanced to a point where they can be finalized as part of the Design Studies stage of the review process, in accordance with the recommended conditions of draft plan approval.



### 4.3 Public Comments

- Concerns regarding access to the neighbourhood park. We have a child who uses a wheelchair and his access to the park will be made extremely difficult under this new plan.

Oriole Drive was previously shown in the 1989 Official Plan and Old Victoria Area Plan as a primary collector road crossing the ravine lands. After further review by Municipal Council and staff, the Official Plan was amended in 2017 to remove the road crossing and avoid the potential impact and cost associated with a full public road right-of-way. A footbridge crossing the ravine at the end of Oriole Drive connecting to Holbrook Drive and a pedestrian pathway connection to the neighbourhood park was proposed as an alternative to a public road. The footbridge crossing for Victoria on the River is identified in the 2021 Development Charges Background Study Update under Parks & Recreation Services projects. Staff have discussed with the applicant who are agreeable to conditions of draft plan approval to undertake the scoped EIS, detailed design, engineering and construction/installation of the pedestrian crossing as part of the subdivision development. Costs directly related to the project are eligible for reimbursement in accordance with the City's DC By-law. The footbridge would need to be designed and constructed to meet Provincial accessibility design standards.

- Concerns regarding lack of walking and running paths. Lots of houses are being built here but not many outdoor paths are available outside of this neighborhood or linking others to ours.

The Thames Valley Parkway (multi-use trail) within the Victoria on the River subdivision has already been completed. It is located along the south side of the Thames River then turns south skirting the edge of the Meadowlilly Woods ESA, and terminating at a point on the west side of Sheffield Boulevard at Commissioners Road East. The pathway is expected to be extended westward along Commissioners Road to and through the Meadowlark Ridge subdivision and the City-Wide Sports Park. Parks staff are also reviewing alternatives to align the path along the edge of the Meadowlilly Woods ESA and away from Commissioners Road. The exact route the pathway will take has not yet been finalized. Pathway alignment options will be considered in conjunction with future development applications for intervening lands on the north side of Commissioners Road East.

- Would it be possible to place the condo townhouse dwellings not at the roadway facing Commissioners Road, but tucked further back into the subdivision. It might be possible to install a tree row with a berm such as a Blue Spruce between the homes adjacent to these lands to mitigate concerns over sound from the near by road/view.

Commissioners Road East is classified in The London Plan as a Civic Boulevard and lands adjacent this street classification are intended for a broader range of residential use and at higher densities. The multi-family block (Block 43) has been configured to accommodate development of front-facing townhouses accessed by a common (private) driveway along the front with private amenity space in the rear yards. Final site development and building design will be subject to holding provisions in the zoning bylaw and a condition of draft plan approval that requires the developer to have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future residential uses. 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.

- More green space such as a park would be a welcome idea.

Provision for green space through parkland dedication is satisfied by this subdivision draft plan as the total parkland consists of 0.63 hectares (1.56 acres) the bulk of which will be adjacent to the existing neighbourhood park (Sheffield Park) providing for

pathway connections and areas for naturalization and restoration. An additional 1.86 hectares (4.6 acres) of lands zoned for Open Space and Open Space Buffer is provided to protect the natural ravine and tributary corridor.

- Dedicated area for overflow parking would help. 29-35ft wide lots don't leave much room for visitors to park. Most subdivisions don't accommodate for this.

On-site parking will be required as per the Zoning By-law minimum requirements based on dwelling type. The parking standard for single detached dwellings is 2 spaces per unit. On-street parking in the City of London is generally permitted on neighbourhood connectors and neighbourhood streets. Lot frontages within this subdivision plan are over 11 metres and streets will be of sufficient width to provide for on-street parking on at least one side (8.0 metres pavement width with a minimum road allowance of 20 metres).

- I would very much like to ensure that the road does not connect down to the road in Daisy Bend, Constance Ave, and Oriole Dr....there is already too much traffic for the road to handle in this area, people will just use that as a cut through.

Vehicular traffic will have access to public road connections at Constance Avenue and Doyle Drive, and to an existing street stub connection to Kettering Place. The subdivision was planned to provide a public road connection between the neighbourhoods to the east and west of the ravine corridor. The road configuration follows a circuitous route which is expected to help minimize cut-through traffic and lessen impact on the existing neighbourhood.

#### **4.4 Recommended Red-line Revisions**

Minor adjustments are recommended through the red-line revisions as shown on the following page and include additional open space buffer areas around the ravine corridor, and removal of the pathway currently shown within the Open Space buffer on the east side of the ravine to minimize disturbance as this area is intended for naturalization and planting of native species. The adjacent public road provides an alternative route for walking and cycling. Constance Avenue was intended to provide a window street to the open space corridor.

File No. \_\_\_\_\_  
 Subject to the conditions, if any, set forth in our letter dated \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, this draft plan is approved under Section 51 of the *Planning Act* this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.



nts  
 key plan

**DRAFT PLAN OF SUBDIVISION**

LOTS 8 OF PART OF CONCESSION 1 (GEOGRAPHIC TOWNSHIP OF WESTMINSTER) CITY OF LONDON MIDDESEX COUNTY OF MIDDLESEX

OWNER'S AUTHORIZATION

WE HEREBY AUTHORIZE THE DRAFT PLAN OF SUBDIVISION AND THE REQUIREMENTS UNDER SECTION 51(17) OF THE PLANNING ACT TO BE SUBMITTED TO THE BOARD OF PLANNING AND ZONING FOR THE SUBDIVISION.

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

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APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**LANDUSE SCHEDULE**

BLOCKS	LANDUSE	PERCENTAGE (%)	POTENTIAL	MIN. MAX.
BLOCK 48	RESIDENTIAL	100%	16.68	17
BLOCK 49	RESIDENTIAL	100%	16.68	17
BLOCK 50	RESIDENTIAL	100%	16.68	17
BLOCK 51	RESIDENTIAL	100%	16.68	17
BLOCK 52	RESIDENTIAL	100%	16.68	17
BLOCK 53	RESIDENTIAL	100%	16.68	17
BLOCK 54	RESIDENTIAL	100%	16.68	17
BLOCK 55	RESIDENTIAL	100%	16.68	17
BLOCK 56	RESIDENTIAL	100%	16.68	17
BLOCK 57	RESIDENTIAL	100%	16.68	17
BLOCK 58	RESIDENTIAL	100%	16.68	17
BLOCK 59	RESIDENTIAL	100%	16.68	17
BLOCK 60	RESIDENTIAL	100%	16.68	17
BLOCK 61	RESIDENTIAL	100%	16.68	17
BLOCK 62	RESIDENTIAL	100%	16.68	17
BLOCK 63	RESIDENTIAL	100%	16.68	17
BLOCK 64	RESIDENTIAL	100%	16.68	17
BLOCK 65	RESIDENTIAL	100%	16.68	17
BLOCK 66	RESIDENTIAL	100%	16.68	17
BLOCK 67	RESIDENTIAL	100%	16.68	17
BLOCK 68	RESIDENTIAL	100%	16.68	17
BLOCK 69	RESIDENTIAL	100%	16.68	17
BLOCK 70	RESIDENTIAL	100%	16.68	17
BLOCK 71	RESIDENTIAL	100%	16.68	17
BLOCK 72	RESIDENTIAL	100%	16.68	17
BLOCK 73	RESIDENTIAL	100%	16.68	17
BLOCK 74	RESIDENTIAL	100%	16.68	17
BLOCK 75	RESIDENTIAL	100%	16.68	17
BLOCK 76	RESIDENTIAL	100%	16.68	17
BLOCK 77	RESIDENTIAL	100%	16.68	17
BLOCK 78	RESIDENTIAL	100%	16.68	17
BLOCK 79	RESIDENTIAL	100%	16.68	17
BLOCK 80	RESIDENTIAL	100%	16.68	17
BLOCK 81	RESIDENTIAL	100%	16.68	17
BLOCK 82	RESIDENTIAL	100%	16.68	17
BLOCK 83	RESIDENTIAL	100%	16.68	17
BLOCK 84	RESIDENTIAL	100%	16.68	17
BLOCK 85	RESIDENTIAL	100%	16.68	17
BLOCK 86	RESIDENTIAL	100%	16.68	17
BLOCK 87	RESIDENTIAL	100%	16.68	17
BLOCK 88	RESIDENTIAL	100%	16.68	17
BLOCK 89	RESIDENTIAL	100%	16.68	17
BLOCK 90	RESIDENTIAL	100%	16.68	17
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BLOCK 94	RESIDENTIAL	100%	16.68	17
BLOCK 95	RESIDENTIAL	100%	16.68	17
BLOCK 96	RESIDENTIAL	100%	16.68	17
BLOCK 97	RESIDENTIAL	100%	16.68	17
BLOCK 98	RESIDENTIAL	100%	16.68	17
BLOCK 99	RESIDENTIAL	100%	16.68	17
BLOCK 100	RESIDENTIAL	100%	16.68	17

**REQUIREMENTS UNDER SECTION 51(17) OF THE PLANNING ACT**

A. AS SHOWN ON PLAN  
 B. AS SHOWN ON PLAN  
 C. AS SHOWN ON PLAN  
 D. AS SHOWN ON PLAN  
 E. AS SHOWN ON PLAN  
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 V. AS SHOWN ON PLAN  
 W. AS SHOWN ON PLAN  
 X. AS SHOWN ON PLAN  
 Y. AS SHOWN ON PLAN  
 Z. AS SHOWN ON PLAN

**SIFTON PROPERTIES LTD.**  
 HIGH RISE DEVELOPMENTS  
 1000 SHEPPARD AVENUE EAST  
 SUITE 1000  
 AURORA, ONTARIO L4G 1V2

**VICTORIA ON THE RIVER**  
 SUBDIVISION PHASE 6  
 COMMISSIONERS ROAD EAST  
 LONDON, ONTARIO

**AGM**  
 ARCHITECTURAL GROUP  
 1000 SHEPPARD AVENUE EAST  
 SUITE 1000  
 AURORA, ONTARIO L4G 1V2  
 TEL: (905) 709-1111  
 FAX: (905) 709-1112  
 WWW.AGMARCHITECTURE.COM

PLAN No. \_\_\_\_\_  
 SCALE 1:1000  
 DATE: \_\_\_\_\_

## **5.0 Conclusion**

The recommended draft plan of subdivision, Official Plan and zoning amendments are appropriate and consistent with the Provincial Policy Statement and in keeping with the intent of The London Plan, 1989 Official Plan, and Old Victoria Area Plan. This development phase represents Phase 6 of Sifton's Victoria on the River subdivision which has been progressively building out over the last 5 to 10 years. Based on our review, the application is considered appropriate and compatible with existing and planned development in the area. Staff are satisfied the proposal represents good planning and recommend approval.

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

**Reviewed by:** **Bruce Page, MCIP, RPP**  
**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 Development Services.

CC: Matt Feldberg, Manager, Subdivisions and Condominiums  
Peter Kavcic, Manager, Subdivision Engineering

September 27, 2021  
GK/GB/BP/LM/lm

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## Appendix A – 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, FILE NUMBER 39T-19501 ARE AS FOLLOWS:

- | NO. | CONDITIONS   |
|-----|--|
| 1.  | This draft approval applies to the draft plan submitted by Sifton Properties Limited, prepared by Archibald, Gray & McKay Ltd. (Plan No. 8-L-5276), certified by Jason Wilband O.L.S., dated November 25, 2020, <b>as red-line amended</b> , which shows a total of 12 single detached residential lots, 5 single detached residential blocks, 4 medium density residential blocks, 2 future development blocks, 7 park blocks, 1 open space block, 6 open space buffer blocks, 1 road widening block, and 1 reserve block, served by 2 new streets.   |
| 2.  | This approval of the draft plan applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.  |
| 3.  | The Owner shall enter into a subdivision agreement with the City, in the City's current approved form (a copy of which can be obtained from Planning & Development), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.   |
| 4.  | The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.   |
| 5.  | In conjunction with the first submission of engineering drawings, street(s) shall be named, and the municipal addressing shall be assigned to the satisfaction of the City.  |
| 6.  | Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.  |
| 7.  | The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.  |
| 8.  | Prior to final approval, the Owner shall pay in full all financial obligations/ encumbrances owing to the City on the said lands, including property taxes and local improvement charges.  |
| 9.  | Prior to final approval, the Owner shall provide copies of all transfer documentation for all land transfers/dedications and easements being conveyed to the City, for the City's review and approval.   |
| 10. | Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, final plans, and any required studies, reports, data, information or detailed engineering drawings, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City. |



## **SEWERS & WATERMAINS**

### Sanitary:

11. In conjunction with the first submission of engineering drawings submission, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
  - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
  - ii) Propose a suitable routing for the trunk 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;
  - iii) Implementing all inflow and infiltration mitigation measures to meet allowable inflow and infiltration level as identified by OPSS 407 and OPSS 410 as well as any additional measures recommended in the hydrogeological report.
  - iv) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
  
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 municipal sewer system, namely, the 200 mm diameter sanitary sewer located on Barn Swallow Place, the 200 mm diameter sanitary sewer on Kettering Place and 200 mm diameter sanitary sewer on Holbrook Drive. If the subject plan develops in advance of the subdivision to the west and north of this plan, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of the outlet sewers situated on private lands outside this plan and shall provide satisfactory easements, as necessary, all to the specifications of the City.
  - ii) Construct sanitary private drain connection (Lots 11 and 12 to connect to sewer on lot frontages) to the 200 mm sanitary sewer on Constance Avenue in Plan 33M-735 to serve the lots in this Plan fronting that street, in accordance with approved engineering drawings.
  - iii) Construct sanitary private drain connections to the sanitary sewer on Holbrook Drive in Plan 33M-707 to serve the lots in this Plan which front onto that street (Lots 7 to 10);
  - iv) 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;
  - v) 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
  - vi) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

### Storm and Stormwater Management (SWM)

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

- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
- iii) Ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
- iv) conduct a water balance assessment of all open watercourses and Municipal Drain features located within this plan and confirm an appropriate management strategy for each, in consultation with the City and the UTRCA, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.
- v) identify constraints and opportunities for the design of Street B abutting the neighbouring subdivision to the East to resolve the grade differential in such way that major overland flows are adequately conveyed.
- vi) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Buffers/Open Space Blocks;
- vii) develop sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements. Prior to any work on the site, the Owner's professional engineer shall submit these measures as a component of the Functional Storm/Drainage Servicing Report and is to have these measures established and approved all to the satisfaction of the City Engineer Further, the Owner's Professional Engineer must confirm that the required sediment and erosion control measures are being maintained and operated as intended during all phase of construction.
- viii) provide an erosion/sediment control plan associated with any proposed LID features that will identify all erosion and sediment control measures to be used prior during and after the LID features are implemented. These measures shall be a component of the Functional Storm/Drainage Servicing Report along with any other identified erosion and sediment control measures for the site, all to the satisfaction of the City Engineer.
- ix) 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.
- x) Include in the Functional Storm/Drainage Servicing Report, the recommendations identified in the Victoria on the River Ph. 6 - Environmental Impact Study Prepared by AECOM – May 18, 2018, all to the satisfaction of the City.
- xi) 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;
- xii) 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 with the accepted Design Requirements for permanent Private Stormwater Systems.

14. 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 targets and criteria for the South Thames Subwatershed Study;
  - ii) The Old Victoria Area Plan Storm Drainage and Stormwater Management Servicing Works Municipal Class EA (2009);
  - iii) Functional Design reports for the Old Victoria SWM Facility #2 (by Delcan);
  - iv) Functional Design reports for Old Victoria SWM Facility #1 (by AECOM);
  - v) Victoria on the River Ph. 6 - Environmental Impact Study Prepared by AECOM – May 18, 2018.
  - vi) The approved Functional STM Servicing and SWM Plans for the subject lands;
  - vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
  - viii) The Ministry of the Environment SWM Practices Planning and Design Manual;
  - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all relevant SWM agencies;
  - x) The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 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. and;
  - xi) The Ministry of the Environment, Conservation and Parks (MECP) SWM Practices Planning and Design Manual (2003), including updates and companion manuals;
  - xii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
15. Should there be any proposed stormwater management design deviations for the major and minor storm outlets from the pertinent Functional SWM reports listed above for the development of this plan, then the Owner shall provide these proposed design changes in a detailed functional SWM report for this development identifying both major and minor flow proposals, and if required, the Owner shall make arrangements to revise any issued ECA's for the existing facilities to reflect the proposed changes at no cost to the City and to the satisfaction of the City Engineer.
16. 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 connect them to the municipal storm sewer system, namely, the 450 mm diameter storm sewer located on Barn Swallow Place, the 450 mm diameter storm sewer on Kettering Place and 375 mm diameter storm sewer on Holbrook Drive; If the subject plan develops in advance of the subdivision to the west and north of this plan, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of the outlet sewers situated on private lands outside this plan and shall provide satisfactory easements, as necessary, all to the specifications of the City. The Owner acknowledges that the West portion of the subject lands will be serviced by the Old

- Victoria SWM Facility #2 while the East portion of the subject lands will be serviced by the Old Victoria SWM Facility #1;
- ii) Construct storm private drain connections (Lots 11 and 12 to connect to sewer on lot frontages) to the 375 mm diameter storm sewer on Constance Avenue in Plan 33M-735 to serve the lots in this Plan fronting that street, in accordance with approved engineering drawings.
  - i) Construct storm private drain connections to the storm sewer on Holbrook Drive in Plan 33M-707 to serve the lots in this Plan which front onto that street (Lots 7 to 10);
  - iii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
  - iv) Grade and drain the boundaries of Lots/Blocks to blend in with the abutting Buffer/Open Space Blocks in this Plan, at no cost to the City;
  - v) Implement the recommendations identified in the Victoria on the River Ph. 6 - Environmental Impact Study Prepared by AECOM – May 18, 2018. These recommendations shall be a component of the Functional Storm/Drainage Servicing Report, all to the satisfaction of the City Engineer.
  - vi) Construct and implement the approved erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall maintain and operate the required erosion and sediment control measures as intended during all phases of construction and correct any deficiencies of the erosion and sediment control measures forthwith;
  - vii) update the Draft Plan to adapt to the appropriate management strategy required to meet the results of the water balance assessment, including but not limited to adjustments to the road pattern and lot fabric to accommodate existing watercourse alignments, proposed realignments, enclosures, abandonments, or removal of any open watercourses or Municipal Drains, to the satisfaction of the City Engineer and the UTRCA.
17. In conjunction with the Focused Design Studies, the Owner shall have a qualified consultant provide confirmation that the existing hydrogeological investigation is adequate to determine, including but not limited to, the following:
- i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - ii) identify any abandoned wells in this plan
  - iii) assess the impact on water balance in the plan
  - iv) any fill required in the plan
  - v) provide recommendations for foundation design should high groundwater be encountered
  - vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions
  - vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
  - ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
  - x) 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, to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407,
- all to the satisfaction of the City.
18. In conjunction with the Focused Design Studies, The Owner shall have a professional engineer prepare a hydrogeological investigation and/or addendum/update to any existing hydrogeological investigation(s) based on the final subdivision design, to determine the potential short-term and long-term effects of the construction associated with the development on existing

groundwater elevations and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. Elements of the hydrogeological investigation should include, but are not to be limited to, the following:

- i) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;
- ii) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features;
- iii) Completion of a water balance and/or addendum/update to any existing water balance for the proposed development, revised to include the use of LIDs as appropriate;
- iv) Completion of a water balance for any nearby natural heritage feature (i.e., all open space Blocks) to include the use of LIDs as appropriate;
- v) Details related to proposed LID solutions, if applicable, including details related to the long-term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table;
- vi) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
- vii) Confirmation that allowable inflow and infiltration levels have been met 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 Engineer;
- viii) Evaluation of construction related impacts and their potential effects on local significant features;
- ix) Development of appropriate short-term and long-term monitoring plans (if applicable);
- x) Development of appropriate contingency plans (if applicable) in the event of groundwater interference related to construction.

