

# PART 3

## SECONDARY PLANS

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## **3.1 SECONDARY PLAN - DEVELOPMENT AREA 1**

(lands bounded by Highway 402 to the south, Modeland Road to the east, Blackwell Road to the north and the former Canadian National Railway right-of-way [now the Howard Watson Nature Trail] to the west)

### **3.1.1 Goals and Objectives**

#### **3.1.1.1 Goals**

It shall be a Goal of this Secondary Plan:

- a) to provide for the orderly development of Development Area 1 in such a manner as to ensure fairness and equity among affected land owners, and maintain and enhance the financial health of the municipality;
- b) to recognize, conserve and to the extent possible, integrate with the planned land uses, the identified natural features and attributes of the development area;
- c) to adequately provide for the equitable distribution of a wide variety of affordable housing and educational, social and recreational facilities;
- d) to provide for the cost effective and efficient design and use of transportation, sewer and water services;
- e) to ensure that all development plans for the area are implemented so as to be in general conformity with the approved Land Use Schedule (Schedule "A-3.1"); and
- f) to effectively integrate proposed development with existing development in such a manner as to minimize disruptions to both present and future residents.

#### **3.1.1.2 Objectives**

It shall be an objective of this Secondary Plan:

##### **3.1.1.2.1 Community Identity and Structure**

- a) To create a distinctive and diverse residential community that will provide a range of opportunities to improve the lives of existing and future residents in Development Area 1 in a manner that is compatible with the City at large and existing residential areas in proximity to the development area.
- b) To create a neighbourhood structure that is integrated with the existing urban area and that is linked by pedestrian and transportation systems to community parks and open space, and institutional, commercial and educational facilities.

**3.1.1.2.2 Residential**

- a) To create opportunities for the provision of a broad range of low and medium density housing types which are suitable for the different age and income groups, lifestyles and household structures of future residents, including the provision of a range of affordable housing opportunities.
- b) To locate medium density housing types in locations that facilitate access to community facilities such as schools, commercial areas, parks and open space systems.
- c) To encourage the integration of innovative housing designs that will contribute to lower housing costs and encourage the provision of a range of affordable housing.
- d) To contribute to achieving for the City a 10 year supply of land for housing, and a 3 year supply of land for housing at the draft, final or registered plan stage of approval.

**3.1.1.2.3 Commercial**

- a) To provide for an adequate supply of both local commercial and general commercial facilities consistent with the established hierarchy of commercial facilities in the municipality and located throughout the development area so as to ensure safe and convenient access for the future resident population.
- b) To establish design policies for the effective integration of local and community commercial facilities with other adjacent land uses.

**3.1.1.2.4 Parkland and Open Space**

- a) To develop an integrated open space system comprised of a network of natural areas, buffer areas, parklands, school sites and facilities, pedestrian paths and bikeways, and walkways and nature trails, all to serve both the active and passive recreational needs of both existing and future residents in Development Area 1, as well as those residents in surrounding urban areas.
- b) To provide for an off-street pedestrian system linking residential areas to such facilities as parks, schools, institutional uses, local and general commercial facilities, public transit and super mailbox locations.

**3.1.1.2.5 Institutional and Community Facilities**

- a) To reserve sufficient land and provide adequate opportunity for the development of educational, institutional and recreation facilities to meet the needs of residents in Development Area 1 and nearby urban areas. These facilities may include a range of active and passive uses such as recreational areas, churches, special purpose public or quasi-public facilities, and public and separate elementary and secondary schools.

**3.1.1.2.6 Environment**

- a) To establish, preserve and maintain a safe, attractive and high quality environment for the existing and future residents in Development Area 1 and encourage energy conservation through land use planning and design.
- b) To provide sufficient buffer zones to reduce noise levels, air pollution and safety hazards between Highway 40, Highway 402, and other adjacent land uses in Development Area 1.
- c) To provide where required, studies and sufficient buffer zones within **500 metres** of the site, to create an adequate separation distance between the proposed land uses and the existing abandoned landfill site located in the development area.
- d) To provide for the preservation of natural areas and their integration with parklands, floodplain/drainage areas and stormwater management areas in proximity to the development area.

**3.1.1.2.7 Transportation**

- a) To develop a road system of arterial, collector and local roads that provide for the logical, efficient and safe movement of people and goods in Development Area 1 and that serves to integrate the development area with the balance of the municipality.
- b) To discourage the use of local roads as by-passes for through-traffic, especially during the process of phased development, by the careful review and approval of the limits of proposed development phases.
- c) To provide adequate bus stops and shelters in close proximity to residential and commercial areas and schools.

