TO: CHAIR AND MEMBERS - PLANNING COMMITTEE
MEETING ON
MAY 26, 2008

FROM: R. W. PANZER
GENERAL MANAGER OF PLANNING AND DEVELOPMENT

SUBJECT: REQUEST FOR EXTENSION OF DRAFT APPROVAL
VISTA WOODS ESTATES LIMITED
751 FANSHAWE PARK RD WEST

RECOMMENDATION

That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Vista Woods Estates Limited relating to the property located at 751 Fanshawe Park Road West:

(a) the Approval Authority BE REQUESTED to approve the request for a 3 year extension of the draft plan of residential subdivision, as submitted by Vista Woods Estates Limited (File No. 39T-03505) prepared by Stantec Consulting Ltd., certified by J. Andrew Smith O.L.S. (Drawing No. DP-07, dated May 12, 2007), as redline amended which shows a total of 294 single detached dwelling lots, 1 single detached dwelling block, 3 medium density residential blocks, 2 park blocks, 2 future development blocks and several road widening and reserve blocks all served by the extension of Medway Park and two new secondary collector roads and 10 new local streets, SUBJECT TO the revised conditions contained in the attached Appendix "39T-03505";

(b) the applicant BE ADVISED that the General Manager of Environmental & Engineering Services & City Engineer has projected the following claims and revenues information:

IMPACT OF PROJECT ON RESERVE FUNDS AND BUDGET

<table>
<thead>
<tr>
<th>Urban Works Reserve Fund</th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
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<tr>
<td>General</td>
<td>$2,317,280.00</td>
<td>($1,256,000.00)</td>
<td>$1,061,280.00</td>
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<td>Stormwater Ponds</td>
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<td>Subtotal</td>
<td>$3,319,902.00</td>
<td>($1,256,000.00)</td>
<td>$2,063,902.00</td>
</tr>
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| City Services Reserve Fund | $4,421,014.00 | $4,421,014.00 |

| London District Catholic School Board Fund | $210,167.00 | $210,167.00 |

| Capital Works Budget | ($85,000.00) | ($85,000.00) |

NOTE:
1) ESTIMATES ARE CALCULATED USING CURRENT RATES AND THE INFORMATION IS REPORTED ALL IN ACCORDANCE WITH THE DEVELOPMENT CHARGES AND URBAN WORKS FUND BY-LAW (IE. C.P.-1445-167),
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AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1440.167 AND AS APPROVED BY THE CITY ENGINEER.

2) ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE BY-LAWS AT THAT TIME.

3) THE OWNER SHOULD TAKE NOTE THAT THERE IS CURRENTLY A DELAY IN PAYMENT OF CLAIMS FROM THE URBAN WORKS RESERVE FUND. THERE IS POTENTIAL FOR SIGNIFICANT DELAYS IN PAYMENT ON UWRF CLAIMS AT THIS TIME.

4) THE ABOVE CLAIMS/REVENUES ON ESTIMATES USING CURRENT UWRF RULES. FURTHER ESTIMATED CLAIMS/REVENUES BASED ON ANTICIPATED FUTURE RULES MAY VARY SUBSTANTIALLY.

PREVIOUS REPORTS PERTINENT TO THIS MATTER


PURPOSE AND EFFECT OF RECOMMENDED ACTION

The effect of the applicant’s request is to allow for the extension of the draft approval granted on December 23, 2004 for this plan of subdivision to allow the owner sufficient time to have all phases of this plan registered.

Staff’s proposed redline amendment to this draft plan will provide for a window street. This window street will eliminate the need for a continuous noise wall along Wonderland Road North which is consistent with the City Noise Attenuation Policies.

RATIONALE

1. The changes to the conditions of draft approval are necessary to develop this subdivision to current City standards.

2. The amalgamation of the Draft Approval Conditions and the Municipal requirements into one set of conditions will provide more clarity for both the owner and City staff.

3. The creation of a window street will eliminate the need for a continuous noise wall along Wonderland Road North abutting this subdivision which is consistent with the City’s Official Plan - Noise Attenuation Policies.

4. A common element condominium will address the long term maintenance of the noise wall to be constructed at the rear of lots which abut Wonderland Road North on south side of Eagletrace Drive.

BACKGROUND
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
- **R9** - Medium to High Density Apts.
- **R10** - High Density Apartments
- **R11** - Loging 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
- **ASA** - Associated Shopping Area Commercial

2) **ANNEXED AREA, APPEALED AREAS**

**CITY OF LONDON**

DEPARTMENT OF PLANNING AND DEVELOPMENT

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

**SCHEDULE A**

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS
39T-03505/Draft Approval Extension
A. MacLean

Date Request Accepted: April 25, 2007

Agent: Stantec Consulting Ltd., Nancy Martin

REQUESTED ACTION: Request for a 3 year extension to draft approval.