19. In conjunction with the first submission of engineering drawings, the Owner's professional engineer shall ensure that any remedial or other works as recommended in the above accepted hydrogeological report(s) are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
20. Prior to the issuance of any Certificate of Conditional Approval, the Owner's consulting Professional Engineer shall submit, a Monitoring and Operational Procedure Manual for the maintenance and monitoring program for each of the SWM features within this plan (i.e., LIDs, OGSs, etc.) or within each of the identified phases/stages of development, in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" and other available guidance document requirements to the City Engineer for review and approval. The program shall include but not be limited to the following:
  - i) A work program manual for the phasing, maintenance and monitoring of these facilities during all phases of buildout as well as following assumption.
  - ii) A verification and compliance monitoring program the developer will need to complete to verify the SWM features meet the intended design prior to assumption.
21. Following construction and prior to the assumption of the stormwater system, the Owner agrees to complete the following at no cost to the city, and all to the satisfaction of the City Engineer:
  - A. Operate, maintain and monitor of any SWM Features in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities"

- B. Have its consulting Professional Engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "monitoring and Operational Procedure for Stormwater Management Facilities" to the City
22. The Owner acknowledges that a portion of the site is located within the UTRCA regulated area and therefore developable limits will require a regulatory flood line buffer acceptable to UTRCA.
23. In conjunction with the first submission of engineering drawings, the Owner shall repair or replace any existing field tiles that are disturbed or destroyed during construction to ensure the existing drainage is maintained unless otherwise specified, to the satisfaction of the City.
24. The subdivision to which this draft approval relate shall be 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.

#### Watermains

25. In conjunction with the Focused Design Studies, 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 Draft Plan of Subdivision confirming system design requirements are being met (residential A.D.D. shall be 255 litres per capita per day; maximum residual pressure 80 psi);
  - ii) Identify domestic and fire flows for the residential\development Blocks from the high-level water distribution system;
  - iii) Identify domestic and fire flows for the residential\development Blocks from the low-level water distribution system in the event of high-level water system disruption;
  - iv) Address water quality and identify measures to maintain water quality within all watermains throughout the entire subdivision from zero build-out through full build-out of the subdivision;
  - v) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;
  - vi) Include modeling for two fire flow scenarios as follows:
    - i. Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
    - ii. Max Day + Fire confirming the available fire flows at fire hydrants at 20PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
  - vii) Develop a looping strategy to the satisfaction of the City Engineer for when development is proposed to proceed beyond 80 units;
  - 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) Include full-sized water distribution and area plan(s) which identifies the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings), the fire hydrant rated capacity & marker colour, and the design fire flow applied to development Blocks.
  - xiv) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;
26. 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:
- ii) Construct watermains to serve this Plan and connect them to the high-level municipal system, namely the existing 250 mm diameter watermain on Kettering Street and a low-level system connection being the 200 mm diameter watermain on Doyle Drive; If the subject Plan develops in advance of the subdivision to the west and north of this Plan, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan and shall provide satisfactory easements, as necessary, all to the specifications of the City.
  - iii) Construct water services to the watermain on Holbrook Drive in Plan 33M-707 to serve the lots in this Plan which front onto that street (Lots 7 to 10);
  - iv) Extend a watermain along Street A from the existing 250 mm diameter watermain on Kettering Street to the northern limit of this Plan, at no cost to the City;
  - v) Construct a check valve within the limits of this plan, to isolate the high-level system from the low-level system at a location satisfactory to the City, all to the specifications and satisfaction of the City Engineer;
  - vi) Construct water services to Lots 11 and 12 to the 200 mm diameter watermain on Constance Avenue in Plan 33M-735 to serve the lots in this Plan which front onto that street, in accordance with accepted engineering drawings;
  - vii) 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;
  - viii) 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; and
  - ix) Have their consulting engineer confirm to the City that the watermain system has been constructed, is operational, and is looped from the watermain on Kettering Street, through this Plan to Doyle Drive in Plan 33M-735 to the east.
27. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of Blocks A, B, 43 and 44 in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.

## **STREETS, TRANSPORTATION & SURVEYS**

### Roadworks

28. 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 perpendicular through their intersections and opposite each other thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
29. 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, 6m straight tangents, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.
  - ii) 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) 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 Engineer.
  - iv) shall provide a minimum of 5.5 metres along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the cul-de-sacs on streets in this plan of subdivision.
  - v) shall ensure street light poles and luminaires, along the street being extended, match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City of London.
  - vi) shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of sight lines, provisions of channelization, adequacy of road geometries and structural design, etc.
  - vii) shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on an assumed street.
30. The Owner shall construct a cul-de-sac(s) on Holbrook Drive and Street 'A' in accordance with City of London Standard DWG. SR-5.0 (or variation thereof as shown on the draft plan and as approved by the City Engineer.) The Owner shall provide a raised circular centre island (R=8.25m) within the cul-de-sac(s) or as otherwise directed by the City Engineer.
31. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer provide a proposed layout of the taper for Constance Street from Doyle Drive in Plan 33M-735 to Street B in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 19.0 metre to 20.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines south of the intersection.



32. In conjunction with the first submission of engineering drawings, the Owner shall submit a conceptual geometric design for the connection of Street 'A' and Street 'B' to existing/future streets outside of this Plan, including but not limited to, straight tangents between back to back horizontal curves between the connection to Street 'A' and the existing street stub and appropriate horizontal curvatures. The Owner shall make red-line amendments to the plan to provide appropriate geometric design, if necessary, in accordance to City standards to the satisfaction of the City Engineer.
33. The Owner shall make arrangements with the owner of lands to the east to allow access for the completion of Street 'B'/Constance Avenue as a fully serviced road in Plan 33M-735 and servicing of Lots 11 and 12 to provide servicing and access to this Plan and provide restoration of the intersection of Constance Avenue and Doyle Drive until Constance Avenue is assumed by the City, all to the satisfaction of the City.
34. The Owner shall make all necessary arrangements, financial and otherwise, to combine Street 'B' and Constance Avenue in Plan 33M-735 to establish Constance Avenue as a public right-of-way with a minimum 20.0 metre right-of-way, to the satisfaction of the City Engineer.
35. The Owner shall align the proposed Street 'B' opposite to and aligned with Constance Avenue on Plan 33M-735 to the satisfaction of the City Engineer.
36. The Owner shall make arrangements with the owner of lands to the west to allow access for the completion of Holbrook Drive as a fully serviced road in Plan 33M-707 and servicing of Lots 7 to 10 to provide servicing and access to this Plan and provide restoration of Holbrook Drive until Holbrook Drive is assumed by the City, all to the satisfaction of the City.
37. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
  - i) Street 'A' (Barn Swallow Place) and Street 'B' (Constance Avenue) have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
38. The Owner shall comply with the Complete Streets Design Manual, to the satisfaction of the City.
39. 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
40. In conjunction with the first submission of engineering drawings, the Owner shall identify and provide details of minor boulevard improvements on Commissioners Road East 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.
41. In conjunction with the first submission of engineering drawings, the Owner shall align the proposed Street "A" opposite to street identified in Plan 33M-773, to the satisfaction of the City Engineer;

Sidewalks

42. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets in accordance with the London Plan:
  - i) Street 'A' (Barn Swallow Place)
  - ii) Street 'B' (Constance Avenue)

iii) Holbrook Drive

43. The Owner shall construct a 1.5 metre sidewalk on one side of the following street:
  - i) Street 'A' – west boulevard - from Street 'B' to north limit of plan
44. The Owner shall provide sidewalk links from Street 'A' (Barn Swallow Place) to the proposed sidewalk on Commissioners Road East, to the satisfaction of the City, at no cost to the City.
45. 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

46. In conjunction with the first submission of engineering drawings, the Owner shall identify street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City, including techniques for mitigating the impacts of street lighting on adjacent natural areas where appropriate.

Road Widening

47. The Owner shall dedicate sufficient land to widen Commissioners Road East to 18.0 metres from the centreline of the original road allowance.

Vehicular Access

48. The Owner shall ensure that no vehicular access will be permitted to Block B or Block 43 from Commissioners Road East. All vehicular access is to be via the internal subdivision streets.
49. The Owner shall restrict access to Commissioners Road East by establishing a block for a 0.3 metre reserve along the entire Commissioners Road East frontage, to the satisfaction of the City.
50. In conjunction with the first submission of engineering drawings, the Owner shall identify an access for Block 44 from the east limit of Kettering Street in Plan 33M-773, to the specifications and satisfaction of the City.

Construction Access/Temporary/Second Access Roads

51. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Commissioners Road East via Sheffield Boulevard or other routes as designated by the City.
52. At the time the roads in this draft plan are available to connect to Plan 33M-735, the Owner shall have its consulting engineer confirm to the City that the roads in this Plan have been constructed and operational to provide a second access to Plan 33M-672 such that the City shall make arrangements with the owner of Plan 33M-672 for the removal of the temporary emergency access over Sheffield Boulevard in Plan 33M-672.

**GENERAL CONDITIONS**

53. 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.

54. Once construction of any private services, i.e.: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed re-lotting 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.
55. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision as per the accepted engineering drawings, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
56. The Owner's professional engineer shall provide full time 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.
57. Prior to the construction of works on existing City streets and/or unassumed subdivisions, the Owner shall have its professional engineer notify new and 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 along with any remedial works prior to assumption, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
58. 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. Ministry of the Environment, Conservation and Parks Certificates, City/Ministry/Government permits: Permit of Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, Conservation and Parks, City, etc.)
59. 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.
60. 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.
61. 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.
62. 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.
63. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

64. 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 and these services are operational, at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.

65. In conjunction with 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.
66. In conjunction with the engineering drawings submission, the Owner shall have its geotechnical engineer identify if there is any evidence of methane gas within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any methane gas within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer, under the supervision of the geotechnical engineer, to the satisfaction of the City, at no cost to the City.
67. In conjunction with the engineering drawings submission, the Owner shall have its geotechnical engineer identify if there is any evidence of contamination within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any contamination within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer to remediate, remove and/or dispose of any contaminates under the supervision of the geotechnical engineer to the satisfaction of the City, at no cost to the City.
68. 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.
69. 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 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
  - xi) any other requirements as needed by the City, all to the satisfaction of the City.
70. In conjunction with the first submission of engineering drawings, the Owner shall implement all geotechnical recommendations to the satisfaction of the City.
71. In conjunction with the Focused Design Studies submission, the Owner shall provide a slope assessment report or update the existing slope assessment report recommendations to address all slope issues with respect to construction, grading and drainage of this subdivision and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability associated with open watercourses that services an upstream catchment, all to the satisfaction of the City Engineer and the UTRCA. The Owner shall provide written acceptance from the UTRCA for the final setback. Further, the Owner agrees that in accordance with the MOE and City's requirements, adequate setbacks will be maintained and allocated in accordance with the City Council approved Official Plan Policies relating to open watercourse setbacks.
72. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per City standards to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.
73. In conjunction with first submission of engineering drawings, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/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.
74. Where site plan approval is required, which includes street facing townhouse blocks, the Owner shall install servicing on streets in this plan of subdivision for these blocks only after site plan approval has been obtained, all to the satisfaction of the City, at no cost to the City.
75. The Owner shall have the common property line of Commissioners Road East 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 Commissioners Road East 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.
76. In conjunction with the Focused Design Studies 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.

77. Prior to the issuance of any Certificate of Conditional Approval for Blocks 38 to 42 in this plan, these Blocks shall be combined with lands to the north to create developable lots and/or blocks, to the satisfaction of the City. The above-noted blocks shall be held out of development until they can be combined with adjacent lands to create developable lots and/or blocks.
78. Prior to the issuance of any Certificate of Conditional Approval for Block 62 in this plan, this Block shall be combined with lands to the south to create developable lots and/or blocks, to the satisfaction of the City. The above-noted block shall be held out of development until they can be combined with adjacent lands to create developable lots and/or blocks.
79. Prior to the issuance of any Certificate of Conditional Approval for Block 63 in this plan, this Block shall be combined with lands to the west to create developable lots and/or blocks, to the satisfaction of the City. The above-noted block shall be held out of development until they can be combined with adjacent lands to create developable lots and/or blocks.
80. In conjunction with the first submission of engineering drawings, the Owner shall identify and provide details of the removal and/or relocation of any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
81. Prior to final approval, the Owner shall ensure that any lot/block located partially within and/or adjacent to the hydro easement shall have 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.
82. In conjunction with the first submission of engineering drawings, the Owner shall prepare conceptual building plans for Block 44 in order to confirm their suitability for residential building lots, to the satisfaction of the City.
83. In conjunction with the first submission of engineering drawings, the Owner shall make adjustments to the existing works and services on Street 'A'/Barn Swallow Place, Kettering Place, Holbrook Drive and Constance Avenue, 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, all to the satisfaction of the City Engineer, at no cost to the City.
84. At the time this plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal storm and sanitary works required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.
85. In conjunction with the first submission of engineering drawings, the Owner shall provide details on Lots 11 and 12 and how these Lots will be serviced and accessed (eg. driveway locations, etc.), to the satisfaction of the City Engineer.
86. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner to the east to regrade a portion of the property abutting Constance Avenue, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.
87. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have the existing access and services removed and/or decommissioned for the

existing dwellings and/or structures, septic systems, existing infrastructure, and any existing easements may be quit claimed, all to the satisfaction and specifications of the City and at no cost to the City. Any portion of the existing services not used from the removal of the existing dwellings and/or structures on these properties shall be removed or abandoned and capped to the satisfaction of the City, at no cost to the City.

88. In conjunction with the Focused Design Studies submission, the Owner shall submit a pathway concept with grading details for all park pathways, including a cross-section from Constance Avenue through the pathway and ravine, all to the specifications and satisfaction of the City.
89. 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.

## **PLANNING**

90. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
91. In conjunction with the first submission engineering drawings, the Owner shall submit a lotting plan which complies with all City standards and zoning regulations all to the satisfaction of the City.
92. The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to front doors oriented toward the higher order street, porches, windows, wrap around materials and features or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior side-yard abutting the exterior side-yard road/park/open space frontage.
93. As part of 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.
94. In conjunction with the first submission of engineering drawings, the Owner shall provide a completed Stage 4 archaeological assessment prepared by a licensed archaeological consultant and shall provide a letter of confirmation that the Ministry of Tourism, Culture and Sport has reviewed and accepted the archaeological assessment into the Ontario Public Register, to the satisfaction of the City.
95. Prior to final approval, the Owner shall provide confirmation in writing that they have complied with any requirements of Hydro One Networks Inc. (HONI).

## **NATURAL HERITAGE**

96. As part of the Focused Design Studies submissions, the Owner shall provide a Final Environmental Impact Study (EIS) Report which addresses measures for feature protection and mitigation, compensation, restoration, monitoring, and species at risk (or other items), to the satisfaction of the City.

97. As part of the Focused Design Studies submission, the Owner's Landscape Architect or Ecologist shall prepare and provide a concept plan for all ecological buffers, compensation areas and restoration areas, to the satisfaction of the City.
98. In conjunction with the first submission of engineering drawings, the Owner's Landscape Architect and/or ecological consultant shall prepare a detailed restoration and buffer planting plan in accordance with the approved Final Environmental Impact Study (EIS), to the satisfaction of the City.
99. As part of the first submission of engineering drawings, the Owner shall prepare for delivery to all homeowners an education package which explains the stewardship of natural areas, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The education package shall encourage homeowners to drain swimming pool water to the City's storm sewer system and not the natural ravine and shall include recommendations for installation of shielded exterior lighting and bird-friendly window treatments. The educational package shall be prepared to the satisfaction of the City and UTRCA. The approved package shall be delivered to homeowners upon occupancy.
100. In conjunction with the first submission engineering drawings, the Owner's ecological consultant shall prepare and submit a minimum 3 to 5 year detailed monitoring program for the natural heritage features and functions, and for all ecological works including buffer plantings, restoration areas and compensation areas to the satisfaction of the City. The Owner's consultant shall provide an annual monitoring report for each year of the program to the City and UTRCA.
101. The Owner shall not grade into any open space areas. 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.
102. As part of the Focused Design Studies, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision as required by the Tree Inventory. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the preservation of quality specimen trees within Lots and Blocks and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree Preservation Reports and Tree Preservation Plans to the satisfaction of the City Planner. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.

## **PARKS PLANNING & DESIGN**

103. The Owner shall convey Block 37 and Blocks 45 to 52, inclusive, to the City as parkland dedication in accordance with the requirements of By-law CP-9.
104. As part of the Focused Design Studies submission, the Owner's Landscape Architect shall prepare and provide a concept plan for all parks and open space blocks including multi-use pathway alignments to the satisfaction of the City.
105. As part of the Focused Design Studies submission, the Owner shall provide a preferred alignment and design for the pedestrian bridge crossing that minimizes the potential impacts of the crossing on the ravine corridor, tree canopy cover, drainage, wetland and wildlife habitat; provides mitigation measures to avoid and minimize potential impacts; and provides recommendations for compensation and construction monitoring to the satisfaction of the City. Further red-line revisions to the draft plan may be required to accommodate the final location of the pedestrian bridge crossing and paved pathway.



106. As part of the first submission of engineering drawings, the Owner shall include all grade, service and seed details on all areas dedicated for parkland, to the satisfaction of the City.
107. As part of the first submission of engineering drawings, the Owner shall include a detailed design of the pedestrian bridge crossing; and shall submit a Development Charge work plan outlining the costs associated with the scoped EIS, detailed design, engineering and construction/installation of the pedestrian bridge crossing, to the satisfaction of the City. These costs directly related to the pedestrian bridge crossing project are eligible for reimbursement in accordance with the City's DC By-law.
108. The Owner shall construct the multi-use pathways within Blocks 45, 47 and 52, as shown on the accepted engineering drawings, all to the satisfaction of the City, within 1 year of registration of the plan of subdivision.
109. The Owner shall construct and install the pedestrian bridge crossing, as shown on the accepted engineering drawings, all to the satisfaction of the City, within 1 year of registration of the plan of subdivision.
110. The Owner shall, prior to the issuance of a Certificate of Conditional Approval, grade, service and seed all areas dedicated for parkland, to the satisfaction of the City.
111. Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence without gates along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Lots and Blocks, in accordance with City Standard S.P.O. 4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.