**3.1.1.2.8 Services**

- a) To ensure that an adequate water supply and distribution system, sewage collection system, stormwater management and drainage system, and electrical and utility distribution systems, will be provided throughout Development Area 1.
- b) To identify and use surplus capacity in existing infrastructure and service facilities so as to make efficient use of existing systems and encourage and facilitate the development of proposed uses in Development Area 1.

**3.1.1.2.9 Phasing and Staging**

- a) To provide that growth in Development Area 1 is phased and staged in such a manner that each phase of development represents a logical unit of development that can function independently relative to other parts of the development area, and contribute to the continuity of the area as a whole when development is complete.

- b) To ensure that the servicing and development of Development Area 1 proceeds in a manner that is generally fair and equitable to all affected landowners within the area.
- c) To ensure that development in Development Area 1 proceeds within the financial and physical capabilities of the City.
- d) To facilitate the development of elementary and secondary schools, and where practical, to provide for the development of integrated parks, community and institutional facilities commensurate with the overall rate of development in Development Area 1.
- e) To ensure the rate of development does not exceed the capacity of the arterial roads, utilities and other services, and where appropriate, to provide for the monitoring of service systems to ensure that such capacity is not exceeded.
- f) To ensure that the staging and phasing of development and the provision of public services proceeds in a logical and cost efficient manner.
- g) To ensure that provision is made in the various stages of development for servicing and road requirements of subsequent phases and to facilitate the phased construction of arterial and collector roads that will contribute to the cost efficient and timely integration of the development area with the balance of the municipality.
- h) To identify existing uncommitted reserve capacity in the sanitary sewer system and where required, establish a program to monitor the flows and the actual use of the sewer system to ensure that such capacity is not exceeded, and to ensure that where the installation of services or the provision of capacity is planned to be phased, there is an opportunity to provide additional sanitary sewer services well in advance of when currently provided capacity is projected to be exhausted.
- i) To provide for the orderly transition of land uses in the development area (i.e. from agricultural uses to urban uses), the continued use of farm lands for agricultural use for as long as practical, and where conflicts may exist between existing agricultural uses and proposed residential uses, the creation of buffer zones, the maintenance of separation distances, or the application of other measures to alleviate, to the extent possible, interim adverse impacts of incompatible land uses.
- j) To encourage the development of a servicing strategy that encourages the phased development of the Development Area 1 at a rate sufficient to support the goals and objectives of the Official Plan and this Secondary Plan.

## **3.1.2 Land Use Plan and Policies**

### **3.1.2.1 General**

Development Area 1 shall be developed primarily as a residential community. The density of development should not exceed an overall residential density of 3.8 residential units per gross acre (9.5 units per gross hectare).

Development Area 1 shall be composed of a mixture of lower and medium density residential uses, including single detached dwellings, with mixed medium density residential development in the southerly portion of the development area north of Highway 402. This development area shall also contain a broad range of support facilities and services including such uses as schools, parks, open space, institutional and local and general commercial facilities.

The land use designations for the Development Area 1 Secondary Plan are shown on Schedule "A-3.1".

### **3.1.2.2 Residential**

#### **3.1.2.2.1 General Policies**

- a) A broad range of housing densities and housing types shall be encouraged so as to enable the area to accommodate an appropriate range of income groups in Development Area 1. A mix of housing densities and types shall provide for single detached uses at densities ranging between 4.0 and 4.5 units per acre (10 - 11 units per hectare), and mixed residential uses at densities up to 7.0 units per acre (17 units per hectare). These residential development forms shall generally be reflected in land use designations in accordance with the following ratio:

Single Detached Residential Uses:	55% - 65%
Mixed Residential Uses:	35% - 45%

- b) Gross residential density shall be measured in units per hectare and will include lot areas, roads, parkland, natural areas and open space, schools, institutional uses, roads, and commercial areas. The overall gross residential density in the Development Area 1 Secondary Plan area shall not exceed 9.5 units per gross hectare (3.8 units per gross acre).
- c) Net residential density shall be measured in units per hectare and will include lot areas for residential dwellings and local streets. The net residential density in Development Area 1 should not exceed an average of approximately 9.5 units per hectare (3.8 units per acre) for single detached dwellings and 17 units per hectare (7.0 units per acre) for mixed unit development. The overall average net residential density should not exceed an approximate density of 12.5 units per hectare (5 units per acre). In no case shall net residential density on any lot or block exceed 30 units per hectare (12.0 units per acre).