SITE CHARACTERISTICS:

- Current Land Use – agriculture/woodland
- Frontage - 72.59 metres (238.2 feet) along Fanshawe Park Road West; 293.39 metres (962.57 feet) along Sunningdale Road West, and various interrupted frontages along Wonderland Road North
- Depth - 1170.9 metres
- Area - 36.526 ha
- Shape - irregular

SURROUNDING LAND USES:

- North - Estate type residential uses, agriculture (cash crops), Sunningdale Road West and golf course (to north-east)
- South - Fanshawe Park Road West and single detached residential subdivision
- East - single detached residential, commercial, retail, motel, church and communication facility uses, along with vacant farmland and vacant commercial properties, and Wonderland Road North. East of Wonderland Road, auto service/repair, single detached residential farm uses and golf course.
- West - single detached dwellings under construction (draft approved residential plan of subdivision (39T-02505))

OFFICIAL PLAN DESIGNATION: (refer to map)

- Multi-family, Medium Density Residential, Low Density Residential and Open Space

EXISTING ZONING: (refer to map)

- Holding Residential R1 (h. R1-4); Holding Residential R1 (h. R1-6); Holding Residential R5/R6 (h. R5-2/R6-4); Holding Residential R5/R6 (h. h-54 R5-4/R6-5), and Open Space (OS1)
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Draft Approved Plan
The subject lands were drafted approved by the Approval Authority on December 23, 2004. The plan at that time consisted of a total of 297 single detached dwelling lots, 1 single detached dwelling block, 3 medium density residential blocks, 2 park blocks, 2 future development blocks and several road widening and reserve blocks all served by the extension of Medway Park and two new secondary collector roads and 10 new local streets.

On December 3, 2007, a six month emergency draft approval extension was granted for this development. The reason for the emergency extension was to allow additional time for the applicant to work with staff to determine if, through design, the issue of noise impacts from Wonderland Road N. could be adequately addressed.

London Transit Commission

Request that condition 54 of the original draft approval be revised to more clearly indicate that LTC will be designating and field locating the “Possible Future Transit Stop Areas”, and also to include the “Possible Future Transit Stop Areas” on the engineering drawings. The following wording is proposed:

54. The owner shall mark the proposed transit stop locations on the appropriate engineering drawings, provide signage indicating “Possible Future Transit Stop Area” as streets are constructed, and upon field location of exact stop locations by the London Transit Commission as the adjacent sites are built, install a 1.5 metre wide concrete pad between the curb and the boulevard at the finalized stop locations.

UTRCA

The subject property is affected by the Authority’s Regulation Limit which includes wetland pockets and the surrounding areas of interference. The property owner will be required to obtain a permit form the UTRCA prior to undertaking any works within the regulated area including filling, grading, construction and/or alteration to a watercourse.

Environmental and Engineering Services Department

EESD has no objection to the above-noted draft plan extension. Amendments/additions to the conditions to bring them up to current standards and to address the proposed street redesign have been provided and are incorporated into the attached conditions of draft approval (see APPENDIX 39T-03505 attached).

Requests to extend draft approval must be reviewed in the context of the current standards for development. As previously noted, the subject lands were granted draft approval in December 2003. Since that time the City has adopted specific policies to address noise impacts from arterial roads. Based on discussions with the owner and his engineering consultant (Stantec) an alternative design has been negotiated. It should be noted that the property owner diligently
worked with staff to provide a solution to address the issue of noise impacts from Wonderland Road North. The applicant is to be commended for working with staff to provide a design which eliminates the need for a noise wall along a substantial stretch of Wonderland Road North (north of Eagletrace Drive) and provides for a more attractive streetscape along Wonderland Road N.

This redesign provides for a window street along a portion of the easterly limit of this draft plan. This redesign will eliminate the need for a continuous noise wall along a significant portion of the Wonderland Road North street frontage as the future dwelling unit will protect the outdoor living area (ie rear yard) of these lots. This redesign results in an overall reduction of 3 lots. The redesign reduces the length of noise attenuation barrier which would be required along this stretch of Wonderland Road (as much as 180 metres (590 feet) of noise wall). Staff are recommending that this redesign be utilized and that the draft plan be redline amended to accommodate this window street.

Alternative Design to provide for Window Street
Staff also requested that the owner carry out a review of the lots on the south side of Eagletrace Drive to determine if it was possible to redesign this area to allow for a window street. The owner's engineer advised that it would be very difficult to create a window street at this location due to the closeness of the intersection of Eagletrace Dr and Wonderland Rd N. They also noted that a window street at this location could only be accommodated through a major redesign which would result in a further reduction in lots. Based on the site constraints and economic impacts, it does not appear to be viable option for the applicant to provide for a window street at this location for standard single detached dwelling lots.