#### **UTRCA**

112. As part of the Focused Design Studies submissions, the Owner shall provide a Final EIS Report which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021 and August 12, 2021, and further addressed in the applicant's Response Table dated June 1, 2021), to the satisfaction of the UTRCA. Further red-line revisions to the draft plan may be required to address those concerns/comments.
113. As part of the Focused Design Studies submissions, the Owner shall provide a scoped Environmental Impact Study (EIS) prepared to the satisfaction of the UTRCA which addresses the Conservation Authority's concerns (as noted in their correspondence dated March 26, 2021 and August 12, 2021) and assesses alternative crossing alignments and designs for the pedestrian bridge crossing and associated pathway; identifies a preferred crossing alignment and design that minimizes the potential impacts of the crossing on the ravine corridor, tree canopy cover, drainage, wetland and wildlife habitat; provides mitigation measures to avoid and minimize potential impacts; provides recommendations for compensation and construction monitoring/oversight requirements. Further red-line revisions to the draft plan may be required to accommodate the final location of the pedestrian bridge crossing and paved pathway.
114. As part of the Focused Design Studies submissions, the Owner shall provide a Final Geotechnical Investigation – Slope Assessment Report which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021, and further addressed in the applicant's Response Table dated June 1, 2021), to the satisfaction of the UTRCA.

115. As part of the Focused Design Studies submissions, the Owner shall provide a Final Functional Stormwater Management Report and SWM Monitoring, Maintenance and Operation Manual which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021, and further addressed in the applicant's response chart dated June 1, 2021), to the satisfaction of the UTRCA.
116. As part of the Focused Design Studies submissions, the Owner shall provide a Final Hydrogeological Assessment and Water Balance Analysis which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021, and further addressed in the applicant's response chart dated June 1, 2021), to the satisfaction of the UTRCA.
117. 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 the UTRCA Regulated Area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

## Appendix B – The London Plan Amendment

Bill No. (number to be inserted by Clerk's Office)  
2021

By-law No. C.P.-1512()\_\_\_\_

A by-law to amend The London Plan for the City of London, 2016 relating to 1938 and 1964 Commissioners Road East.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 5, 2021

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 5, 2021  
Second Reading – October 5, 2021  
Third Reading – October 5, 2021

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, a low-rise apartment building up to 4 storeys, and to add the subject lands to Map 7 – Specific Policy Areas, of The London Plan.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands identified as a multi-family residential development block (Block 44) within a proposed draft plan of subdivision, File No. 39T-19501; located at 1938 and 1964 Commissioners Road East in the City of London.

**C. BASIS OF THE AMENDMENT**

This amendment applies to a proposed multi-family block which has frontage on and access to a neighbourhood street known as Kettering Place. The site also fronts directly onto a neighbourhood park and backs onto open space lands consisting of a natural ravine and tributary. Site topography slopes down approximately 9 to 10+ metres from Kettering Place towards the top of the ravine. In order to maintain surface water and groundwater flow contributions directed to the ravine, on-site stormwater attenuation controls including surface water collection and a rear yard infiltration system are to be incorporated into the development of the multi-family block. These measures will be implemented through the subdivision engineering drawings and approved site plan and Development Agreement.

The adjacent hydro corridor easement poses a further constraint on the size and configuration of the development block. Recognizing these physical and development constraints, a small-scale, low-rise apartment building alone or in combination with cluster townhouses would be considered appropriate for the site at this location. This type of use is considered compatible and a good fit with the existing adjacent low density residential and multi-family developments surrounding the neighbourhood park. The proposed use is consistent with the Provincial Policy Statement 2020, and with the use, form, and intensity policies of The London Plan.

**D. THE AMENDMENT**

The London Plan is hereby amended as follows:

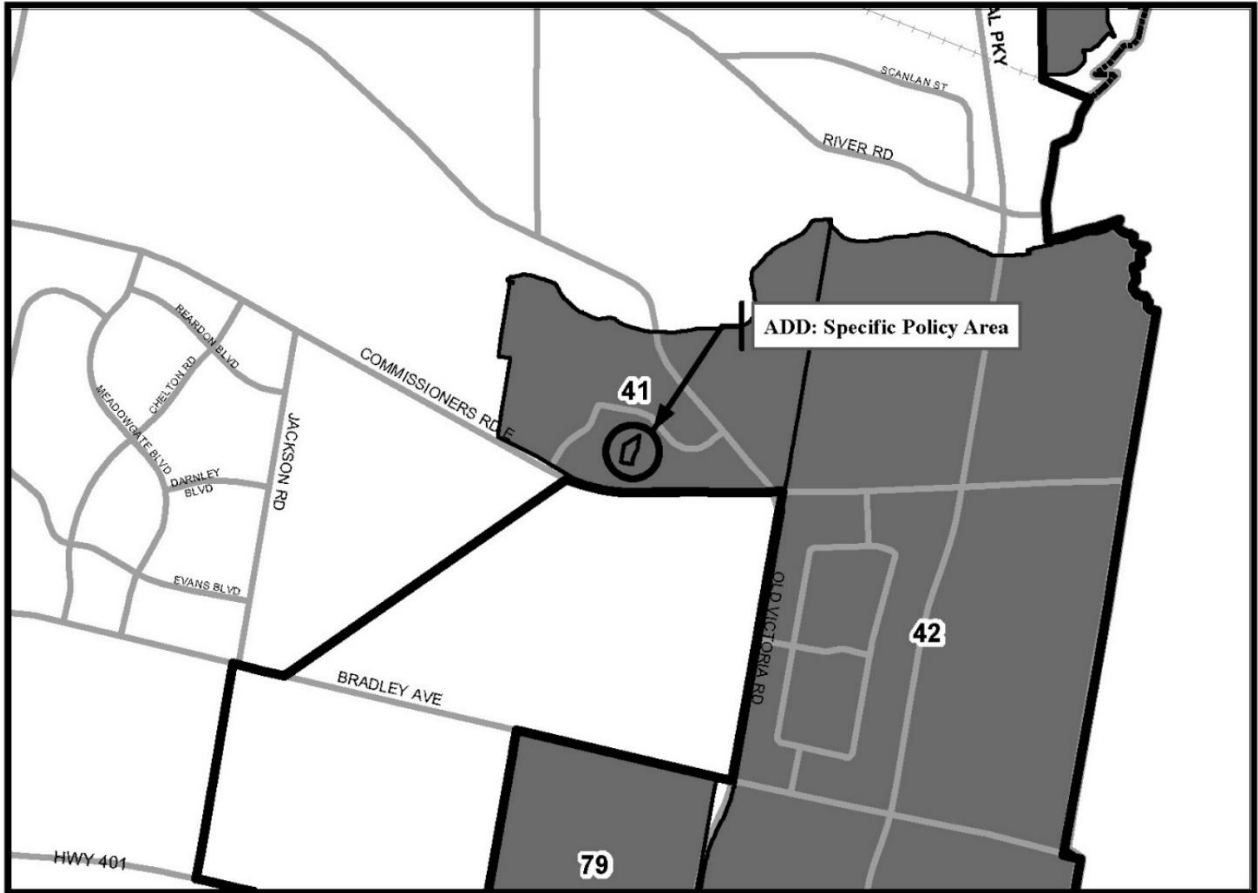
1. Specific Policies for the Neighbourhoods Place Type of the London Plan for the City of London is amended by adding the following:

1938 and 1964 Commissioners Road East

( )\_ In the Neighbourhoods Place Type applied to the lands located at 1938 and 1964 Commissioners Road East, an apartment building up to 4 storeys in height may be permitted.

2. Map 7 - Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1938 and 1964 Commissioners Road East in the City of London, as indicated on "Schedule 1" attached hereto.





AMENDMENT NO:



**LEGEND**

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

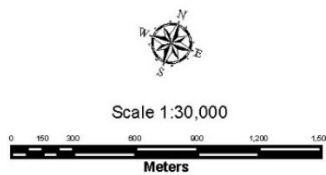
**BASE MAP FEATURES**

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

*This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.*

**SCHEDULE #  
TO  
THE LONDON PLAN**  
AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Planning Services



**FILE NUMBER:** 39T-19501 / Z-9015  
**PLANNER:** LM  
**TECHNICIAN:** RC  
**DATE:** 8/31/2021

## Appendix C – 1989 Official Plan Amendment

Bill No. (number to be inserted by  
Clerk's Office)  
2021

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for  
the City of London, 1989 relating to 1938  
and 1964 Commissioners Road East.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 5, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 5, 2021  
Second Reading – October 5, 2021  
Third Reading – October 5, 2021

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose is to change the land uses designation on Schedule “A” – Land Use of the Official Plan from “Low Density Residential” to “Multi-family, Medium Density Residential”.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands identified as a multi-family residential development block (Block 44) within a proposed draft plan of subdivision, File Number 39T-19501; located at 1938 and 1964 Commissioners Road East in the City of London.

**C. BASIS OF THE AMENDMENT**

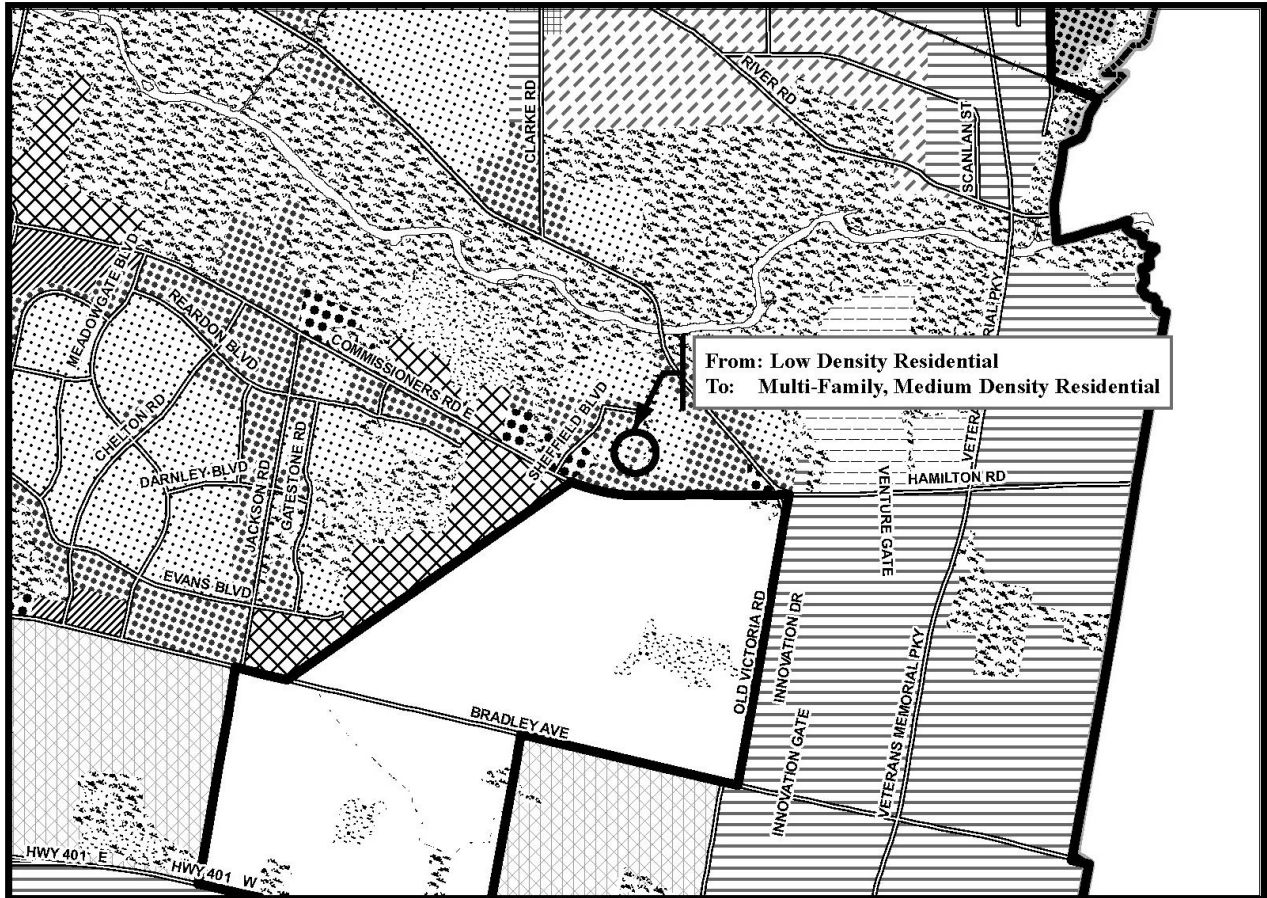
This amendment applies to a proposed multi-family block which has frontage on and access to a neighbourhood street known as Kettering Place. The site also fronts directly onto a neighbourhood park and backs onto open space lands consisting of a natural ravine and tributary. Site topography slopes down approximately 9 to 10+ metres from Kettering Place towards the top of the ravine. In order to maintain surface water and groundwater flow contributions directed to the ravine, on-site stormwater attenuation controls including surface water collection and a rear yard infiltration system are to be incorporated into the development of the multi-family block. These measures will be implemented through the subdivision engineering drawings and approved site plan and Development Agreement.

The adjacent hydro corridor easement poses a further constraint on the size and configuration of the development block. Recognizing these physical and development constraints, a small-scale, low-rise apartment building alone or in combination with cluster townhouses would be considered appropriate for the site at this location. This type of use is considered compatible and a good fit with the existing adjacent low density residential and multi-family, medium density developments surrounding the neighbourhood park. The proposed amendment is consistent with the Provincial Policy Statement 2020, and the Multi-family, Medium Density Residential policies in the 1989 Official Plan.

**D. THE AMENDMENT**

The Official Plan for the City of London is hereby amended as follows:

1. Schedule “A”, Land Use to the Official Plan for the City of London Planning Area is amended by changing the designation of a portion of the lands located at 1938 and 1964 Commissioners Road East, as indicated on “Schedule 1” attached hereto, from “Low Density Residential” to “Multi-family, Medium Density Residential”.



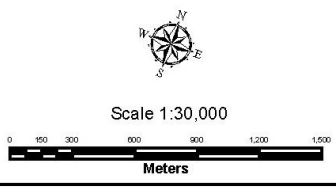
**From: Low Density Residential**  
**To: Multi-Family, Medium Density Residential**

**Legend**

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

*This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.*

**SCHEDULE 1  
 TO  
 OFFICIAL PLAN**  
 AMENDMENT NO. \_\_\_\_\_  
 PREPARED BY: Graphics and Information Services



**FILE NUMBER:** 39T-19501 / Z-9015  
**PLANNER:** LM  
**TECHNICIAN:** RC  
**DATE:** 2021/08/06



## Appendix D – Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)  
(2021)

By-law No. Z.-1-21\_\_\_\_\_

A bylaw to amend By-law No. Z.-1 to rezone lands located at 1938 & 1964 Commissioners Road East.

WHEREAS Sifton Properties Limited has applied to rezone lands located at 1938 & 1964 Commissioners Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1938 & 1964 Commissioners Road East, as shown on the attached map, FROM an Urban Reserve UR4, Open Space OS4, and holding Open Space (h-2•OS4) Zones TO a holding Residential R1 Special Provision (h•h-100•R1-3(16)) Zone, a holding Residential R1 Special Provision (h•h-100•R1-3(\*)) Zone, a holding Residential R1 Special Provision (h•R1-4(28)) Zone, a holding Residential R1/R4 Special Provision (h•h-100•R1-3(16)/R4-3(\*)) Zone, a holding Residential R5/R6 Special Provision (h•h-54•h-71•h-100•R5-6(8)/R6-5(31)) Zone, a holding Residential R5/R6/R8 Special Provision (h•h-100•R5-5( )/R6-5( )/R8-3( )) Zone, a holding Business District Commercial/Office/Residential R8 Special Provision (h•h-54•h-100•h-128•BDC2(5)/OF5/R8-4(17)) Zone, an Open Space OS1 Zone, an Open Space OS1 Special Provision (OS1(3)) Zone, an Open Space OS5 Zone, and an Urban Reserve UR4 Special Provision (UR4(7)) Zone.

2) Section Number 5.4 of the Residential R1 Zone is amended by adding the following special provision:

R1-3( )

a) Regulations:

- |     |  |            |
|-----|--|------------|
| i)  | Front Yard Depth for Main Dwelling (Minimum) | 3.0 metres |
| ii) | Rear Yard Depth (Minimum)                    | 3.0 metres |

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

R4-3( )

a) Regulations:

- |     |  |            |
|-----|--|------------|
| i)  | Exterior Side Yard Depth to Local Street (Minimum) | 1.2 metres |
| ii) | Exterior Side Yard Depth                           | 6.0 metres |

	To Arterial (Minimum)	
iii)	Lot Coverage (Maximum)	55%
iv)	Lot Frontage (Minimum)	7.0 metres

- 4) Section Number 9.4 of the Residential R5 Zone is amended by adding the following special provision:

R5-5( )

a) Regulations:

i)	Front Yard Depth for Main Dwelling (Minimum)	4.5 metres
ii)	Rear Yard Depth to OS Zone (Minimum)	4.0 metres
iii)	Interior Side Yard Depth to OS Zone (Minimum)	1.2 metres

- 5) Section Number 10.4 of the Residential R6 Zone is amended by adding the following special provision:

R6-5( )

a) Regulations:

i)	Front Yard Depth for Main Dwelling (Minimum)	4.5 metres
ii)	Rear Yard Depth to OS Zone (Minimum)	4.0 metres
iii)	Interior Side Yard Depth to OS Zone (Minimum)	1.2 metres

- 6) Section Number 12.4 of the Residential R8 Zone is amended by adding the following special provision:

R8-3( )

a) Regulations:

i)	Height (Maximum)	16 metres (4 storeys)
ii)	Rear Yard Depth to OS Zone (Minimum)	4.0 metres

- |      |   |            |
|------|---|------------|
| iii) | Front Yard Depth<br>(Minimum)                       | 4.5 metres |
| iv)  | Interior Side Yard Depth<br>to OS Zone<br>(Minimum) | 1.2 metres |

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.