- d) Mixed residential development shall include a mixture of unit types not exceeding three stories in height that may include single detached, semi-detached, duplexes, triplexes, town housing, street townhousing, and other similar forms of housing units consistent with the intent of this Secondary Plan.
- e) All new residential development shall proceed on the basis of the provision of a full range of municipal services including sanitary sewer, water, electrical, stormwater management facilities, storm sewer services, and public rights-of-way.
- f) Where appropriate, more innovative housing types, zoning standards and subdivision designs shall be encouraged.
- g) Energy conservation shall be encouraged in the design of plans of subdivision and the development of blocks of land or residential sites.
- h) Development of vacant parcels of land shall be by plan of subdivision. Development by consents shall generally be discouraged except where consents are intended to facilitate the assembly of land for more comprehensive development by plan of subdivision or where it can be demonstrated that any such proposed development is consistent with the overall intent of this Secondary Plan and will not impede the co-ordinated development of lands in the area.
- i) Where new residential development is located adjacent to existing or future arterial and collector roads, special attention shall be given to the provision of adequate buffers and aesthetically pleasing design sensitive to predicted road conditions.
- j) Residential single detached development shall not be permitted direct access to any arterial road in the Secondary Plan area.
- k) To minimize the impact of commercial facilities, schools and other institutional facilities in residential areas, techniques such as building setbacks, visual screening, planting, fencing, and other similar forms of buffering shall be provided, where appropriate.
- l) Senior Citizen housing and similar special residential uses shall be encouraged to locate in close proximity to commercial and institutional facilities and open space areas.

#### **3.1.2.2.2 Affordable Housing**

- a) The review of residential development proposals for Development Area 1, shall provide for consistency with the Housing Policies contained in the Provincial Policy Statement (1996) and in particular, the extent to which Development Area 1 can contribute to the supply of affordable residential units in the context of the urban area of which the development area is a part.
- b) In assessing development proposals, and in particular the mixture of housing forms proposed for the designated mixed residential areas, housing needs (i.e. type and tenure) shall be considered and encouraged for a broad range of income

groups.

- c) Innovative housing designs and alternative development standards shall be encouraged when considering development proposals for affordable housing. Alternative zoning standards may also be considered to permit development such as "0" lot line residential development, provided that such development is made subject to the provisions of site plan control.

### **3.1.2.2.3 Residential Design Integration**

- a) Where areas are to be developed for multi-unit residential use and are located adjacent or in proximity to either existing or planned areas of lower density single and two family development, detailed site planning shall provide for effective screening, increased setbacks, and attention to the orientation of the buildings to minimize any potential compatibility problems such as loss of privacy or shadowing.
- b) All residential development abutting arterial roads shall be sited and designed for a reverse frontage orientation.
- c) All residential development abutting arterial or collector road allowances shall be required to provide additional front or rear yard setbacks from the road allowance sufficient to reduce the effects of noise, glare, and fumes. If traffic counts are sufficient, or are projected to be sufficient to warrant additional protection, buffers, berms, walls and/or fences may be required.
- d) Any development proposal that includes provision for townhousing, street townhousing, row housing, or other forms of cluster-type housing development shall have regard to municipal site plan guidelines and to the following matters, all to the satisfaction of the municipality:
  - i) space shall be set aside for child play areas based on the bedroom count of dwelling units. Such space should be located so as to be accessible to dwelling units, not create a conflict between on-site circulation systems, and be visible to as many units as possible;
  - ii) outdoor privacy areas of a reasonable size should be provided for the occupants of townhouse type dwellings by landscaping, berming, fencing, screening, or other suitable methods;
  - iii) variations in topography should be retained or created through effective landscaping;
  - iv) where a development proposal is located adjacent to the pedestrian walkway / trail system or open space system, on site open space areas shall be required to be integrated into the walkway system;

- v) plans shall show the height, shape, mass, colour, texture and material of proposed dwellings and the relationship to both adjacent sites and existing uses in proximity to the proposed development; and
- vi) street furnishings, including lighting fixtures, garbage and recycling receptacles, benches, and signs shall be designed and provided by the developer for the subject area.