The City's Noise Attenuation policies note that:

Where noise walls are determined to be the only practical noise attenuation measure, the following will be required:

For freehold residential development

A common elements condominium corporation will be established with all of the properties that directly benefit from the noise wall, as established in the noise study, to be identified as parcels of tied land that are responsible for this common element. The condominium corporation will ensure that there are adequate funds to pay for the upkeep, maintenance and replacement costs of the noise wall. The requirement for a common elements condominium will be established as a condition of subdivision approval.

In order to ensure that the long term repair and replacement of the noise wall is carried out by the private property owners in this development, a condition of draft approval requires the property owner prior to final approval of this plan to create a common element condominium for lots 37 through 42. The common element condominium will ensure that there are adequate funds in place to provide for the long term repair and replacement of the noise wall which provides protection for these affected lots.

The proposed window street redesign (north of Eagletrace Drive) and the provision for a common elements condominium (for lots south of Eagletrace Drive) is appropriate to address the impacts of noise on these future units abutting Wonderland Rd N.

Amalgamation of Conditions of Draft Approval and Municipal Requirements

The recent practice has been to consolidate the municipal requirements (EESD conditions) with the typical set of conditions which are normally created for draft approved plans of subdivision. Therefore, there will not be a separate set of municipal requirements (as per the previous practice). The creation of one set of conditions is intended to provide more clarity for both the owner and City staff.

The recommended changes to the conditions of draft approval and the proposed revision to the draft plan to create a windows street are considered to be minor in nature.

CONCLUSION

The proposed amendments to the conditions of draft approval and the creation of a window street within this development are appropriate. Based on these revisions, it is appropriate to grant the requested extension of draft approval for this plan of subdivision.
### Agenda Item # Page #

39T-03505/Draft Approval Extension  
A. MacLean

<table>
<thead>
<tr>
<th>PREPARED BY:</th>
<th>SUBMITTED BY:</th>
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</thead>
<tbody>
<tr>
<td>Allister MacLean</td>
<td>D.N. Stanlake</td>
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<tr>
<td>SENIOR PLANNER - SUBDIVISION AND SPECIAL PROJECTS</td>
<td>MANAGER - SUBDIVISION AND SPECIAL PROJECTS</td>
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RECOMMENDED BY:

R. W. Panzer  
GENERAL MANAGER OF PLANNING AND DEVELOPMENT

May 16, 2008
AM/am  
"Attach."

Y:\Shared\SUB\SPEC\SUBDIVISION\39T-03505 - Vista Woods - Fanshawe Pk Rd W, Wonderland Rd\Draft Approval Extension\PC Report.doc
THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-03505 ARE AS FOLLOWS:

1. That this approval applies to the draft plan submitted by Vista Woods Estates Ltd., (file 39T-03505) prepared by Stantec Consulting Ltd., dated May 12, 2004 (Drawing No. DP-07), as red-line amended, which shows a total of 294 single detached dwelling lots, 1 single detached dwelling block, 3 medium density residential blocks, 2 park blocks, 2 future development blocks and several road widening and reserve blocks all served by the extension of Medway Park and two new secondary collector roads and 10 new local streets. (Planning)

2. This approval of the draft plan applies until December 23, 2010, 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. (Planning)

3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.

4. The street(s) shall be named to the satisfaction of the Manager of Subdivision and Special Projects.

5. The municipal address shall be assigned to the satisfaction of the Manager of Subdivision and Special Projects.

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. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.

8. 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.

9. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.

10. The Owner shall grant to the appropriate authorities such easements as may be required for utility, road or drainage purposes.

11. Phasing of this subdivision (if any) shall be to the satisfaction of the General Manager of Planning and Development and the City Engineer.

12. Prior to any work on the site, the Owner shall enter into an agreement with the City and shall construct temporary measures to control silt fencing entering the storm drainage system to the specifications outlined in the Guidelines on Erosion and Sediment Control...
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for Urban Construction Sites (May 1987) prepared by the Ministry of Natural Resources. These measures are to be approved by the City Engineer and installed prior to commencing any construction on this subdivision, and are to remain in place until construction as required under this agreement has been completed to the specifications of the City Engineer. The Owner shall have its professional engineer monitor the erosion and sediment control measures in accordance with the above-noted Guidelines and submit to the City Engineer monitoring reports with a log of dates when the facilities were inspected, the condition of the facilities at that time, and what remedial action, if any, was needed and taken. The monitoring reports are to be submitted to the City Engineer by April 1, July 1, and November 1 of each year until all works and services in this Plan are assumed by the City.

13. Prior to the submission of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area, to the satisfaction of the City Engineer. If necessary, the report shall also address any potential contamination impacts that may be anticipated or experienced as a result of the said construction. Any recommendations outlined in the report shall be reviewed and approved by the City Engineer, included in the pertinent agreement(s) with the City of London prior to any work on the site. Should any remedial works be recommended in the report, the Owner shall complete these works prior to issuance of Certificate of Approval, to the satisfaction of the City, at no cost to the City.