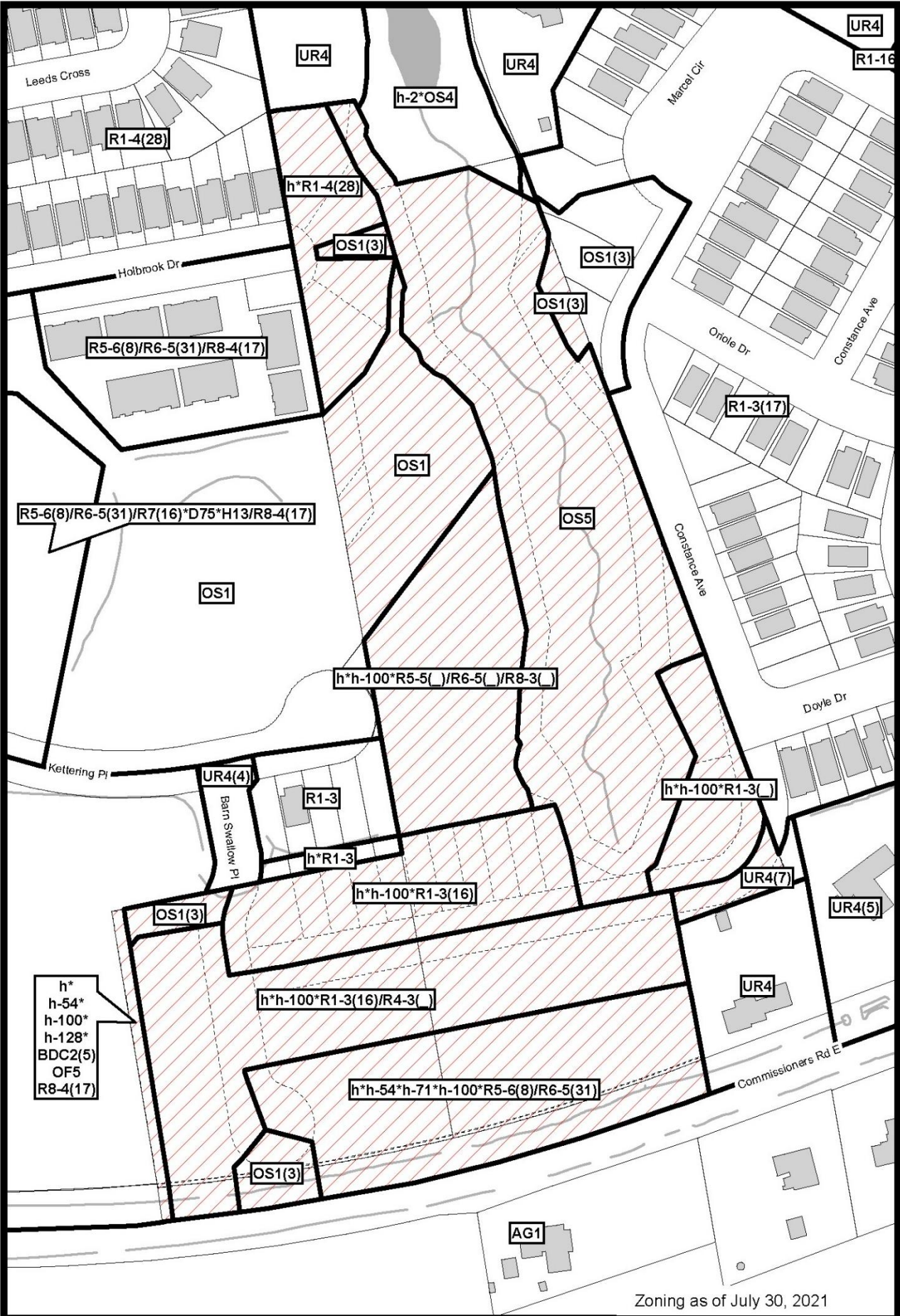
PASSED in Open Council on October 5, 2021

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 5, 2021  
Second Reading – October 5, 2021  
Third Reading – October 5, 2021

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



Zoning as of July 30, 2021

File Number: 39T-19501/Z-9015  
 Planner: LM  
 Date Prepared: 2021/08/05  
 Technician: RC  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters 



## Appendix E – Public Engagement

### Community Engagement

**Public liaison:** On February 15, 2019, Notice of Application was sent to 73 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 7, 2019. A “Planning Application” sign was also posted on the site.

On January 22, 2021, Notice of Revised Application was sent to 173 property owners in the surrounding area. Notice was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 28, 2021. Notice of Public Meeting was sent to surrounding properties on September 7, 2021 and published in *The Londoner* on September 9, 2021.

**Responses:** 5 replies were received.

**Nature of Liaison:** To consider a proposed revised draft plan of subdivision and zoning amendment to allow 12 single detached lots, five (5) single detached blocks, four (4) multi-family blocks, two (2) future development blocks, nine (9) park blocks, one (1) open space block, six (6) open space buffer blocks, one (1) road widening block, and one (1) 0.3 metre reserve serviced by two (2) new streets, with public road connections to Constance Avenue, Kettering Street and Holbrook Drive. Also, consideration of an amendment to the zoning by-law to change the zoning from Urban Reserve UR4, Open Space OS4, and holding Open Space (h-2•OS4) Zones to a Residential R1 Special Provision (R1-3(16)) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 11 metres; a Residential R1 Special Provision (R1-3(\*)) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres, together with a special provision for a front yard setback to main building (minimum) of 3.0 metres, and rear yard setback (minimum) of 3.0 metres; a Residential R1 Special Provision (R1-4(28)) Zone to permit single detached dwellings on lots with a minimum lot area of 360 square metres and minimum lot frontage of 12 metres; a Residential R4 Special Provision (R4-3(\*)) Zone to permit street townhouse dwellings on lots with a minimum lot area of 200 square metres per unit; together with a special provision for an exterior side yard setback to a local road of 1.2 metres, an exterior side yard setback to an arterial road of 6.0 metres, and maximum lot coverage of 55 percent; a Residential R5/R6 Special Provision (R5-6(8)/R6-5(31)) Zone to permit townhouses and stacked townhouses up to a maximum density of 50 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; a Residential R5/R6 Special Provision (R5-5( )/R6-5( )) Zone to permit townhouses and stacked townhouses up to a maximum density of 45 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; together with a special provision for a front yard setback to main building (minimum) of 4.5 metres, rear yard depth to an OS Zone (minimum) 4.0 metres, and interior side yard depth to an OS Zone (minimum) of 1.2 metres; a holding Business District Commercial/Office/ Residential R8 (h•h-54•h-100•h-128•BDC2(5)/OF5/R8-4(17)) Zone to permit a mix of commercial, institutional, office and residential uses; an Open Space OS1 and Open Space OS1 Special Provision (OS1(3)) Zone to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks; and, an Open Space OS4 to permit conservation lands, conservation works, golf courses, public and private parks, and sports fields all without structures. The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, that a subdivision agreement or development agreement is entered into, and to ensure completion of noise assessment reports and implementation of mitigation measures for development adjacent arterial roads.

**Note:** The applicant submitted a request to add a Residential R8 Special Provision (R8-3( )) Zone to the multi-family block (Block 44) within the subdivision draft plan and zoning amendment application. The requested zoning for this block has been changed to a Residential R5/R6/R8 Special Provision (R5-5( )/R6-5( )/R8-3( )) Zone to permit townhouses and stacked townhouses up to a maximum density of 45 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; apartment buildings and senior citizen apartment buildings up to a maximum density of 65 units per hectare and maximum height of 16 metres (4-storeys). The requested zoning was included in the Notice of Public Meeting.

Staff also included a concurrent amendment to the Official Plan to change the land use designation from Low Density Residential to Multi-family, Medium Density Residential, and amend The London Plan to add a special policy to permit a low-rise apartment building up to four (4) storeys. This amendment would apply to Block 44 (multi-family block) within the proposed draft plan of subdivision.

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

- Concerns regarding access to the neighbourhood park. We have a child who uses a wheelchair and his access to the park will be made extremely difficult under this new plan.
- Concerns regarding lack of walking and running paths. Lots of houses are being built here but not many outdoor paths are available outside of this neighborhood or linking others to ours.
- Would it be possible to place the condo townhouse dwellings not at the roadway facing Commissioners Road, but tucked further back into the subdivision. It might be possible to install a tree row with a berm such as a Blue Spruce between the homes adjacent to these lands to mitigate concerns over sound from the near by road/view.
- More green space such as a park would be a welcome idea.
- Dedicated area for overflow parking would help. 29-35ft wide lots don't leave much room for visitors to park. Most subdivisions don't accommodate for this.
- I would very much like to ensure that the road does not connect down to the road in Daisy Bend, Constance Ave, and Oriole Dr....there is already too much traffic for the road to handle in this area, people will just use that as a cut through.
- **Response to Notice of Application and Publication in “The Londoner”**

<u>Telephone</u>	<u>Written</u>
None	Chris Gooyers  Dave Hannam Zelinka Priamo Ltd.  Laura Clarke 2761 Oriole Drive  Vicecia Aboussou  Gary Simm 1764 Hamilton Road

Hi Larry,

I called and left a message but figured I would email you with my question.

I recently saw the sign in front of 1964 Commissioners Road and have since looked up the file online. I now see the time for comments closed on March 29.

On the site-plan map there is a Street A and a Street B. Have the names for those streets been determined? My parents lived at 1938 Commissioners Road for over 60 years and I wonder if we could offer any suggestions for the naming of one, or both, of the streets?

Thank you  
Chris Gooyers

Hello,

We just received a notice of application planning regarding our subdivision and the changes that are being proposed.

We do not approve of this change as when we purchased our home on Oriole Drive we thought that Oriole Drive would continue across the ravine and into the victoria subdivision. We have a child who uses a wheelchair and his access to the park will be made extremely difficult under this new plan.

The previous plan we could just walk up Oriole drive over the ravine and into the park. The proposal if approved will mean we have to push his wheelchair up a very steep hill then down a very steep hill to get to the park. Then returning home we will have to do the same.

We do not feel that it is fair to change the plan after we have purchased our home with which we did so considering access to the park.

This proposed change is very unfair to people with limited mobility.

Sincerely

Laura Clarke  
2761 Oriole Drive

Good afternoon,

We received some documentation regarding the zoning of our subdivision. We are on Kettering place and we would like to know precisely what is going to be in the neighborhood. The maps you have sent out are in very small characters thus not really readable.

We moved recently into this new subdivision but we noticed that there is a lack of walking or running passes in the area. Lots of houses are being built here but not many outdoor paths are available outside of this neighborhood or linking others to ours. Is the city planning on adding a side walk along Commissionners road. It would be nice to be able to walk safely from our neighborhood to the next one summerside.

When is the project in this subdivision supposed to start and finish?

Thank you

Vicécia ABOUSSOU

Hello,

My name is Gary Simm (I am a Resident of Ward 14 / 1764 Hamilton Rd - London - N6M-1G4) in the neighbourhood of 1938 & 1964 Commissioners Road East.

I would like to contribute comments in regards to the Planned Application for 1938 & 1964 Commissioners Road East, involving Sifton Properties before the deadline of Feb 26th 2021.

- If Multi-Family Blocks would refer to Condos-Town Houses i know myself and the Majority of my neighbours are strongly opposed to this in our neighbourhood. If it is deemed that this is an absolute necessity (again which many of us would be opposed to) would it be possible to place these Condo -Townhouse Dwellings not at the roadway facing commissioners road -- but tucked further back into the planned subdivision. My point being the people who have lived in this neighbourhood as part of the former Westminster Township that have single detached dwellings don't want to look out their doors at condo's, they bought in to this area for Single Detached Dwellings. Many of us are not impressed with the Townhouse-Condo's so close to the Road at the nearby Oriole Dr/Daisy bend area facing Hamilton Rd. Properties such as: 1959 Commissioners Rd E (former Norton School house land) , 1983 Commissioners Rd E , 2003 Commissioners Rd E , 1982 Commissioners Rd E will not appreciate starring out their doors at Condo's-Townhomes..... perhaps it might be possible to install a Tree Row with a berm such as a Blue Spruce between the homes adjacent to these lands to mitigate concerns over sound from the near by road / view. It has come to my attention as per Councils comments circa 2018-2019 that Stone Walls such as what you'd see outside Summer Side and many other Subdivisions are not in keeping with what the city is after. That being said i do not want to see something like what is directly across from East Park Golf & Garden , the subdivision has Wood Fencing that is simply & politely put --not aesthetically appealing for anyone.
- In general i know many of us in this neighbourhood (Commissioner's & Hamilton Rd & Old Victoria Rd ) would have rather seen larger lots put in on this commissioners road planned site , less lots, and single detached homes matching the feel of what the neighbourhood has been the last 70-80 years prior to Oriole Drive/Daisy Bend-Victoria On the Flats Subdivision's arrival, they are like any other subdivision that pops up in the city, The Oriole Drive-Victoria Flats site .....so far hasn't been planned well in terms of hearing out neighbours opinions & Distibuting city notices for site application This site had multiple flooding & basement issues thus far getting them information ...as the 120m exclusion zone doesn't help much in an area with large lots. *(i would know, as i had organized a meeting of all the Hamilton road residents July 5th 2018 and many people were not happy campers and still are not to this day. )*
- More Green Space Such as a Park on either 1938 & 1964 Commissioners Road East would be a welcome idea, as when youth have nowhere to go and play and be kids , they turn to petty mischief. So if mom and dad only have a 30ft by 50ft lot, having somewhere to go play with area kids helps curb behaviour we as a community don't need. Since the Arrival of the Subdivision Victoria off of Commissioners & Sheffield Blvd, and The Victoria Flats Subdivision off Oriole Dr/ Hamilton Rd home break ins , car break ins have gone up a lot. Normally you never see much of anything in this neighbourhood of (Hamilton , Commissioners & Old Vicotria ) ... I would know my family has lived here for 75 years. You might include an area paved for kids to play "road hockey" safer than the streets, basketball nets green space for activity beyond walking trails.
- Parking : if there was a dedicated overflow area for overflow parking would help a lot. 29-35ft wide lots doesn't leave much room for visitors to park, summer parties etc. Most subdivisions don't accommodate for this it seems now days.
- I would very much like to ensure that the commissioners road site road way does not connect down to the road in Daisy Bend , Constance Ave, Oriole Dr....there is already too much traffic for the road to handle in this area, people will just use that as a cut through area so to speak.
- At the road ways many of us here oppose the idea of Wrought Iron fencing, as common knowledge or observance -- Wrought Iron fence it is never taken care of or maintained properly....and just look at the homes between wellington and commissioners before Wharncliffe as an example of this. Stone Pillars with Spruce Tree's between/either on a berm or an attractive fencing between would be nice. Again not fencing like what was proposed for Vicotria flats.....there was no room between the road and the ditch and the fencing was an afterthought by the look of it . A Birm with Spruce Tree's Similar to what is by the AAROC



pit at 1640 Fanshawe Park Rd E, London, ON N5X 4A3 is attractive and tastefully done. Maybe some inspiration could be borrowed from that site. I personally would like to see something like that travel all the way up both sides of commissioners rd when development carries on towards Jackson Rd in future .

- I would ask that Council & The Applicant (Sifton or otherwise ) consider that this neighbourhood was a rural and quiet neighbourhood once part of the former Westminster Township , homes that had scenic views and large lots with privacy (often referred to by the people of the community of Dorchester as "The Golden Mile ) , and while we are now in London since annexation circa 1993, change and progress can still come without completely disregarding what existing home owners bought into this or any other neighbourhood for.
- **So in Summary:** Privacy, Sound, Road Access, Greenspace areas for kids & families to play safely, fencing types & tree planting off-of-along commissioners rd Infront of the site -- to assist with the change in the view for existing owners, and Consideration of Existing Home owners property. I know many other neighbours echo my feelings, but again this 120m exclusion zone for public notice -- is likely to result in a lack of comments by the Feb 26th 2021 deadline . These Would all be items i would like to see addressed . (even though i am outright opposed to the site being used to build a new residential subdivision.....I would rather see it as purely greenspace & recreation and overflow parking-area for residents & as a paved area for snow plows to put snow during winter months for the Sheffield Blvd Site or between the Victoria on the Flats site. )
- **Once last thing i would like to Mention**: When we return to life post pandemic , You would have greater public participation if you were to hold a separate last call of sorts public meeting in nearby churches OR school OR Hall-Legion with respect to distance of any given future site that may have a application submitted. Most people in town may have a hard time getting time to make it down town , so if they skip the city hall meeting but are able to make it to a 2nd near by meeting..... turnout would likely be higher. This would also help with clarity the letters the city sends out from the planning department. Most people read these things are confused by them (the language , complex nature and yes i do realize they can call Development Services). Most regular people are of the opinion that council /the city will just push everything through regardless of how they the residents feel (at least that's been the sentiment in this neighbourhood). So if a 2nd meeting were to start taking place near the Proposed Build Sites in the Area where homeowners could air any grievances & ask questions ..... You would in turn creates less stress on residents , transparency and trust in the community would grow. My comments don't show prejudice to London City Council or Planning Department Or Site Applicants, that's a statement for any Community in Canada. If we can have Polling Sites in the aforementioned mentioned locations for Elections ... I'm sure it might work for Community Planning as a 2nd measure for inclusion. Better Planning = A Better Community , Better Living and an Increase In Trust in Our Officials.

Thank You & Kind Regards,

-Gary Simm

(Current Date: Friday Feb 26th 2021)  
Resident of 1764 Hamilton Rd - London Ontario - n6m1g4

### **Agency/Departmental Comments (see correspondence on following pages)**

1. Hydro One Networks Inc. – January 28, 2021
2. Upper Thames River Conservation Authority – August 12, 2021
3. EEPAC Comments – March 18, 2021
4. Applicant Response Table to EEPAC Comments – June 1, 2021

# 1. Hydro One Networks Inc. – January 28, 2021

**Hydro One Networks Inc.**  
**Facilities & Real Estate**  
P.O. Box 4300  
Markham, Ontario L3R 5Z5  
www.HydroOne.com

**Courier:**  
185 Clegg Road  
Markham, Ontario L6G 1B7



VIA E-MAIL ONLY TO [ASerrano@London.ca](mailto:ASerrano@London.ca)

January 28, 2021

Ania Serrano  
Admin and Technical Representative  
Development Services  
City of London

Attention: Ania Serrano

Dear Ania Serrano:

**Re: Draft Plan of Subdivision, Sifton Properties Limited  
1938 and 1964 Commissioners Road East  
London  
File: 39T-19501**

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Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the proposed plan of the above noted subdivision application. As the subject property is abutting and/or encroaching onto a HONI high voltage transmission corridor (the "transmission corridor"), HONI does not approve of the proposed subdivision **at this time**, pending review and approval of the required information.

The comments detailed herein **do not** constitute an endorsement of any element of the subdivision design or road layout, nor do they grant any permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the express written permission of HONI.

Should the developer require any use of and/or access to the transmission corridor at any time, the developer must contact **Lana Kegel, Real Estate Coordinator** at **416-689-9974** in order to ensure all of HONI's technical requirements are met to its satisfaction, and acquire any applicable agreements.

The following should be included as **Conditions of Draft Approval**:

1. Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
2. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.

3. At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected where subdivision lots directly abut the transmission corridor after construction is completed.
4. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.
5. HONI's easement rights must be protected and maintained.

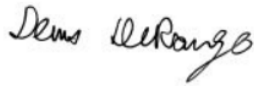
In addition, HONI requires the following be conveyed to the developer as a precaution:

6. The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The safe vertical distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the developer's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the safe vertical distance specified in the *Act*. All parties should also be aware that the conductors can raise and lower without warning, depending on the electrical load placed on the line.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at [dennis.derango@hydroone.com](mailto:dennis.derango@hydroone.com) or at 905-946-6237.

Yours truly,



Dennis De Rango  
Specialized Services Team Lead, Real Estate  
Hydro One Networks Inc.

## 2. Upper Thames River Conservation Authority – August 12, 2021



"Inspiring a Healthy Environment"



August 12, 2021

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

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

Dear Mr. Mottram:

**Re: File No. 39T-19501/Z-9015 Application for Draft Plan of Subdivision – UTRCA Conditions of Draft Plan Approval – Grenier – VOTR 6**  
**Applicant: Sifton Properties Limited**  
**1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road, London**

Further to our correspondence dated March 26, 2021, the Upper Thames River Conservation Authority (UTRCA) met with the applicant and their consulting team on April 21, 2021 to discuss the outstanding comments and concerns. It was agreed that a Response Table would be provided to document the discussion which would facilitate the preparation of draft conditions.

A response table titled -

*Sifton Properties Limited Response to UTRCA, City and EEPAC Comments Re: File No. 39T-19501/Z-9015 Application for Draft Plan of Subdivision & Zoning By-Law Amendment (dated May 23, 2019; July 8, 2019) 1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road RESPONSE DATE – OCTOBER 9, 2019 UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020 FURTHER UPDATED RESPONSE TO UTRCA COMMENTS FROM MARCH 26, 2021 & EEPAC COMMENTS – RESPONSE DATE: JUNE 1, 2021 (COMMENTS AND RESPONSES AT END OF CHART, STARTING ON PAGE 45)*

was provided by the applicant on May 26, 2021, updated on June 1, 2021. As follows, the UTRCA is generally satisfied with the provided information and responses and is in a position to offer its conditions of draft plan approval.