### **3.1.2.3 Commercial**

#### **3.1.2.3.1 General Policies**

- a) The development of this Secondary Plan area shall provide for the inclusion of both neighbourhood and community commercial facilities to serve the needs of the existing and future resident population.
- b) Existing industrial uses shall be encouraged to convert to neighbourhood or community / general commercial use. Assessment and restoration of such sites shall be carried out to the satisfaction of the City in accordance with the “Guideline for use at contaminated sites in Ontario” prepared by the Ministry of Environment, prior to any conversion of an existing industrial use to a commercial use.
- c) The development of neighbourhood, community and general commercial uses shall be subject to detailed site planning and shall have particular regard to appropriate measures to integrate site design with the surrounding residential areas. Special attention shall be given to the provision of landscaping, buffering and other measures to mitigate such potential impacts as excessive noise, glare, fumes, garbage, or traffic movements on the lands in proximity to the planned commercial use.

#### **3.1.2.3.2 Local Commercial Uses**

- a) The lands designated for commercial use on both the north side of Michigan Avenue at Blackwell Road and the south side of Blackwell Road at Modeland Road that are now zoned for local commercial use shall be encouraged to develop for local commercial uses.
- b) The lands designated for commercial use at the intersection of Michigan Avenue and The Rapids Parkway, and at the intersection of Modeland Road and the east-west collector road, shall be encouraged to develop for local commercial uses.
- c) The development of all local commercial uses shall be subject to detailed site planning as provided for in the Planning Act and shall have particular regard to appropriate measures to integrate site design with the surrounding land uses and residential areas. Special attention shall be given to the provision of landscaping, buffering and other measures to mitigate such potential impacts as excessive noise, glare, fumes, garbage, or traffic movements on the lands in proximity to the planned commercial use.

**3.1.2.3.3 General Commercial Uses**

- a) The lands located on the south side of Michigan Avenue immediately east of the former C.N.R. right-of-way shown to be designated for General Commercial on Schedule "A-3.1", Proposed Land Use, shall be used for General Commercial development.
- b) In addition to the policies of Section 2.4.5 and 2.4.6 of the Official Plan, the following additional policies shall apply:
  - i) the development of General Commercial uses shall be limited to the lands located on the south side of Michigan Avenue immediately to the east of the former C.N.R. right-of-way;
  - ii) the development of general commercial use area mentioned in the preceding clause shall be encouraged to include a range of retail and service commercial uses that would serve the surrounding residential areas;
  - iii) the range of uses permitted to locate in general commercial use areas shall not be interpreted to include car dealerships, warehouse style retail facilities, hotels or motels, department stores, or other large retail space utilizers;
  - iv) the development of the new General Commercial use area mentioned in clause (i) of this section shall be by way of site plan agreement with the municipality; Development of the General Commercial area shall provide for adequate access and egress, landscaping, buffering, parking, refuse/recycling and loading spaces to minimize any potential impact on adjacent residential development; special attention shall be given to the location of this site on Michigan Avenue opposite the intersection of Blackwell Road; in conjunction with site plan approval for the development of this commercial area, consideration shall be given to site access and possible intersection improvements or reconfigurations that may be required as part of the redevelopment of this site so as to provide safe access to the site and to ensure that the development of this site does not create or contribute to unsafe traffic conditions; and
  - v) this General Commercial development area shall be designed so as to encourage the possible reuse of the existing industrial service building and shall be compatible with any surrounding or adjacent land use, residential or anticipated residential development, in respect of building design, height, landscaping and coverage. In the event the owner of the existing industrial use proposes to convert this use to a commercial use, assessment and restoration of such sites shall be carried out to the satisfaction of the City in accordance with the "Guideline for use at contaminated sites in Ontario" prepared by the Ministry of Environment, prior to any conversion of an existing industrial use to a commercial use.