14. The owner shall decommission and permanently cap any abandoned water wells located on the property, in accordance with the Ontario Water Resources Act and the Ministry of Environment requirements and file the necessary reports with the Ministry of the Environment and the City of London. In the event that an existing well in this plan is to be kept in service, the City accepts no responsibility for the well, and makes no assertion, implied or otherwise, about the quantity or quality of water available in the well. Further, the owner of the well accepts all responsibility for protecting the well and the underlying aquifer from any development activity. (EESD)

15. Prior to the submission of engineering drawings, the Approval Authority shall be satisfied that sufficient sewage treatment and conveyance capacity is available to service the subdivision, to the satisfaction of the City Engineer.

16. The Owner's professional engineer shall provide inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and have its professional engineer supply the City with a certificate of compliance upon completion in accordance with the plans approved by the City Engineer.

17. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City Engineer and General Manager of Planning and Development.

18. 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, and final plans, 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.
19. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the General Manager of Planning and Development and the City Engineer. The Owner acknowledges that, in the event that a submission does not include the complete information required by the General Manager of Planning and Development and the City Engineer, such submission will be returned to the Owner without detailed review by the City.

20. Prior to final approval for the registration of the subdivision by the Approval Authority, the Manager of Subdivisions & Special Projects Section, City of London, is to be advised in writing by the Finance Department, City of London that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.

21. The Owner shall carry out an archaeological survey and rescue excavation of any significant archaeological remains found on the site to the satisfaction of the Southwestern Regional Archaeologist of the Ministry of Culture. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.

22. The Owner shall not commence construction or install any kind of services (e.g. clearing or servicing of land) involved with this plan prior to entering into a site alteration agreement or registering a subdivision agreement and 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 General Manager of Planning and Development in writing. (Planning, EESD)

23. The Owner shall oversize the internal sewers and water mains in the subdivision (or any resulting phase) to accommodate flows from the upstream lands and water servicing external to the subdivision, all in accordance with requirements and details as outlined in the Fox Hollow Community Plan, and to the specifications of the City Engineer. (EESD)

24. 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 to provide satisfactory easements over the sewers as necessary, all to the specifications of the City Engineer.

25. The Owner's professional engineer shall determine the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this plan. No construction involving installation of services requiring an EA is to be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act. (EESD)

26. The Owner shall plant boulevard trees along existing roads (eg. Sunningdale Road West, Fanshawe Park Road West and Wonderland Road North) abutting this subdivision in accordance with the City’s tree planting guidelines, all at no cost to the City and as specified by the City Engineer.

27. The Owner shall submit a revised draft plan for this subdivision to the Environmental and Engineering Services Department (Development Services Division) showing any amendments or revisions made to this plan as a result of any requirements and/or conditions covering the plan, or otherwise (ie. Owner initiated), prior to final approval being issued.
28. Should this plan be developed in stages, 0.3 m reserves will be required at the end of all dead-end road allowances, across future road connections and along any open sides of road allowances.

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

Sanitary

30. The Owner shall connect the proposed sanitary sewers to serve the majority of this plan to the existing 300 mm (10") sanitary on Eagletrace Drive in Plan 33M-564 to the west of this plan. The Owner shall connect the sanitary sewers to serve the northerly portion of this plan to the 375 mm (15") sanitary sewer on Wallingford Avenue in the Sunningdale West subdivision, 39T-05508, east of Wonderland Road N.

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

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

32. The Owner shall not connect any weeping tile connections into the sanitary sewers within this plan.

33. The Owner shall provide for the extension of sanitary servicing for Mun. No. 2039 and Mun. No. 2121 Wonderland Road North which are contiguous to this plan.

35. Should this plan be developed in phases and any temporary measures be required, these temporary measures shall be constructed to the specifications and satisfaction of the City Engineer, at no cost to the City.

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

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

   i) The unassumed services must be completed and Conditionally Accepted by the City;

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

38. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the subdivider
is connecting. The above-noted proportional share of the cost shall be based on contributing flows for sewers or on storage volume in the case of a SWM facility. The subdivider’s payments to third parties, shall:

i) commence upon completion of the subdivider’s service work connections to the existing unassumed services; and

ii) continue until the time of assumption of the affected services by the City.

39. The Owner shall permit the connection into and use of services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City. The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, and agreement by the outside owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

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

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

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

**Stormwater Management**

42. The Owner shall ensure that prior to the issuance of a Certificate of Conditional Approval for the southern portion of this plan:
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i) the regional SWMF #4 and all related storm/drainage service works are constructed and operational;

ii) the Fox Hollow Development Area Municipal Class Environmental Assessment Study has been completed and accepted by all applicable agencies and the public;

iii) the Heard Drain remediation works have been constructed and operational, completed under this application and/or done by others, and all to the satisfaction of the City Engineer. (EESD)

43. The Owner shall ensure that prior to the issuance of a Certificate of Conditional Approval for the northern portion of this plan:

i) the Regional Permanent SWM Facility #8 (#E-2) and all related storm/drainage service works has been constructed and is operational, all to the specifications and satisfaction of the City Engineer.