### **Environmental Impact Study**

The UTRCA has reviewed the *Environmental Impact Study* sections (pages 22 – 34 and 45 – 50) in the June 1, 2021 Response Table. While we are satisfied with the majority of responses, in addition to incorporating the responses from the Table into the final EIS, the following matters will also need to be addressed in the Final EIS and/or in the Scoped EIS for the pedestrian crossing/bridge at the Focused Design Stage to the satisfaction of the UTRCA -

**The following will be reviewed once the locations have been provided on a figure -**

- a. Block numbering on Figures 6 and 7 to demonstrate that the location of infiltration galleries and bioswales and other LIDs will not impact the natural features and that the LIDs can be maintained and serviced.

- b. Location of Hairy Aster planting to demonstrate it was transplanted outside of Sifton's development lands.
- c. Location of pathway to demonstrate that the pathway on the east side has been removed.
- d. Location of grading to demonstrate that it is minimal and limited to the retaining wall at Street B.
- e. Location of slope, erosion, natural features and buffer delineations to demonstrate the recommended boundary/development limit is the outermost constraint.

**Pages 23, 29 and 47, comments 3, 13; B (iv), and B (v) -**

Given that details for various structural features are not being developed until detailed design stage (i.e. location of LIDs, pedestrian bridge crossing, pedestrian trail alignment, retaining wall, and snow piles) I am concerned that not enough buffer / setback has been provided and that there will be impacts to the natural features and functions.

**Page 30, Comment 14 -**

Given that the proponent agrees that the lots in the southeast corner are very large and provide ample space for a custom-designed dwelling to meet the zoning setbacks, it is unclear why the limit of the lots cannot be reshaped to meet the zoning setbacks.

**Geotechnical/Slope Assessment & Stormwater Management Study**

The UTRCA has reviewed the Response Table provided by the applicant (dated June 1, 2021) as well as **Figure 2 - Post Development Drainage Areas and Stormwater Strategy** prepared by Development Engineering dated May 2021. We are satisfied with the responses and provided information. A final Geotechnical/Slope Assessment Study and SWM Report prepared to the satisfaction of the UTRCA will be required at the Focused Design Stage.

**Hydrogeological Assessment & Water Balance Analysis**

As agreed upon, the City's Hydrogeologist has undertaken the review of the hydrogeological responses on behalf of the UTRCA and is satisfied with the provided information. A final Hydrogeological and Water Balance Assessment prepared to the satisfaction of the UTRCA will be required at the Focused Design Stage.

**RECOMMENDATION**

As indicated, the UTRCA is generally satisfied with the provided responses to our comments regarding the EIS, Geotechnical /Slope Assessment Study, SWM Report and Hydrogeological Assessment and Water Balance Analysis. The provided information is to be incorporated into the Final Reports at the Focused Design Stage. The comments contained in this correspondence are also to be addressed in the final studies. Accordingly, the UTRCA offers the following Conditions of Draft Plan Approval –

1. As part of the Focused Design Studies submissions, the Owner shall provide a Final EIS Report which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021 and August 12, 2021, and further addressed in the applicant's Response Table dated June 1, 2021), to the satisfaction of the UTRCA. Further red-line revisions to the draft plan may be required to address those concerns/comments.
2. As part of the Focused Design Studies submissions, the Owner shall provide a scoped Environmental Impact Study (EIS) prepared to the satisfaction of the UTRCA which addresses the Conservation Authority's concerns (noted in their correspondence dated March 26, 2021 and August 12, 2021) and assesses alternative crossing alignments and designs for the pedestrian bridge crossing and associated pathway; identifies a preferred crossing alignment and design that minimizes the potential impacts of the crossing on the ravine corridor, tree canopy cover, drainage, wetland and wildlife habitat; provides mitigation measures to avoid and minimize potential impacts; provides

recommendations for compensation and construction monitoring/oversight requirements. Further red-line revisions to the draft plan may be required to accommodate the final location of the pedestrian bridge crossing and paved pathway.

3. As part of the Focused Design Studies submissions, the Owner shall provide a Final Geotechnical Investigation – Slope Assessment Report which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021, and further addressed in the applicant's Response Table dated June 1, 2021), to the satisfaction of the UTRCA.
4. As part of the Focused Design Studies submissions, the Owner shall provide a Final Functional Stormwater Management Report and SWM Monitoring, Maintenance and Operation Manual which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021, and further addressed in the applicant's response chart dated June 1, 2021), to the satisfaction of the UTRCA.
5. As part of the Focused Design Studies submissions, the Owner shall provide a Final Hydrogeological Assessment and Water Balance Analysis which addresses the Conservation Authority's outstanding comments and concerns (as noted in their correspondence dated March 26, 2021, and further addressed in the applicant's response chart dated June 1, 2021), to the satisfaction of the UTRCA.
6. 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 the UTRCA Regulated Area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

Please contact the undersigned if there are any questions.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



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

- c.c. Sent via e-mail -  
Applicant – Sifton Properties Limited  
UTRCA – Jenna Allain, Manager Planning and Regulations, UTRCA & Brent Verscheure, Land Use Regulations Office  
City of London – Jeff Hachey, Hydrogeologist

### 3. EEPAC Comments – March 18, 2021

Victoria on the River, Phase 6, (1934 Commissioners Road East), revised EIS dated December, 2020, received by EEPAC at its February 2021 meeting. Reviewed by S. Hall, S. Levin, and I. Whiteside

Also reviewed were the updated Hydrological Assessment and Water Balance by EXP dated December 3, 2020, and the unrevised Geotechnical Investigation - Slope Assessment from 2017 by EXP

Noted that this woodland patch 09028, has a dense canopy of 90 to 100% (page 12) which is unusual on the landscape. The SWT ELC is also found on less than 10% of London's landscape.

#### WATER BALANCE

EEPAC has received the revised water balance showing that the site has achieved the goal of at least 80% post-development infiltrations as compared to pre-development infiltration. We note that the change in assumptions from the 2018 water balance assessment have resulted in a material change to the evaluation of pre-development conditions on the effectiveness of the LID measures (e.g. pre-development infiltration is estimated to be 14,684 m<sup>3</sup>/yr, an 11% reduction from the 2018 assumption of 16,504 m<sup>3</sup>/yr, while the proposed LID mitigation measures are anticipated to result in post-development infiltration of 13,384 m<sup>3</sup>/yr versus 11,392 m<sup>3</sup>/yr in the 2018 calculations, a 17% improvement); however, even considering the (higher) 2018 pre-development infiltration, the revised estimate of the post-development infiltration achieves the 80% target. It would be helpful to receive a description of the assumption changes that resulted in the changes to the water balance assumption.

While the post-development infiltration target of 80% appears to have been met, EEPAC continues to have concerns that the stormwater management strategy is predicated on the long-term successful implementation of LID measures whose long term efficacy has not been demonstrated, and as such, run-off towards the ravine system may increase with time and infiltration decrease. Furthermore, the LID measures appear to be located on private property, and the eventual home owners may lack expertise to properly maintain the LID measures. Lastly, we note that the 2018 Water Balance report recommended percolation tests at proposed LID measure to demonstrate the feasibility of the LID designs; however, the 2020 report did not include this recommendation – it would be helpful to have confirmation that these percolation tests were conducted to confirm the viability of the LID measures.

Here is a summary of our calculations (for reference).

	Pre		Post		% Pre-Development		Post with Mitigation		% Pre-Development with Mitigation	
	2018	2020	2018	2020	2018	2020	2018	2020	2018	2020
to TRIBUTARY 3										
Estimated Runoff	11,567	19,967	7,945	20,288	69%	102%	7,963	15,003	69%	75%
Estimated Infiltration	16,508	14,684	8,471	8,794	51%	60%	11,392	13,384	69%	91%
to SWMF 2										
Estimated Runoff	1,150	1,178	7,711	3,510	671%	298%	4,971	2,632	432%	223%
Estimated Infiltration	1,725	1,767	2,814	1,538	163%	87%	3,114	2,320	181%	131%
to SWMF 1										
Estimated Runoff	0	0	3,061	2,600	n/a	n/a	2,289	1,950	n/a	n/a
Estimated Infiltration	0	0	1,064	0	n/a	n/a	1,178	0	n/a	n/a

Our specific recommendations with respect to the stormwater management plan is similar to our previous one:

**RECOMMENDATION 1: The proposed LID systems should be placed on public property, as the eventual homeowner may lack the desire or skill in maintain the LID measures and run-off may consequently increase over time as the efficacy of the LID measures wane.**

Infiltration galleries and other LID should NOT be placed on private property. We are unclear why “The City of London has insisted that LID features be outside of the municipal road allowance and on private property, a monitoring and maintenance document will be provided to the homeowners/condo corporation where these features are located similar to other underground infrastructure. “ There have been no studies as far as EEPAC is aware of the ability of private land owners in London to maintain such infrastructure much less, a condo corporation. Until such a study is undertaken in London, or until there is a way for the city to force a private land owner to do and report on maintenance, no LID should be on private property. The City should review the SWM feature at 161 Windemere Road to see if it has functioned properly without damage to the cliffs below the site.

**RECOMMENDATION 2: A fund be set aside for any remediation or compensation required as per Recommendation 18 due to any impacts to the wetland areas in the ravine caused by changes to the water balance. It should be noted that EEPAC did not receive the Dev Eng functional servicing report dated September, 2019, to assist in addressing comments.**

### **BARN SWALLOW**

**RECOMMENDATION 3: EEPAC recommends that the proponent and/or the City consult Cole Engineering on the replacement of the unsuccessful kiosk. One thought is to use the remaining beams and other materials from the barn that was removed that appear to still remain on the proponent’s lands on the west side of the ravine (personal visit by S. Levin on March 7, 2021)**

[https://www.coleengineering.ca/blog/Blog32/Saving\\_Ontario\\_s\\_Barn\\_Swallow\\_Population](https://www.coleengineering.ca/blog/Blog32/Saving_Ontario_s_Barn_Swallow_Population)

<https://www.thespec.com/news/hamilton-region/2017/07/07/inside-ontario-s-fight-to-save-declining-barn-swallows-one-bird-house-at-a-time.html>



## **NET IMPACTS TABLE**

The Net Impacts table adds a number of impacts to the previous version as noted in the Dec 2020 comments in the table of comments provided to EEPAC (thank you for including it for our review). All of the new additions are no to low impact. The only positive net impact is the naturalization of the buffer. Therefore, EEPAC disagrees with the consultant's conclusion that there is a positive impact. It is no net impact at best, more likely a low negative (which was the 2019 comment of Development Services in the table of responses).

**RECOMMENDATION 4: The statement "Based on the identified potential impacts and mitigation measures listed above, it is anticipated that the net environmental impacts will be positive." on page 44 should be changed to "... it is anticipated that the net environment impacts will be neutral." The net impacts table and the EIS itself does not prove that "Ecological restoration within identified compensation areas will more than offset vegetation and habitat loss." (p. 44)**

EEPAC is encouraged by the suggested plantings in the hydro corridor. However it is unclear to us who is responsible for approaching Hydro One and whether or not approval will be granted. If it is not granted, there is a low net loss rather than a neutral impact at best.

The Net Impacts Table mentions potential bioswales. They are not mentioned in the hydro-g report and it is unlikely they would be used as the site is not large enough.

## **PEDESTRIAN BRIDGE AND TRAIL (see air photos from City web site and Figure 6 from EIS at end of this report)**

The EIS report and the Geotechnical Assessment and Slope Stability study were prepared to assess the development's impact on the site, not the footbridge, and so neither study is sufficient for the bridge (see note from page 17 of the Slope Assessment at end of this report). As the city clearly states in their comments, the bridge is "conceptual" at this stage so additional studies will clearly have to be done to support any concrete plans/proposals. EEPAC agrees with the comment from AECOM that an EIS will "likely" be required to specifically address the proposed bridge at the time the works are being planned (page 28 of the Comments). What is clear from the Geotechnical report is that it recommends that "future development generally not occur within the Erosion Hazard Limit identified at the site" (General Comments for Site Work on page 15). If we consider cross-sections E-E' and G-G', and that the foundations for the footbridge need to occur outside of the Erosion Hazard Limit, the foundations will need to be at least 26m + 24m from the edge of the creek (plus the creek width, say 2m). That is, the foundations for the footbridge need to be 50m+ apart (probably closer to 55m?) at minimum to ensure the foundations are constructed outside the Erosion Hazard Limit. Not being 100% sure on the design of the footbridge, but it will be a long one for somewhat marginal benefit, (saves ~400m to walk around the ravine? That's ~3-4 minutes of walking time at a normal rate.) It is also not clear what the limiting set-backs are here – is it the

Erosion Hazard Limit or the Buffer? If it's the Buffer, then obviously the bridge will have to be longer.

The proposed pedestrian pathway will need to meet AODA standards. Hopefully this can be done without pavement as having to mow on both sides will reduce the amount of area re-naturalized which is the only net positive in the net impacts table. Like the UTRCA, EEPAC does not support the trail in the buffer and appreciate that it has been moved to mostly avoid conflict with the buffer.

**RECOMMENDATION 5: If the path on the east side is built, EEPAC recommends defined access point(s) to the pedestrian trail from the subdivision to the east so that multiple informal access points are not created. Multiple access points will damage and eventually destroy the restoration plantings planned for the buffer on the east side of the ravine. Such access points would be appropriate places for informational signage about the feature.**

EEPAC is puzzled why the pathway is needed on the east side of the feature as there is a sidewalk on Constance Avenue which is outside the buffer! The path would end at the new street that will connect Constance to the new development. The path does not continue on the west side of the ravine due to the infiltration galleries at the back of the multi family development. Pedestrians would continue to walk on the sidewalk of the new street, to the next new street (Darlington Pl) to get to the park. We note in the table of responses Dec 2020, city staff said "... *If the City / Parks Planning would prefer to have the trail overlap with the sidewalk in certain sections, we have no issue with that.*" It is noted that a final decision is going to occur later at "detailed design."

If the pedestrian bridge project goes ahead despite our recommendation not to build it (it is not very far around the ravine to the other side), another EIS is required for the affected areas because this EIS clearly states (p. 35) it did not deal with its potential impacts on the Significant Woodland or the watercourse. The other reason for EEPACs recommendation that no bridge be constructed is because there is no managed trail system for the adjacent Meadowlily ESA. Without any plan in place, unmanaged trails will develop as the population increases. It should not be made easier to access the ESA until such time as a managed trail system with appropriate signage and wayfinding is implemented.

A managed trail from these developments to the Meadowlily ESA must be developed by Parks Planning. Without a managed trail system (now that the CMP is done) many informal trails can be created by new residents who are unaware of the significance of the area. This is particularly true of the section on the other side of Hamilton Road along the hydro corridor.

**RECOMMENDATION 6: Signage in addition to the homeowner brochure should be placed along the trail. This should be a condition of draft plan approval if the bridge is not built. Otherwise, the city must install signage about the significance of the woodland feature.**

**RECOMMENDATION 7: Vegetation removal (and trees will be lost if the bridge is constructed) MUST take place outside of bird breeding seasons. We believe the consult should say that rather than say it is recommended. It is a requirement of the Migratory Birds Convention Act.**

**RECOMMENDATION 8: An EIS be required before the bridge can proceed. If no net loss can be demonstrated, compensation must be provided by the City.**

**RECOMMENDATIONS IN THE EIS THAT EEPAC SUPPORTS (page 48+)**

EEPAC agrees with designating Patch No. 09028 as Open Space on the OP, Green Space on the London Plan and zoned as OS(4) and included as a Significant Woodland the relevant maps using the boundaries shown on Figure 7 of the EIS. The boundary of the Significant Woodland and the buffers must also be indicated on Site Plan and construction contract drawings.

**RECOMMENDATION 9: EEPAC would add to this recommendation that:**

- **The boundary shown in the maps of the London Plan include the buffer**
- **the Site Plan and construction contracts also include Figure 7 which show the buffer and restoration areas**

EEPAC supports recommendations 2 and 3 on page 50, 5 on page 52,

EEPAC hopes recommendation 6 comes to pass. We, like the UTRCA, do not support LID measures on private property due to the lower chance of ongoing maintenance. We are doubtful any compensation will be forthcoming if the wetland features change post development as it will be impossible to prove causation.

EEPAC agrees with Recommendations 7 and 8 and further recommends

**RECOMMENDATION 10: The Bird Friendly lighting guidelines be used. EEPAC also recommends that all windows on adjacent lots facing the Significant Woodland be treated in such a way to reduce bird collisions.**

**<https://abcbirds.org/glass-collisions/stop-birds-hitting-windows/>**

Recommendation 9 of the EIS should be amended to say that permanent fencing **with no gates** must be required for any lots adjacent to the Natural Heritage Features.

We agree with Recommendations 10 to 15 with the addition that **should vegetation removal occur within candidate SWH habitat of Wood Thrush and Eastern Wood Peewee, additional surveys shall (not may) be required.**

Further to recommendation 10, It is required under the ***Migratory Birds Convention Act*** that any vegetation removal be conducted outside of the bird nesting season (April 1st to September 31st).

EEPAC agrees with an Invasive Plant Management Plan (#14) but the EIS is unclear if this is a condition of development or part of the draft plan conditions. EEPAC is indifferent to which but wants it included where it will be most effective and where performance can be monitored by the City.

We agree with Recommendation 16 and are encouraged by Recommendation 17 but wonder who will talk to Hydro One about this idea? If it is not agreed to, what next?

**SUMMARY OF DRAFT PLAN and/or DEVELOPMENT AGREEMENT CONDITIONS RECOMMENDED BY EEPAC**

Detailed Environmental Management Plan as noted by both Development Services and AECOM

The recommended Environmental Monitoring Plan should be a condition of both the development agreement and in the draft plan conditions.

Any trail lighting and all building lighting must follow the bird friendly guidelines.

All installed windows facing the woodland must be treated to reduce bird collisions.  
<https://abcbirds.org/glass-collisions/stop-birds-hitting-windows/>

Invasive Plant Management Plan (rec #14)

Environmental Monitoring Plan and Program (recommendation 18 - p. 55). This is where the detail mentioned by AECOM in its response to Development Services will be required.

- EEPAC agrees that vegetation monitoring must be done for three years following construction. What is unclear is when the clock starts – when is construction finished – upon assumption? When site preparation is complete? This must be clarified so that it can be included clearly in the appropriate document
- Recommendation #19 speaks to the Barn Swallow kiosk. EEPAC is unclear if this refers to the enhanced kiosk or the existing unsuccessful one. We agree with a three year period but it must be clarified that this is three breeding seasons. We are unclear as to what happens if the enhanced kiosk is also unsuccessful.

Recommendation #20 – page 55-6. Although EEPAC agrees, we believe signage that remains in place is more useful than a Homeowner Manual that will be set aside and likely not get to subsequent owners. EEPAC would also recommend that the Living with Natural Areas, Your Dog and Nature, and Is your Cat Safe Outdoors be sent to all residents within the subdivision upon assumption.

## **OTHER**

Extract from page 17 of the 2017 Slope Assessment regarding the pedestrian bridge

*“It should be noted that the recommended bearing capacities have been calculated by EXP from the test hole information for the preliminary design stage only. The investigation and comments are necessarily on-going as new information of underground conditions becomes available (for example, if more specific information becomes available with respect to conditions between test holes, when foundation construction is underway). The interpretation between the test holes and the recommendations of this report must therefore be checked through field inspections provided by EXP to validate the information for use during the construction stage.”*

The update should have used currently available air photos that are on the city web site. It would have made things easier to review as the current air photos show the recent construction activity on both sides of the feature.

Figures should be updated to show that there is no clarity as to where the watercourse enters the Thames because it was not studied as part of the EIS and that access was not given by some property owners. It is unfortunate no further investigations were done.

p. 30 (bottom half) is not clear that the second SWH is Terrestrial Crayfish. This page was updated to reflect it but the wording was not done well.

The location of the anuran call count station is not shown on any map either in the original EIS or in the revision. EEPAC also questions the date in Table 8 as it does not match the Environment Canada weather data at London Airport for the days and times listed. Also AECOM indicates in the table of comments that all three surveys were done in 2017. The EIS says the April survey was done in 2018 which is consistent with the weather data from Environment Canada for the day in question.

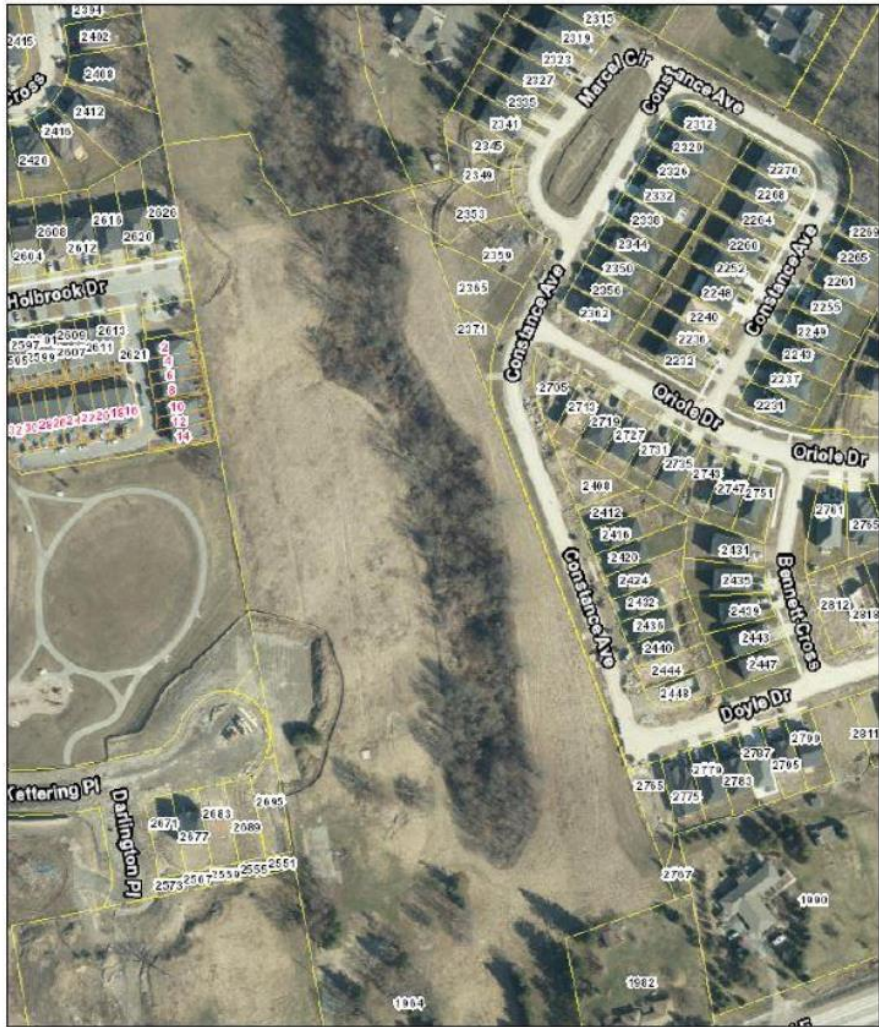
We appreciate these recommendations on page 38 but wonder how they can be mandated or even encouraged.

- o Limit use of commercial fertilizers in areas bordering a habitat feature
- o Limit use of salts or other additives for the control of snow and ice

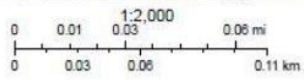
**RECOMMENDATION 11: A meeting between the Condo Board and city reps and/or EEPAC, be arranged soon after the Condo Board is convened, to explain why it is important to follow the recommendation re fertilizers and salt, rather than leaving it up to some clause buried in the condo board documents.**

The calculation of the buffer seems to be unique. It would have been helpful to see what the buffer width would have been using current techniques and recommendations as per the work done by Beacon.

# Aerial Photos Selector



2/28/2021, 1:02:31 PM



The Corporation of the City of London



4. Applicant Response Table to EEPAC Comments – June 1, 2021

Sifton Properties Limited  
 Response to UTRCA, City and EEPAC Comments Re: File No. 39T-19501/Z-9015 Application for Draft Plan of Subdivision & Zoning By-Law Amendment (dated May 23, 2019; July 8, 2019)  
 1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road  
 RESPONSE DATE – OCTOBER 9, 2019

UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020  
 FURTHER UPDATED RESPONSE TO UTRCA COMMENTS FROM MARCH 26, 2021 & EEPAC COMMENTS – RESPONSE DATE: JUNE 1, 2021 (COMMENTS AND RESPONSES AT END OF CHART, STARTING ON PAGE 45)

Comment #	Comments	Geotechnical Response (exp)	Hydrogeological Response (exp)	Environment Response (AECOM)	Planning / Engineering Response
<b>WATER BALANCE</b>					
	horse paddock not in the middle of the field as indicated.				
	1. Please confirm that the SWM LIDs being proposed and catchments areas under section 6.2.1 have been provided to Development Engineering to be considered in the proposed SWM strategy for this development.		Yes, the LIDs and water balance have been completed in close collaboration between EXP and Development Engineering.		
	2. Table 7 shows % Change from Pre to Post with mitigation at 75% which means less runoff contribution by 25% to the Tributary 3 under the proposed conditions. And Section 8.2 states that the <i>water balance calculations suggest that the post-development run-off volumes to Tributary 3 will be reduced by about 60%</i> . The UTRCA recommends maintaining the runoff to maintain the base flow. Please confirm.		The water balance will be modified to include more runoff to Tributary 3 in the post-development environment. These updated calculations will be included in the Updated Report.		
	3. It is difficult to identify boundaries between catchment areas P3A and P3B as shown on Figure 1 by Development Engineering in Appendix J. Also, it is difficult to identify boundaries between areas under the post-development conditions shown on the Drawing 2 by Development Engineering. Please update Figures 1 and 2 to clearly show the catchment areas boundaries.		These Drawings have been updated by Development Engineering and will be included in the Updated Report.		
<b>EEPAC COMMENTS (RECEIVED APRIL 26, 2021)</b>					
1	RECOMMENDATION 1: The proposed LID systems should be placed on public property, as the eventual homeowner may lack the desire or skill in maintain the LID measures and run-off may consequently increase over time as the efficacy of the LID measures wane.				The Proposed Infiltration Gallery is located within MF Block 44. This is the only area within the development that has adequate soils for infiltration, as such, the location of the infiltration gallery and the inclusion of the infiltration gallery is an integral part of overall water balance strategy for the development. It is a legal requirement for a Condo Corporation to assume ownership of all of the infrastructure within the site, including the storm sewers, OGS Units, and infiltration galleries. The maintenance of the infiltration gallery is extremely basic, it includes

Sifton Properties Limited  
 Response to UTRCA, City and EEPAC Comments Re: File No. 39T-19501/Z-9015 Application for Draft Plan of Subdivision & Zoning By-Law Amendment (dated May 23, 2019; July 8, 2019)  
 1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road  
 RESPONSE DATE – OCTOBER 9, 2019

UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020  
 FURTHER UPDATED RESPONSE TO UTRCA COMMENTS FROM MARCH 26, 2021 & EEPAC COMMENTS – RESPONSE DATE: JUNE 1, 2021 (COMMENTS AND RESPONSES AT END OF CHART, STARTING ON PAGE 45)

Comment #	Comments	Geotechnical Response (exp)	Hydrogeological Response (exp)	Environment Response (AECOM)	Planning / Engineering Response
Operations and 2	RECOMMENDATION 2: A fund be set aside for any remediation or compensation required as per Recommendation 18 due to any impacts to the wetland areas in the ravine caused by changes to the water balance. It should be noted that EEPAC did not receive the Dev Eng functional servicing report dated September, 2019, to assist in addressing comments.				the typical maintenance of the storm sewer system (vacuum excavation of upstream CB sumps, online CB sumps and OGS Units. Monitoring includes regular inspections of the CB sumps and OGS units for sediment accumulation and periodic monitoring of the system performance following significant rainfall events to ensure that the system is drawn down with 72 hours. following significant rainfall events. A draft Operations and Maintenance Manual was submitted with the previous submission and will be further updated following the detailed design of the system. The Condo Corporation will be required to engage the services of a capable service provider to provide the recommend monitoring and maintenance of the system.
3	RECOMMENDATION 3: EEPAC recommends that the proponent and/or the City consult Cole Engineering on the replacement of the unsuccessful kiosk. One thought is to use the remaining beams and other materials from the barn that was removed that appear to still remain on the proponent's lands on the west side of the ravine (personal visit by S. Levin on March 7, 2021)				The Functional Servicing report was provided to the City with the resubmission and can be obtained from them if needed.  Any remediation or compensation funds would be determined by the City based on current policies.  Ongoing monitoring of these structures will determine if additional measures are required.
4	RECOMMENDATION 4: The statement "Based on the identified potential impacts and mitigation measures listed above, it is anticipated that the net Environmental impacts will be positive." on page 44			We disagree. With the implementation of the ecological buffers, mitigation measures and the	



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Comment #	Comments	Geotechnical Response (exp)	Hydrogeological Response (exp)	Environment Response (AECOM)	Planning / Engineering Response
5	<p>should be changed to ".... it is anticipated that the net environment impacts will be neutral." The net impacts table and the EIS itself does not prove that "Ecological restoration within identified compensation areas will more than offset vegetation and habitat loss." (p. 44)</p> <p>RECOMMENDATION 5: If the path on the east side is built, EEPAC recommends defined access point(s) to the pedestrian trail from the subdivision to the east so that multiple informal access points are not created. Multiple access points will damage and eventually destroy the restoration plantings planned for the buffer on the east side of the ravine. Such access points would be appropriate places for informational signage about the feature.</p>			<p>restoration areas, there will be a net gain in ecological habitat.</p> <p>The pathway along the east side of the ravine has been remove (attached revised Figure 7).</p>	
6	<p>RECOMMENDATION 6: Signage in addition to the homeowner brochure should be placed along the trail. This should be a condition of draft plan approval if the bridge is not built. Otherwise, the city must install signage about the significance of the woodland feature.</p>				<p>The trail has been removed from the plan, with the exception of the proposed crossing. However, we have no issues with signage recommendations to provide guidance to future residents and park/trail users. This can be addressed through draft plan conditions.</p>
7	<p>RECOMMENDATION 7: Vegetation removal (and trees will be lost if the bridge is constructed) MUST take place outside of bird breeding seasons. We believe the consult should say that rather than say it is recommended. It is a requirement of the Migratory Birds Convention Act.</p>			<p>The assessment of a pedestrian crossing of the ravine will be the subject of a site-specific EIS. A recommendation regarding this will be added to the revised EIS report. The recommendations of the site-specific EIS will need to include the appropriate timing windows for vegetation clearing consistent with our recommendation 10.</p>	
8	<p>RECOMMENDATION 8: An EIS be required before the bridge can proceed. If no net loss can be demonstrated, compensation must be provided by the City.</p>			<p>The assessment of a pedestrian crossing of the ravine will be the subject of a site-specific EIS. A recommendation regarding this will be added to the revised EIS report.</p>	
9	<p>RECOMMENDATION 9: EEPAC would add to this recommendation that:</p>			<p>The amendment of The London Plan Maps will need to be completed by the City of London.</p>	

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 FURTHER UPDATED RESPONSE TO UTRCA COMMENTS FROM MARCH 26, 2021 & EEPAC COMMENTS – RESPONSE DATE: JUNE 1, 2021 (COMMENTS AND RESPONSES AT END OF CHART, STARTING ON PAGE 45)

Comment #	Comments	Geotechnical Response (exp)	Hydrogeological Response (exp)	Environment Response (AECOM)	Planning / Engineering Response
10	<p>- The boundary shown in the maps of the London Plan include the buffer</p> <p>- the Site Plan and construction contracts also include Figure 7 which show the buffer and restoration areas</p> <p>RECOMMENDATION 10: The Bird Friendly lighting guidelines be used. EEPAC also recommends that all windows on adjacent lots facing the Significant Woodland be treated in such a way to reduce bird collisions.  <a href="https://abcbirds.org/glass-collisions/stop-birds-hitting-windows/">https://abcbirds.org/glass-collisions/stop-birds-hitting-windows/</a></p>			<p>Agreed that the buffer limits and restoration areas must be shown on contract drawings. This requirement an specifications will be outlined in greater detail in the recommended Construction Mitigation Plan.</p> <p>The use of bird friendly lighting and window treatments can be a recommendation made to the home builders, and maybe included in the Homeowners Guide.</p>	<p>This can be addressed through the site plan approvals process and/or draft plan conditions.</p>
11	<p>RECOMMENDATION 11: A meeting between the Condo Board and city reps and/or EEPAC, be arranged soon after the Condo Board is convened, to explain why it is important to follow the recommendation re fertilizers and salt, rather than leaving it up to some clause buried in the condo board documents.</p>				<p>This can be arranged in the future by the City and/or EEPAC once the development has been constructed and occupied. We have no objections to such meetings.</p>

Greener - Recommended Plantings Mix: Upland Meadow Mixture		
Species	Common Name	% of Mix
<i>Andropogon gerardii</i>	Big Bluestem	10.00
<i>Aneurole virginiana</i>	Tall Anemone	2.00
<i>Asclepias syriaca</i>	Common Milkweed	5.00
<i>Aster ericoides</i>	Heath Aster	2.00
<i>Aster noveboracensis</i>	New England Aster	5.00
<i>Aster pilosus</i>	Hairy Aster	2.00
<i>Desmodium canadense</i>	Showy Tick Trefoil	2.00
<i>Elymus canadensis</i>	Canada Wild Rye	30.00
<i>Elymus virginicus</i>	Virginia Wild Rye	5.00
<i>Hypnicum ascyron</i>	Great St. John's-wort	2.00
<i>Menarda fistulosa</i>	Wild Bergamot	2.00
<i>Panicum virgatum</i>	Switch Grass	9.00
<i>Penstemon digitalis</i>	Fogelwe Beardtongue	2.00
<i>Rudbeckia hirta</i>	Black-eyed Susan	2.00
<i>Schizachyrium scoparium</i>	Little Bluestem	10.00
<i>Solidago juncea</i>	Early Goldenrod	2.00
<i>Solidago nemoralis</i>	Grey Goldenrod	2.00
<i>Solidago rugosa</i>	Rough Goldenrod	2.00
<i>Verbena hastata</i>	Blue Vervain	2.00
<i>Verbena stricta</i>	Hairy Vervain	2.00
<b>Total Species: 20</b>		<b>100%</b>

Shrubs		
Species	Common Name	Size
<i>Cornus alternifolia</i>	Alternate-leaved Dogwood	60cm 3gal. Pot
<i>Sambucus canadensis</i>	Common Elderberry	60cm 3gal. Pot
<i>Hamamelis virginiana</i>	Witch-hazel	60cm 3gal. Pot



**Legend**

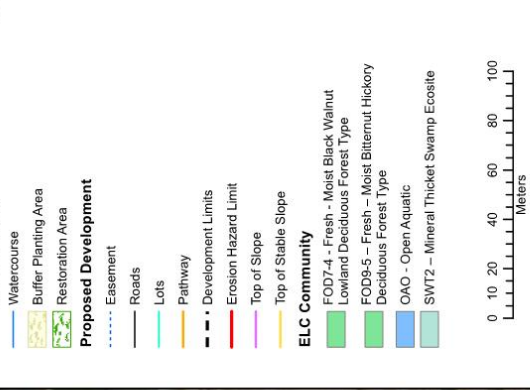
- Natural Heritage Buffer
- Woodlot Boundary
- Watercourse
- Buffer Planting Area
- Restoration Area

**Proposed Development**

- Easement
- Roads
- Lots
- Pathway
- Development Limits
- Erosion Hazard Limit
- Top of Slope
- Top of Stable Slope

**ELC Community**

- FOD7-4 - Fresh - Moist Black Walnut
- Lowland Deciduous Forest Type
- FOD9-5 - Fresh - Moist Bitternut Hickory
- Deciduous Forest Type
- OAO - Open Aquatic
- SWI72 - Mineral Thicket Swamp Ecosite



**Victoria on the River Phase 6  
Environmental Impact Study**

Environmental Management Plan

May, 2021 1:1,900  
Date: NAD 83 Zone 17  
Source: City of London, LIO

PH: 60572621 VLR

**AECOM**

Figure 7

Aerial Imagery Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS UserCommunity

## Appendix F – 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 PPS contains policy objectives for promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Sections 1.4.3(c)). There are policies for promoting healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1(a)). Provision should be made to provide for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources (Section 1.5.1(b)).

The subject lands are designated and intended for low density residential and medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. It represents development taking place within the City's urban growth area, and within an area for which an area plan has been approved to guide future community development. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing in the form of single detached lots, street townhouses, cluster townhouses and low-rise apartments at densities that allow for the efficient use of land, infrastructure and public service facilities. The proposed development will include a planned ravine crossing and multi-use trails to promote cycling and pedestrian movement, active transportation, and community connectivity. The subdivision plan proposes additional parkland dedication to enhance an existing neighbourhood park, trail linkages, and access to public open space. Development will utilize full municipal services which are available or will be extended to the property boundary through previously approved subdivision phases.

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

Various studies including an Environmental Impact Study (EIS), hydrogeological and water balance assessment, geotechnical and slope assessment, and stormwater management reports have been prepared and reviewed by the City and UTRCA with respect to potential impacts from development on the natural ravine and recommendations for appropriate mitigation. The ravine lands will be protected within an open space block and adjacent open space buffers blocks, as shown on the environmental management plan and recommended red-line revised draft plan. The EMG specifies additional requirements for buffer planting and restoration areas. Stormwater management measures to maintain groundwater flows include recommendation for a surface water collection and infiltration system within the multi-family block (Block 44) on the west side of ravine. City and UTRCA staff are satisfied that all related environmental reports and studies have advanced to a point where they can be finalized as part of the Design Studies stage of the review process, in accordance with the recommended conditions of draft plan approval.

Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs (Section 1.6.8.1). Planning authorities shall also support development patterns which promote design and orientation which maximizes energy efficiency and conservation and considers the mitigating effects of vegetation and green infrastructure (Section 181(f)). An existing hydro transmission corridor traverses the subject lands and therefore the subdivider will be required through a condition of draft plan approval to provide confirmation in writing that they have complied with any requirements of Hydro One Networks Inc. (HONI), prior to final approval. The subdivision design has been laid with a strong north-south lot and block orientation which optimizes potential for passive solar energy capture.