44. Prior to final approval, the Owner shall enter into an agreement with benefiting landowners for the costs associated with the monitoring and operation of the Permanent Regional SWM Facilities. Cost sharing will be in accordance with flow contribution from all relevant landowners to the proposed SWM Facilities.

45. As part of the submission of engineering drawings, the Owner shall have its consulting professional engineer design and construct the proposed storm/drainage system for the subject lands, all to the satisfaction of the City Engineer and according to the requirements of the following:

i) the SWM targets and criteria for the Medway Creek Subwatershed Study.

ii) the Fox Hollow Development Area Municipal Class Environmental Assessment (EA) for Storm Drainage and Stormwater Management Servicing Works.

iii) the accepted Functional Storm/Drainage and SWM servicing report for the subject lands.

iv) the City’s Drainage and Waste Discharge By-laws, lot grading standards, policies, requirements and practices.


vi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all relevant SWM agencies.

46. The Owner shall connect the proposed storm sewers to serve the majority of this plan to the existing 900 mm (36") on Eagletrace Drive and the existing 1500 mm (60") on Medway Park Drive, both in Plan 33M-564 to the west of this plan. The Owner shall connect the storm sewers to serve the northerly portion of this plan to the horizontal elliptical storm sewer on Wallingford Avenue in the Sunningdale West subdivision, 39T-05508, east of Wonderland Road.

47. The Owner shall develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands and that will be in accordance with City of London and Ministry of the Environment standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction.
The plan shall be submitted to the City in conjunction with the servicing drawings. Prior to any work on the site, the Owner shall implement these measures satisfactory to the City Engineer.

48. The Owner shall promote the implementation of SWM soft measure Best Management Practices (BMP’s) within the plan, where possible to the satisfaction of the City Engineer. 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.

49. Prior to the submission of engineering servicing drawings, the Owner shall have a professional engineer identify the major/minor storm flow routes for the subject catchment area, to the satisfaction of the City Engineer.

50. The Owner shall ensure that increased and accelerated stormwater runoff from this subdivision shall not cause damage to downstream lands, properties or structures beyond the limits of this subdivision and notwithstanding any requirements of the City, or any approval given by the City Engineer, the subdivider 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.

Water

51. Prior to the submission of engineering drawings, the Owner’s professional engineer shall provide a water servicing report which addresses the following:

i) identifies external water servicing requirements;

ii) confirm capacity requirements are met;

iii) identifies need for the construction of external works;

iv) identifies the effect of development on existing water infrastructure/identify potential conflicts;

v) water system area plan(s);

vi) water network analysis/hydraulic calculations for subdivision report;

vii) phasing report;

viii) oversizing of watermain/cost sharing agreements. (EESD)

52. The Owner shall connect the watermain servicing this plan to Eagletrace Drive and Medway Park Court at Foxhollow Subdivision (39T-02505) to provide required looping. The watermain shall be extended and connected to the 450 mm (18") diameter watermain on Wonderland Road North at Eagletrace Drive or the watermain on Denview Drive in Foxhollow Subdivision (39T-02505) shall be extended and connected to the 900 mm (36") watermain on Sunningdale Road. There is an 80 unit limit for single water supply.

53. The Owner shall construct a looped water main system to the specifications of the City Engineer prior to applying for building permits for more than 80 units in this plan.

54. As part of the submission of engineering drawings submission, the Owner shall provide water quality calculations to ensure adequate water turnover. Costs associated with water flushing are at the Owner’s expense.

STREETS, TRANSPORTATION & SURVEYS

55. The Owner shall construct Medway Park Drive at the western boundary of the subject
property in alignment with the existing secondary collector road to the west (in plan 33M-564) to the satisfaction of the City Engineer.

56. The Owner shall construct Medway Park Drive at the eastern boundary of the subject property in alignment with the secondary collector road to the east to the satisfaction of the City Engineer.

57. The Owner shall construct Street "E" at the western boundary of the subject property in alignment with the proposed secondary collector road to the west.

58. The Owner shall amend the plan to add Street "M" between Street "A" and the west limit of the subdivision in alignment with the proposed Street "E" as established in the Fox Hollow Draft plan (39T-02505) to the west.

59. The Owner shall construct the street stubs on Street "E" as fully serviced roads at no cost to the City.

60. Street "A" from Wonderland Road North to 45 metres (150') west is to have a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 22.5 metres (75'). The widened road on Street "A" is to be equally aligned from the centerline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance for this street with 30 metre (100') tapers on both street lines.