Stages 1, 2 & 3 Archaeological Assessments have been completed which indicate that a further Stage 4 Assessment is required on a small portion of the site. A condition of draft approval is recommended that in conjunction with the first submission of engineering drawings a Stage 4 Assessment is provided by a licensed archaeological consultant, as well as a letter of confirmation that the Ministry of Tourism, Culture and Sport has reviewed and accepted the archaeological assessment into the Ontario Public Register. There are no identified concerns for protection of agricultural or mineral aggregate resources. Based on our review, the proposed draft plan of subdivision, Official Plan and zoning by-law amendments are found to be consistent with the Provincial Policy Statement.

### **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.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, townhouses, home occupations, and group homes, as the main uses. There is also a natural heritage feature identified on Map 1 - Place Types\* as “Green Space” which indicates the presence of natural ravine and tributary.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, Environmental, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed draft plan, Official Plan and zoning amendments contribute to achieving those policy objectives, including the following specific policies:

### **Our Strategy**

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

*4. Protect and enhance the health of our Natural Heritage System.*

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

*5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

*7. Build quality public spaces and pedestrian environments that support walking.*

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

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

*8. Promote, strengthen, and grow the existing commuter and recreational cycling network and promote cycling destinations within London.*

**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.*

**Key Direction #8 – Make wise planning decisions**

*9. Ensure new development is a good fit within the context of an existing neighbourhood.*

These strategic directions are generally reflected in the development proposal. The proposed subdivision lands contain a component of the natural heritage system for which an Environmental Impact Study has been undertaken to evaluate its features and functions, and implement measures for its protection and enhancement. The proposal consists of a mix of low and medium density housing types consisting of single detached dwellings, various forms of cluster housing, townhouses, street townhouses and low rise apartment buildings to take advantage of planned services and community facilities, and to contribute to a neighbourhood that is complete and supportive of aging in place. The plan includes park and pathway blocks, including a proposed pedestrian bridge crossing the ravine to link the existing neighbourhood park which acts as central focal point and a social gathering place.

The subdivision plan maintains a modified grid pattern with connections to the existing street network resulting in ease of mobility and a neighbourhood that is more walkable, healthy, and connected. The subdivision plan is also integrated with the larger pedestrian and cycling network which includes the Thames Valley Parkway (multi-use trail), future extensions of the TVP along Commissioners Road East, a neighbourhood park, walkways and sidewalks; and the development proposal is oriented to and supportive of future public transit. In terms of use, form and intensity the proposed subdivision plan is considered a good fit within the context of the existing neighbourhood.

**City Building and Design Policies**

*204\_ Natural heritage is an important contributor to the character of an area and influences the overall street network. Neighbourhoods should be designed to preserve or create views to natural heritage features and landmarks through lotting patterns, street patterns, or building placement*

*212\_ The configuration of streets planned for new neighbourhoods will be of a grid, or a modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks should be minimized. To ensure connectivity and integration with existing and planned neighbourhoods, new neighbourhood street networks will generally be designed to have connections to existing and future neighbourhoods.*

*220\_ Neighbourhoods should be designed with a diversity of lot sizes to support a range of housing choices, mix of uses and to accommodate a variety of ages and abilities.*

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

*255\_ Site layout will promote connectivity and safe movement for pedestrians, cyclists, and motorists between, and within, site.*

*259\_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.*

*419\_ Open Spaces are often linear in nature following tributaries of the Thames River, upland corridors, or utility easements. Open Spaces typically include multi-use pathway systems that link neighbourhoods to surrounding parks and community amenities such as schools, business areas, shopping areas and transit corridors and villages, greatly improving active mobility and active living opportunities.*

The proposed street and lot pattern provides an important public road connection between newly developed neighbourhoods to the east and west, as well as creates a window street at the southerly tip of the ravine corridor preserving a view to the natural heritage feature. Street A and Street B are configured along the lines of a modified grid which in turn influences the configuration of the fronting lots and blocks. Street A south of Street B terminates in a cul-de-sac rather than intersecting with Commissioners Road East because of issues with the sight lines, speed limit, and separation distance from the intersection of Sheffield Boulevard and Commissioners Road East.

It was anticipated that Holbrook Drive would terminate in a cul-de-sac with single detached lots fronting the bulb. A park access block has been provided at the end of Holbrook Drive to connect with a future pedestrian crossing the ravine to Oriole Drive. The neighbourhood has been designed to support a mix of dwelling types including single detached lots and multi-family blocks with zoning to permit cluster townhouses, street townhouses and low-rise apartment buildings.

The existing neighbourhood park (Sheffield Park) is well integrated with the subdivision plan through the provision of additional park land and open space, the multi-use pathway system, and public sidewalks and streets to promote walking and cycling, and a healthy and active lifestyle. Overall, the subdivision layout promotes connectivity and safe movement for pedestrians, cyclists, and motorists. The recommended zoning includes special provisions for minimum 4.5 metres front yard setbacks intended to allow buildings to be closer to the street creating a street wall/edge and establishing a sense of enclosure. The goal is to ensure streets are well framed by buildings that front the street encouraging a stronger relationship between the public and private realm.

The natural ravine and hydro transmission corridor will be maintained as open space and include a pedestrian bridge crossing and multi-use pathways in order to link the neighbourhood to surrounding parks and community amenities, including a commercial mixed-use area and Public Square planned as part of the Victoria on the River draft plan of subdivision for Phase 5. Staff are recommending a red-line revision to remove the linear pathway currently shown within the Open Space buffer on the east side of the ravine as this area is intended for naturalization and planting of native species with minimal disturbance. Pedestrians and cyclists can utilize the adjacent public road and sidewalk on Constance Avenue.

## **Place Type Policies**

The subject lands are located within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, townhouses, home occupations, and group homes, as the main uses. Residential building heights are specified in Table 11\* within the Neighbourhoods Place Type policies based on street classification. The minimum and maximum permitted building heights along Neighbourhood Streets and Neighbourhood Connectors is a minimum 1 storey and maximum 2.5 storeys. Permitted building heights along a Civic Boulevard is a minimum

2 storeys and maximum 4 storeys, with provision for bonusing up to 6 storeys. There is also an area on Map 1 - Place Types identified as "Green Space" which recognizes the presence of a natural heritage feature in the form of narrow ravine and tributary in the northerly portion of the subject lands.

Some of the key elements of the Neighbourhoods Place Type vision include:

*916\_1. A strong neighbourhood character, sense of place and identity.*

*916\_3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*

*916\_4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*

*916\_8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

*761\_5. Enhance the accessibility of publicly owned green space areas where there is no danger to public safety and where significant natural features and ecological functions can be protected.*

The proposed draft plan of subdivision is part of a larger planned residential community that incorporates various elements in creating a strong neighbourhood character and sense of place and identity. The inclusion of additional publically-owned park and open space blocks, pedestrian bridge crossing the ravine and multi-use pathway connections enhances neighbourhood character, and the neighbourhood park's function as a focal point and gathering place. The proposed draft plan also implements the objective of creating a highly connected neighbourhood with access to amenities within the neighbourhood, and to other locations beyond via future extensions of the the city-wide Thames Valley Parkway multi-use pathway system.

This subdivision development would provide for a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age. As noted above, the Neighbourhoods Place Type permits a range of dwelling types which will be accommodated within the subdivision lot and block layout and through the recommended Official Plan and zoning amendments. The range of residential uses includes single detached dwellings, various forms of cluster housing, cluster townhouses, street townhouses and low-rise apartment buildings.

One of the multi-family blocks (Block 44) in particular is considered appropriate to be able to accommodate greater residential use and intensity. The applicant has requested a special provision zone for this block to permit a low-rise apartment building up to 16 metres in height, or four (4) storeys. In conjunction with the zoning request, staff have included an amendment to add a specific policy to the Neighbourhoods Place Type as the requested special provision applies to a multi-family block having frontage on a neighbourhood street being Kettering Place. It is also recognized that this site has significant frontage directly onto the neighbourhood park and backs onto open space lands consisting of the natural ravine and tributary. The site's topography slopes down approximately 9 to 10+ metres from Kettering Place towards the top of the ravine. There has been a significant amount of environmental and hydrogeological assessment work undertaken as part of the subdivision application. One of the recommendations is for on-site stormwater attenuation controls including surface water collection and a rear yard infiltration system to be incorporated into the development of this multi-family block in order to maintain surface water and groundwater flow contributions directed to the ravine. These measures will be implemented through the subdivision engineering drawings and approved site plan and Development Agreement.

The adjacent hydro corridor easement poses a further constraint on the size and configuration of the development block. Recognizing these physical and development constraints, a small-scale, low-rise apartment building alone or in combination with



cluster townhouses would be considered appropriate for the site at this location. The sloping topography would help create the appearance of a building form which is lower in height from the view of the street. This type of use is also considered compatible and a good fit with the existing adjacent low density residential and multi-family developments surrounding the neighbourhood park.

### **Specific Policies for the Neighbourhood Place Type - Old Victoria Community**

The Old Victoria Community Planning Area policies were incorporated into The London Plan under Specific Policies for Neighbourhood Place Types (Policies 1000 to 1011). Of particular note is Policy 1008 with respect to parks and multi-use trails system planning, and consideration of the need for both passive and active recreational activities and placemaking principles.

*1008\_ In the detailed planning of the parks and multi-use trail system, consideration shall be given to the need for both passive and active recreational activities and placemaking principles. Parkland dedications may include parkettes and small woodlands, and may be configured to enhance linkages for multi-use trail systems. More detailed configuration and location of the neighbourhood park, multi-use trail system, and access connection points will be determined at the plan of subdivision and site plan stages.*

Draft plan conditions with respect to the provision of parks and open spaces include the conveyance of Block 37 and Blocks 45 to 52, inclusive, to the City in fulfillment of the parkland dedication requirements in accordance with By-law CP-9. Draft conditions will further require the subdivider to prepare concept plans for all parks and open space blocks including multi-use pathway alignments and a preferred alignment and design for the pedestrian bridge crossing as part of the subdivision Design Studies stage.

### **Environmental Policies**

*1393\_ Development and site alteration shall not be permitted on adjacent lands to natural heritage features and areas until appropriate studies have been completed to satisfy provincial and municipal policy and the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural heritage features or on their ecological functions.*

*1398\_ The City and other public authorities shall include methods for minimizing impacts when reviewing proposals to construct mobility, communication, sewerage or other infrastructure in the Natural Heritage System.*

*1400\_ For infrastructure projects within the Natural Heritage System, the City shall require specific mitigation and compensatory mitigation measures that are identified in the accepted environmental impact study to address impacts to natural features and functions caused by the construction or maintenance of the infrastructure.*

As noted earlier, extensive studies including an Environmental Impact Study (EIS), hydrogeological and water balance assessment, geotechnical and slope assessment, and stormwater management report have been prepared and reviewed by the City and UTRCA with respect to potential impacts from development on the natural ravine and recommendations for appropriate mitigation. City and UTRCA staff are satisfied that all related environmental reports and studies have advanced to a point where they can be finalized as part of the Design Studies stage of the review process, in accordance with the recommended conditions of draft plan approval.

Draft Plan Conditions No. 105 and No. 113 further require the Owner to provide a scoped Environmental Impact Study (EIS) prepared to the satisfaction of the City and UTRCA which addresses the Conservation Authority's concerns as noted in their correspondence dated March 26, 2021 and August 12, 2021, included in Appendix E of this report. The scoped EIS shall assess alternative crossing alignments and designs for

the pedestrian bridge crossing and associated pathway; identify a preferred crossing alignment and design that minimizes the potential impacts of the crossing on the ravine corridor, tree canopy cover, drainage, wetland and wildlife habitat; provide mitigation measures to avoid and minimize potential impacts; and provide recommendations for compensation and construction monitoring/oversight requirements. Further red-line revisions to the draft plan may be required to accommodate the final location of the pedestrian bridge crossing and paved pathway. Costs for preparation of the EIS and other costs directly related to the pedestrian bridge crossing project are eligible for reimbursement in accordance with the City's DC By-law.

## **Our Tools**

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

*1578\_5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.*

*461\_ Infrastructure studies may be identified and required to fulfill the complete application process for planning and development applications. The required content of the studies is provided in the Our Tools part of this Plan.*

Development will be required to connect to existing municipal sanitary and storm sewer outlets and watermains which have been extended to the site through development phasing within the Victoria on the River subdivision to the west, and subdivision developments to the east. Conditions of draft approval will ensure that servicing reports are prepared and submitted in conjunction with the engineering drawing review to ensure that servicing capacity in the sewer and water systems are not exceeded.

*1578\_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:*

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

- Individual lots and blocks will be accessed by the internal streets within the subdivision. Vehicular traffic will have access to public road connections at Constance Avenue and to an existing street stub connection to Kettering Place. As noted earlier, this subdivision provides a public road connection between the neighbourhoods to the east and west of the ravine corridor. The road configuration follows a somewhat circuitous route which is expected to minimize cut-through traffic and lessen impact on the existing neighbourhood.

- On-site parking will be required as per the Zoning By-law minimum requirements based on dwelling type. On-street parking is generally permitted on neighbourhood streets. Streets within the subdivision plan will be of sufficient width to provide for on-street parking on at least one side (8.0 metres pavement width with a minimum road allowance of 20 metres).

- The proposed residential uses are not expected to generate excessive noise and emissions. Construction access routes, installation of barricades to discourage cut-through traffic, and measures to mitigate dust, dirt, mud and debris on neighbourhood streets during construction will be identified through the accepted Engineering Drawings and Subdivision Agreement.
- There are no concerns with respect to lighting, garbage, visual and privacy impacts; or any issues with loss of views and tree cover.
- There are no concerns for shadowing as residential building heights will generally take a low-rise form. The applicant has requested a 16 metre (4-storey) maximum building height for Block 44. Shadow impacts on adjacent single detached dwellings should be minimized by building design and orientation working in conjunction with the sloping site topography. The need for a Shadow Study will be determined at Site Plan Approval.
- The EIS and related environmental studies have all been undertaken and are to be finalized in accordance with conditions of draft plan approval to the satisfaction of the City and UTRCA.
- Draft Plan Condition No. 99 requires that an education package be prepared and delivered to all homeowners which explains the stewardship of natural areas, the value of existing tree cover and the protection and utilization of the grading and drainage patterns on residential lots. The education package shall encourage homeowners to drain swimming pool water to the City's storm sewer system and not the natural ravine and shall include recommendations for installation of shielded exterior lighting and bird-friendly window treatments.
- Stages 1 & 2 Archaeological and Stage 3 Archaeological Assessments have been completed which determined that a Stage 4 Assessment is required with respect to a small area on the south-easterly side of the site found to contain subsurface features and artifacts dating back to c.1830 and 1870. As per conditions of draft plan approval (D.P. Condition No. 94), the Owner will be required to provide a completed Stage 4 archaeological assessment prepared by a licensed archaeological consultant and shall provide a letter of confirmation that the Ministry of Tourism, Culture and Sport has reviewed and accepted the archaeological assessment into the Ontario Public Register.

*1578\_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Considering the type of application under review, and its context, an analysis of fit may include such things as:*

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*
- c. Neighbourhood character.*
- d. Streetscape character.*
- e. Street wall.*
- f. Height.*
- g. Density.*
- h. Massing.*
- i. Scale.*
- j. Placement of building.*
- k. Setback and step-back.*
- l. Relationship to adjacent buildings*
- m. Proposed architectural attributes such as windows, doors, and rooflines.*
- n. materials*
- o. Relationship to cultural heritage resources on the site and adjacent to it.*
- p. Landscaping and trees.*
- q. Coordination of access points and connections.*
- r. Other relevant matters related to use, intensity and form.*

The proposed draft plan of subdivision contributes to neighbourhood character as envisioned by The London Plan and the Old Victoria Area Plan, including the following principles:

- *Principally, to provide a physical environment for a desired quality of life upon which to reside, to recreate, and to enjoy nature.*
- *To respect and conserve the natural rolling and wooded ravine, terrain, through sensitive land preparation and grading for development.*
- *To provide internal linkages through-out Old Victoria Area based on multi-use trails, parks and roads for public transit, bicycles and walking.*

The plan also demonstrates a reasonable level of compatibility and fit with surrounding uses, and the lot pattern and streetscape is consistent with the pattern of adjacent subdivision development. Single detached dwellings are expected to be similar in character and features and contain dwellings of a similar height and massing. The subdivision plan will allow for a transition in use, form and intensity from medium density cluster housing and townhouses at the southerly end facing Commissioners Road East (Block 43) to either street-fronting townhouses or single detached dwellings (Blocks A and B), and single detached dwelling lots fronting the north side of Street B (Lots 1-6 and Blocks 38-42) and the cul-de-sac on Holbrook Drive. Lots 11 and 12 are configured to blend with the natural grade and bend in the road where Street B connects with Constance Avenue transitioning with the Constance Avenue and Doyle Drive streetscapes. As previously discussed, the multi-family block (Block 44) adjacent the neighbourhood park and open space corridor is considered appropriate for a higher use and intensity in the form of a low-rise apartment building up to 4-storeys.

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

*2. Place types that permit residential uses with a medium to high level of intensity will, wherever practical, be sited adjacent to these streets. This form of development provides for greater flexibility in building orientation thereby allowing front facing buildings with amenity space in the rear.*

For lands along Commissioners Road East which is classified as a Civic Boulevard, medium density residential uses are proposed within Block 43 which has been configured to accommodate front-facing buildings accessed by a common (private) driveway along the front with private rear yard amenity space in the rear. Final site development and building design will be subject to holding provisions in the zoning bylaw and a condition of draft plan approval that requires the developer to have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future residential uses. Any recommended noise attenuation measures are to be reviewed and accepted by the City. Such measures may include localized noise barrier walls to protect the rear yard amenity areas of future dwelling units within Block B that have side exposure to Commissioners Road East. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.

### **1989 Official Plan**

These lands are designated Low Density Residential, Multi-family, Medium Density Residential and Open Space, as shown on Schedule 'A' of the 1989 Official Plan (see excerpt found in Appendix G of this report). 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. These areas may also be developed for single detached, semi-detached and duplex dwellings. Density will generally not be permitted to exceed 75 units per hectare and maximum building height is normally limited to four storeys.

The Multi-family, Medium Density Residential lands consist of the residential blocks (Block 43 and Blocks A & B) closest to Commissioners Road East. These blocks are intended for multi-family dwellings including townhouses and street townhouses. Blocks A & B will be dual zoned to also permit single detached dwelling lots which are considered appropriate as this represents an area of transition to the Low Density Residential designation on the developable portions of subject lands to the north.

This includes the multi-family block (Block 44) located at the easterly end of Kettering Place. Consistent with the recommended amendment to The London Plan, a site-specific amendment to the 1989 Official Plan is also recommended for Block 44 to change the land use designation from Low Density Residential to Multi-family, Medium Density Residential. As was previously discussed under The London Plan, a small-scale, low-rise apartment building alone or in combination with cluster townhouses is considered appropriate for the site at this location and fits with the pattern of development in the immediate area as there are two other blocks designated Multi-family, Medium Density Residential adjacent the neighbourhood park. It should be noted that earlier phases of the Victoria on the River draft plan included other lands that were originally designated Multi-family, Medium Density Residential, such as on the north side of Holbrook Drive and the cul-de-sac portion of Seven Oaks Ridge. As the subdivision built out in phases over time the demand for single detached lots continued to grow resulting in more lower density housing than originally planned for. Therefore, the recommended amendment is considered appropriate to allow the requested low-rise apartment building use and helps balance the distribution of low and medium density housing types in the neighbourhood.