The costs incurred for providing the additional pavement widening may be claimable from the Urban Works Reserve Fund.

61. The Owner shall advise lot purchasers that access to lots opposite gateway treatments will be restricted to right-in and right-out only.

62. The Owner shall construct a 1.5 metres (5') sidewalk on both sides of the following streets:

i) Street "A" – from Wonderland Road North to Medway Park Drive
ii) Medway Park Drive
iii) Street "E" – Street "A" to west limit of this draft plan of subdivision

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

i) Street A – outside boulevard, south of Medway Park Drive
ii) Proposed window street – outside boulevard
iv) Street "E" – south of Street "A" – east boulevard
v) Street "M" – south boulevard
vi) along Sunningdale Road West frontage
vii) along the Wonderland Road North frontage, including lands external to this draft plan of subdivision, from Sunningdale Road West southward to the southerly limit of lot 38 (across frontage of lands external to the plan, the sidewalk will be built to temporary/interim standards)
viii) Street 'H' – south boulevard
ix) Street 'J' – north boulevard
x) Medway Park Drive, outside this plan from east limit of plan to Wonderland Road North – south boulevard
In the event the Owner chooses to submit a claim against the City's Capital Works Budget (Development Services Division) for the reimbursement of the Capital Works Budget share of the cost of construction of the cost of extending the sidewalk on Medway Park Drive, outside this plan from the east limit of the plan to Wonderland Road North, the Owner shall comply with all City requirements for submission of a claim, in accordance with City policies, guidelines, By-laws and procedures. Any claim submitted shall be limited to a maximum amount of $65,000 upon completion of these works.

Notwithstanding submission of such a claim or the assumption of the works by the City, the City is under no obligation or promise under the terms of this agreement, or otherwise, to reimburse the Owner. The amounts of any capital funding are subject to separate Council Approval. Any amounts considered in this draft plan approval are to be viewed as general estimates only and not approved claims. Any or all claims may be refused at the full discretion of Council.

City Council may consider inclusion of an item for reimbursement of its share in the Capital Works Budget for the year immediately following completion of construction, but the inclusion of such item shall not be taken to be an acknowledgement by the City of any obligation or promise by the City to make such reimbursement. With that intention, the cost of construction of the works shall be at all times, notwithstanding the assumption of the works by the City, at the sole expense and risk of the Owner.

64. The Owner shall provide sidewalk links from Street 'H' and Street 'J' to the proposed sidewalk on Wonderland Road North. Breaks in the 0.3 m reserve are to be identified on the survey plan when submitted to the City of London in accordance with the City of London Window Street Guidelines.

65. The Owner shall construct sidewalks throughout the subdivision to the satisfaction of the City Engineer. (EESD)

66. The Owner shall have his professional engineer prepare ultimate centerline profiles along Sunningdale Road West, Wonderland Road North and Fanshawe Park Road West (based on arterial road standards) for use in this subdivision design to a suitable distance west and east, north and south and west and east of this plan respectively which is to be submitted to the City Engineer for review and approval. Further, the subdivider agrees to complete the requirements of this condition at no cost to the City.

67. The Owner shall construct curbs on the west side of Wonderland Road N. from Medway Park Drive to the existing curb north of Fanshawe Park Road West.

68. The Owner shall dedicate sufficient land to widen Fanshawe Park Road West, Wonderland Road North and Sunningdale Road West to 18.0 metres (59.1") from the centerline of the original road allowance.

69. The following traffic calming measures are to be approved and constructed, to the satisfaction of the City Engineer:

i) roundabout at the intersection of Medway Park Drive and Street "A";

ii) roundabout at the intersection of Street "A" and Street "E";

iii) curb extensions along the south side of Medway Park Drive from the eastern boundary of the plan of subdivision with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission;
iv) curb extensions along the west and south side of Street 'E' from Street 'A' to the western boundary of the plan of subdivision with the parking bay removed for utilities fire hydrants) and for transit stop locations as defined by the London Transit Commission.

v) curb extensions along the east and north side of Street "E" and Street "A" to the western boundary of the plan of subdivision with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission;

vi) reduced curb radii (5.0 metre) on the inbound approach to all local roads intersecting the secondary collector road network.

70. The Owner shall to install speed humps as traffic calming measures on the following local streets:

i) Street "A" between the west limit of the plan of subdivision and the west intersection with Street "B";

ii) Street "A" between the west intersection of Street "B" and the north intersection of Street "B";

iii) Street "A" between the north intersection of Street "B" and Medway Park;

iv) Street "B" between the north and west intersections of Street "A".

71. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Street "A" via Wonderland Road North or other routes designated by the City Engineer.

72. The Owner shall make the necessary arrangements with adjacent property owners, or make modifications to the draft plan of subdivision, to provide an emergency access to this subdivision should the plan be registered in phases all to the satisfaction of the General Manager of Planning and Development and the City Engineer.