The Open Space designation permits public open space uses such as public parks, and private open space uses such as cemeteries and private golf courses. Components of the Natural Heritage System recognized by Council as having city-wide, regional or provincial significance; lands that contribute to important ecological functions; and natural physical features which are desirable for preservation are also identified as Open Space. This designation applies to the proposed Open Space Block and associated Buffer Blocks which recognize the natural ravine and tributary corridor.

#### Section 8A.2.3.

- i) *Accessibility to public open space areas will be provided where possible, provided that such access will not have a negative effect on the natural features or ecological functions of the area as determined by the City in consultation with the appropriate agencies.*

As noted earlier, extensive environmental studies have been prepared and reviewed by the City and UTRCA with respect to potential impacts from development on the ravine and open space corridor. One of the infrastructure works planned for this subdivision is a pedestrian bridge providing a connecting link between the neighbourhoods on either side of the ravine and access to public park and open spaces. As noted earlier, the recommended conditions of draft approval require that a scoped Environmental Impact Study (EIS) be prepared to the satisfaction of the City and UTRCA to ensure there is no negative effect on the natural feature and ecological functions.

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

The following provides a synopsis of the recommended zones, permitted uses, regulations, and holding provisions to be applied to lots and blocks within the draft plan. Reference should be made to the zoning amendment map found in Appendix D of this report.

**Single Detached Lots 1 to 6 and Blocks 38 to 42** – Holding Residential R1 Special Provision (h•h-100•R1-3(16)) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 11 metres. This is generally consistent with zoning of the adjacent single detached lots on the south side of Kettering Place, and will facilitate the merging of Blocks 38 to 42 with Blocks 7 to 11 in Plan 33M-773 in order to create whole lots as originally intended.

**Single Detached Lots 7 to 10** - Holding Residential R1 Special Provision (h•R1-4(28)) Zone to permit single detached dwellings on lots with a minimum lot area of 360 square metres and minimum lot frontage of 12 metres. This zone is appropriate and continues the existing zoning on the north side of Holbrook Drive.

**Single Detached Lots 11 and 12** - Holding Residential R1 Special Provision (h•h-100•R1-3(\*)) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; together with a special provision for a front yard setback to main building (minimum) of 3.0 metres, and rear yard setback (minimum) of 3.0 metres. The recommended front and rear yard setbacks are appropriate as these are wide-shallow lots backing onto open space lands.

**Blocks A & B** - Holding Residential R1/R4 Special Provision (h•h-100•R1-3(16)/R4-3(\*)) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 11 metres; or street townhouse dwellings on lots with a minimum lot area of 200 square metres per unit; together with a special provision for an exterior side yard setback to a local road of 1.2 metres, an exterior side yard setback to an arterial road of 6.0 metres, and maximum lot coverage of 55 percent. A minimum lot frontage of 7.0 metres per unit is also recommended within the special provision to ensure adequate separation for underground services and utilities to individual street townhouse units.

This zoning will allow for either single detached dwelling lots or freehold street-facing townhouses. The exterior yard setbacks will allow the street townhouse end units to be closer to Street A and Commissioners Road East. End dwelling units should incorporate architectural elements such as porches, windows, wrap around materials and features that provide for a street-oriented design. This has been implemented through the conditions of draft plan approval (Condition No. 92) and will be reviewed at the site plan approval stage.

**Block 43** - Holding Residential R5/R6 Special Provision (h•h-54•h-71•h-100•R5-6(8)/R6-5(31)) Zone to permit townhouses and stacked townhouses up to a maximum density of 50 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres. This zoning is appropriate since this multi-family block has been configured to provide for multiple-attached dwellings and building orientation to Commissioners Road East.

**Block 44** - Holding Residential R5/R6/R8 Special Provision (h•h-100•R5-5( )/R6-5( )/R8-3( )) Zone to permit townhouses and stacked townhouses up to a maximum density of 45 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; and apartment buildings and senior citizen apartment buildings up to a maximum density of 65 units per hectare and maximum height of 16 metres (4-storeys); together with a special provision for a front yard setback to main building (minimum) of 4.5 metres, rear yard depth to an OS Zone (minimum) 4.0 metres, and interior side yard depth to an OS Zone (minimum) of 1.2 metres.

As discussed earlier under The London Plan and 1989 Official Plan, this multi-family block (Block 44) is considered appropriate for the proposed range of residential uses and intensity. The requested special provision zone would permit a low-rise apartment building up to 16 metres in height, or four (4) storeys. This provides maximum flexibility in building design to facilitate higher ceilings and variations in ceiling heights between floors, variations in parapet design and roof lines, and changes in finished building grades. The site could yield up to approximately 45-47 dwelling units based on maximum density (65 uph). The recommended front yard setback is consistent with the Old Victoria Area Plan to promote street-oriented development, and the rear and side yard setbacks are appropriate adjacent the hydro corridor and open space lands.

**Block 63** - Holding Business District Commercial/Office/Residential R8 Special Provision (h•h-54•h-100•h-128•BDC2(5)/OF5/R8-4(17)) Zone to permit a mix of commercial, institutional, office and residential uses. This future development block represents a remnant parcel to be merged and developed in conjunction with the adjacent lands to the west (Victoria on the River – Phase 5).

**Block 37 and Blocks 45 to 58** (as shown on submitted draft plan and adjusted to be consistent with the recommended red-line revisions) - Open Space OS1 and OS1(3) Zones to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks.

**Block 59** - Open Space OS5 Zone to permit conservation lands, conservation works, golf courses, public and private parks, and sports fields all without structures. Applies to the natural ravine and tributary corridor.

**Block 62** – Urban Reserve UR4 Special Provision (UR4(7)) Zone – This zoning is being maintained on a remnant parcel south of the bend is Street B which has been identified as a block for future development.

Holding Provisions:

It is recommended that the standard holding (h) provision be applied in conjunction with the proposed residential lots and blocks. The “h” provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of draft plan of subdivision ensure that a subdivision agreement or development agreement is entered into.

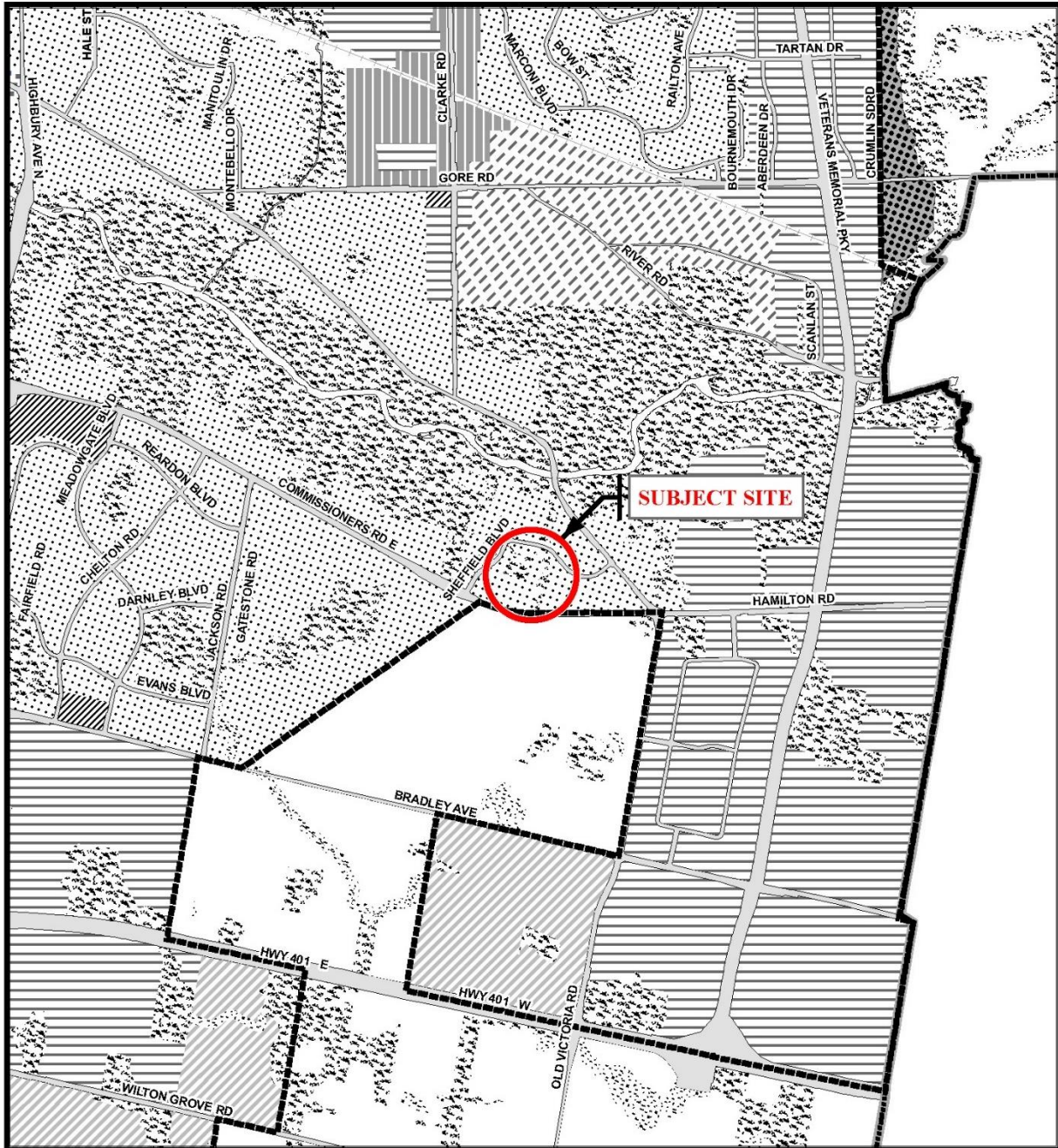
A holding (h-54) provision for the completion of a noise assessment report and implementation of noise attenuation measures for residential development adjacent an arterial road is recommended for the multi-family block (Block 43) fronting Commissioners Road East. The h-54 symbol would be deleted from the zoning upon the owner agreeing to implement all noise attenuation measures, acceptable to the City of London.

A holding (h-71) provision to encourage street-oriented development and requiring the Owner to prepare a building orientation plan to be incorporated into the approved Site Plan and Development Agreement. The h-71 applies to the multi-family block (Block 43) fronting Commissioners Road East and operates closely in conjunction with the holding (h-54) provision.

A holding (h-100) provision is recommended be applied to residential development blocks in order to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available. This would be achieved through the completion of Street A and Street B connections to the adjoining subdivision road network.

# Appendix G – Relevant Background

## The 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: 39T-19501 / Z-9015

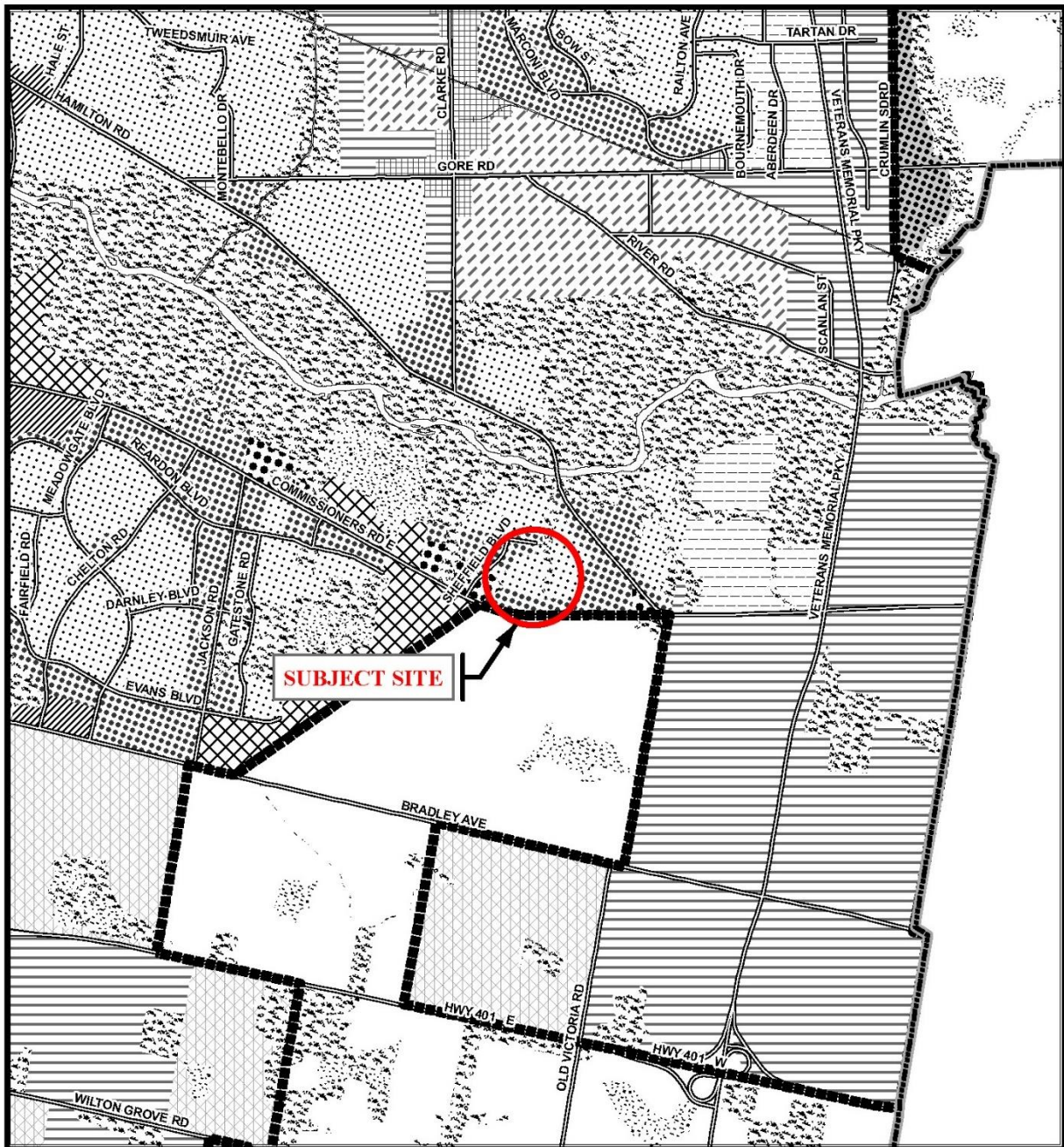
Planner: LM

Technician: RC

Date: August 6, 2021

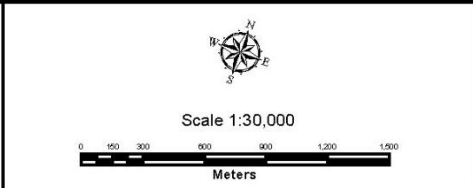


# 1989 Official Plan Map Excerpt



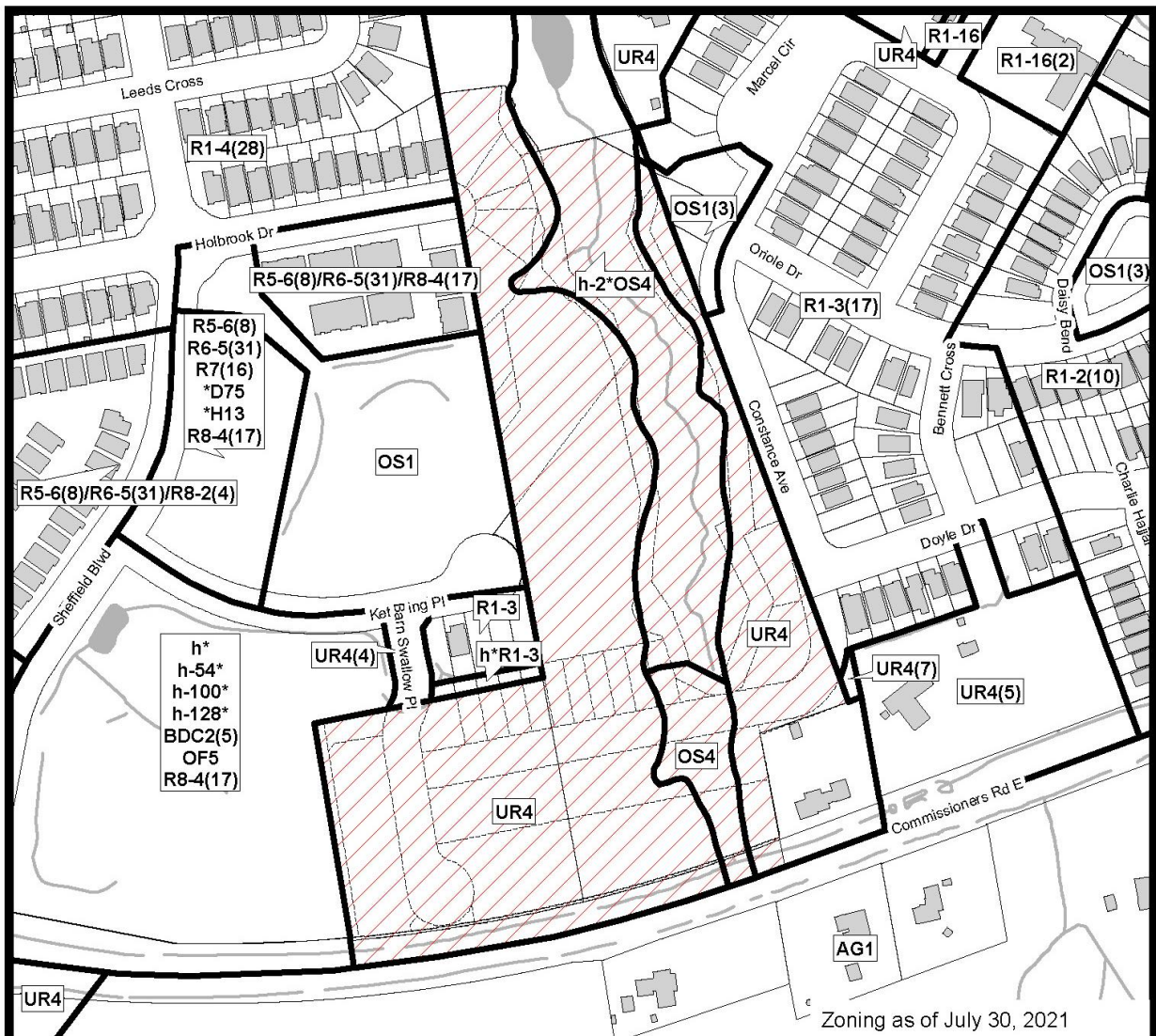
Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential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

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



**FILE NUMBER:** 39T-19501 / Z-9015  
**PLANNER:** LM  
**TECHNICIAN:** RC  
**DATE:** 2021/08/06

# Zoning By-law Map Excerpt



## COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

## CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9015

LM

MAP PREPARED:

2021/08/06

RC

1:3,250

0 15 30 60 90 120

Meters

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