73. The Owner shall install street lighting along Sunningdale Road West, and Wonderland Road North (from southerly limit to Sunningdale Road) frontages abutting this subdivision as determined to be warranted by and to the specifications of the City Engineer.

74. The Owner shall provide a 0.3 m (1') reserve Block along the window street termination abutting the north and south limits of 2039 Wonderland Rd N.

75. The Owner shall construct a temporary turning facility for vehicles at the following locations:

i) Medway Park Drive – west limit

ii) Street "E" – west limit to the specifications of the City Engineer.

76. The Owner shall have the common property line of the north, the east and the south limits of this draft plan of subdivision with Sunningdale Road West, with Wonderland Road North and with Fanshawe Park Road West graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads" at no cost to the City, except as permitted otherwise by the Urban Works Reserve Fund By-law. Further, the grades to be taken as the centerline line grades on Sunningdale Road West, Wonderland Road...
North and Fanshawe Park Road West are the future centerline of road grades as determined by the Owners professional engineer and accepted by the City Engineer. From these, the Owners professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road.

77. The Owner shall remove the existing turning circle on Medway Park Drive and complete restoration of this road as a through street. This section of Medway Park Drive is to be reconstructed to secondary collector road standards. The Owner shall complete these road works at no cost to the City. (EESD)

78. The Owner shall convey Future Development Block 304, on the east side of Street “A” opposite to and in alignment with Street “D”, to the City for future use as needed, at no cost to the City. If this Block is not needed upon development or redevelopment of the lands to the east of this Block, the City agrees that the Block will be returned to the owner for a nominal fee, plus the cost of any associated legal fees for document preparation and land transfer, for use as a building lot. (EESD)

79. The Owner shall convey Future Development Block 305, on the south side of Street “A” at the property boundary between lands known as 787 and 809 Fanshawe Park Road West, to the City for future use for public road access or residential access purposes as needed, at no cost to the City. If this Block is not needed upon development or redevelopment of the lands to the south of this Block, the City agrees that the Block will be returned to the Owner for a nominal fee, plus the cost of any associated legal fees for document preparation and land transfer, for use as a building lot. (EESD)

80. The Owner agrees to convey a Future Development Block on the north side of Street ‘J’ (at the location of the proposed window street extension) abutting 2121 Wonderland Road N, to the City for future use as a possible public road or for residential access purposes, as needed, at no cost to the City. If this Block is not needed upon development or redevelopment of the lands to the north of this block, the City agrees that the Block will be returned to the Owner for a nominal fee, plus the cost of any associated legal fees for document preparation and land transfer, for use as a building lot.

81. The Owner shall construct the following works on Wonderland Road North, south of Medway Park Drive:
   i. northbound left turn lane into Medway Park Drive (15 m offset, 70 m storage and parallel and 70 m taper)
   ii. curb and gutter and any necessary drainage appurtenances (tied into the existing storm sewer on the west boulevard) on both sides of roadway for 85 m south of the centre line of Medway Park Drive
   iii. bike lanes on both sides of roadway for 85 m south of the centre line of Medway Park Drive
   iv. temporary walking surface along the east side of Wonderland Road North for the limits of the work, to replace the existing paved shoulder which the City installed in approximately 2002 to serve as an interim sidewalk for the residents on Franklin Way
   v. street lighting from Medway Park Drive to the north limit of the existing commercial site (Mun. No. 603-615 Fanshawe Park Road West)
   vi. traffic signal at the intersection of Medway Park Drive and Wonderland Road North, when warranted

82. The Owner shall construct the following works on Wonderland Road North, north of Medway Park Drive:
i. southbound left turn lane into the south leg of Franklin Way (15 m offset, 70 m storage and parallel and 70 m taper)
ii. curb and gutter at east and west radii of Wonderland Road North and Franklin Way
iii. rural cross-section with appropriate ditching to provide adequate drainage
iv. street lighting from the south limit of Conlon’s Sunningdale West Subdivision to Medway Park Drive

83. The Owner shall be required to construct the following works on Wonderland Road North:
   i. sidewalk along the west boulevard across the frontage of the plan
   ii. channelization on Wonderland Road at the intersection of Eagletrace Drive
       (which may include left and right turn lanes and tapers)
   iii. street lights
   iv. traffic signals

84. The Owner shall be required to construct the following works on Sunningdale Road West:
   i. sidewalk on the south side, along the entire frontage of the plan
   ii. street lights on the south side, along the entire frontage of the plan

85. The Owner shall verify the adequacy of the decision sight distance on Wonderland Road North at Street “A”. If the sight lines are not adequate arterial road work is required to be undertaken to establish adequate sight distance lines. (EESD)

86. The Owner shall provide access through Block 299 for lands outside this plan of subdivision by means of either joint access agreements, easements or other arrangements satisfactory to the City, for abutting external lands adjacent to Block 299.

87. The Owner shall design and construct traffic calming measures within this plan acceptable to the City Engineer. (EESD)

88. The Owner shall construct speed humps on local Streets “A” and “B” to the specifications and in locations acceptable to the City Engineer. (EESD)

89. The Owner shall convey easements necessary for temporary turning facilities for vehicles as required and to the satisfaction of the City Engineer. (EESD)

90. Any dead ends and open sides of road allowances created by this draft plan, or by phasing of this plan, shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the City of London. (EESD)

91. The Owner shall make minor boulevard improvements on Fanshawe Park Road West, Wonderland Road North and Sunningdale Road West adjacent to this plan to the specifications of the City Engineer and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

92. The Owner shall establish and maintain a Traffic Management Plan (TMP), when directed by the City, in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways needed to provide services for this plan of subdivision. The TMP is a construction scheduling tool intended to harmonize a construction project’s physical requirements
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with the operational requirements of the City of London, the transportation needs of road users and access concerns of area property owners. The Owner’s contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted and become a requirement of the subdivision servicing drawings for this plan of subdivision.

Planning

93. Prior to submission of engineering drawings, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise from Wonderland Road North which considers, in addition to a noise attenuation wall for lots 37 through 42, alternative noise abatement measures that are to be applied in accordance with the guidelines of the M.O.E. The Noise Study is to be reviewed and accepted by the General Manager of Planning and Development. The final accepted recommendations shall be constructed or provisions made for installation by the Owner in the subdivision agreement with the City of London. (Planning)

94. Should the accepted Noise Study recommend a noise attenuation barrier, the Owner shall concurrently with the registration of this plan, register a common element condominium over the befitting lots to address the long term maintenance of the noise wall.

95. The Owner shall design the windows street abutting Wonderland Road N. to the satisfaction of the General Manager of Planning and Development and the City Engineer.

96. As part of the submission for Site Plan Approval, the Owner shall have a qualified acoustical consultant prepare a noise study(ies) concerning the impact of traffic noise from Wonderland Road North and Sunningdale Road West, and of traffic noise from Fanshawe Park Road East on future residential uses on Blocks 301 and 299 respectively, which includes site design and/or alternative noise abatement measures, which preclude the need for noise attenuation walls, that are to be applied in accordance with the requirements of the M.O.E. and to be reviewed and accepted by the General Manager of Planning and Development. The final accepted recommendations shall be incorporated into the development agreement with the City of London. (Planning)

97. The Owner shall dedicate Blocks 302 and 303 to the City of London at no cost, for park purposes to satisfy the 5 percent parkland dedication requirements. (Planning)

98. The Owner shall prepare, and deliver to the all homeowners adjacent to Block 303, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of General Manager of Planning and Development. (Planning)

99. The Owner shall construct a 1.5 m fence (4.9 ft) without gates along the periphery of park Blocks 302 and 303 to the satisfaction of the Manager of Parks Planning and Design at no cost to the City. (Planning)

100. The Owner shall prepare, prior to the submission of engineering drawings, a tree retention plan for Lots 136 – 144, 147 – 158, 159 – 171, 175, 176, 230, 257 – 262, 287 and 289 and Block 298 shall be prepared by a qualified Environmental Consultant and accepted by the General Manager of Planning and Development. (Planning)

101. Prior to the submission of engineering drawings, the Owner’s professional engineer shall
consult with the Manager of Parks Planning and Design to determine the extent of tree preservation. (Planning)

102. The Owner shall grade and seed Block 302 and clean and prepare a pathway route through park block 303, connecting with the pathway system in the adjacent plan of subdivision to the west, at the owner's expense, to the specifications of and to the satisfaction of the General Manager of Planning and Development. (Planning)

103. Prior to final approval of this plan and subject to the satisfaction of the London District Catholic School Board, the Owner shall include in the subdivision agreement to include a suitable warning clause advising future purchasers of residential units that students may be accommodated in temporary facilities and/or bused outside the neighbourhood for their education. (Planning)

104. Prior to final approval of this plan and subject to the satisfaction of the Thames Valley District School Board, the Owner shall include in the subdivision agreement a suitable clause to advise future purchasers that this area has been designated a "Holding Zone" for school accommodation purposes and students will be accommodated at a "Holding School". (Planning)

105. The Owner shall mark the proposed transit stop locations on the appropriate engineering drawings, provide signage indicating "Possible Future Transit Stop Area" as streets are constructed, and upon field location of exact stop locations by the London Transit Commission as the adjacent sites are built, install a 1.5 metre wide concrete pad between the curb and the boulevard at the finalized stop locations.

106. The Owner shall develop Block 298 in conjunction with Block 45 in the Fox Hollow (39T-02505) plan of subdivision. (Planning)

107. Approval from the London Fire Department is required should any burning of materials on-site be contemplated. (Planning)