**3.1.2.3.4 Design Integration**

- a) Wherever pedestrian walkways connect a neighbourhood to a local or general commercial use area, the walkway shall be designed with suitable landscaping and buffering so as to create a continuous defined pedestrian space leading from the adjacent residential area to the commercial area.
- b) Screening, landscaping and buffer strips shall be required where any commercial buildings or their outdoor storage and parking areas abut properties which are designated for residential use.
- c) Developments with large areas of parking shall be encouraged to provide landscaped areas within the parking lots to reduce their visual impact.
- d) The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions, on adjacent properties, and streets. The maintenance of continued access to sunlight for adjacent existing residential areas should be considered when reviewing proposed developments.
- e) The design of new buildings should facilitate access and use by handicapped persons and senior citizens.
- f) Commercial areas shall have a low rise development form. The actual height restrictions shall be detailed in the implementing Zoning By-Law.
- g) Access from any commercial use to arterial and collector roads shall be designed in accordance with accepted traffic engineering standards and shall generally be limited to the minimum number necessary for the proper functioning of the commercial use. Joint, shared access between properties shall be encouraged by the acquisition or granting of easements for rights-of-way.
- h) In considering any development proposal in the local commercial or in the general commercial designation, the City will be satisfied that the proposal does not interfere with the achievement of the following objectives:
  - i) the reduction of the number of vehicle access driveways to any arterial or collector street;
  - ii) the consolidation of any off-street parking areas, where possible;
  - iii) the improvement of traffic circulation; and
  - iv) the enhancement of the architectural and landscaping design in the area.
- i) The design of any facility and supporting infrastructure shall consider the impact to the environment and take all reasonable steps to mitigate impacts on, or enhance, the surrounding area.

### 3.1.2.4 Public Open Space

#### 3.1.2.4.1 General Policies

- a) The Secondary Plan for Development Area 1 provides for the reservation and integration of a range of open spaces including natural areas, drainage channels, an extension of a pedestrian nature / walking trail, and community and neighbourhood parks. It is intended that the provision of this range of open space be integrated with both the development of all of the other proposed uses in the development area as well as with the adjacent existing uses.
- b) Each land ownership in the development area may not be required to reserve or dedicate the required 5% of public open space land. Consequently, it shall be a policy of this plan to provide that each owner of land in the development area share in a proportionate manner the costs of providing the range of open space land described in the preceding paragraph.

#### 3.1.2.4.2 Neighbourhood & Community Parks

- a) Within each residential neighbourhood, it is intended that a combination of Community and Neighbourhood recreational land be provided to meet the standard of approximately **0.5 hectares** of community parkland per 1000 population and approximately **1.2 hectares** of neighbourhood parkland per 1000 population, and that either a community park, a neighbourhood park or related open space type use (such as an elementary or secondary school site) be within a **500 metre** safe walking distance of all sections of the development area. In satisfying this standard, recognition shall be given to the location of elementary and secondary schools, integrated parkland, open space, and connecting pedestrian trail facilities that are designed to satisfy a portion of the park and open space needs in the development area.
- b) In considering the amount of land to be reserved for neighbourhood and community parkland, and notwithstanding the standards set forth in the preceding paragraph, the required 5% of development land to be dedicated to the municipality may be reduced in area by the municipality in favour of a cash-in-lieu payment, and where such standards are reduced, any cash payment shall be expended for the purpose of servicing remaining parkland with equipment or facilities that may be required for the parkland. Services and facilities may also be accepted in-lieu-of any cash payment.
- c) Recreational facilities that may be provided within each community or neighbourhood park or joint use park related area may include such facilities as:
  - playgrounds with play equipment;
  - playing fields for soccer, football, baseball, softball, and / or track and field;
  - hard surfaced areas for basketball, volleyball, shuffleboard or tennis;
  - passive areas, landscaped open space or natural areas that may be supplied with shelters, benches or picnic tables;

- sleigh and toboggan slopes (topography permitting), bicycle paths; and
  - service buildings and related facilities.
- d) Elementary and secondary school sites within any residential neighbourhood shall for the purposes of this Secondary Plan be considered to be a neighbourhood or community recreation facility providing playgrounds and facilities for programs such as community schools or community centres. In the development area, although elementary schools are not proposed to be located adjacent to neighbourhood park areas, facilities and programs shall be encouraged to be cooperatively planned, programmed and developed.
- e) Plans shall be prepared by the City of Sarnia in consultation with other appropriate public authorities, for those parts of Development Area 1 in which community and neighbourhood facilities are to be provided. Such plans shall show the location of the proposed facilities, their associated parking areas, driveways and public pedestrian walkways. The City of Sarnia shall ensure that these recreation facilities are provided in accordance with such plans.
- f) Automobile parking areas may be provided at park and open space facilities designed for active or passive recreational use. On-site circulation systems shall be designed to minimize conflicts between vehicular and pedestrian traffic.

#### **3.1.2.4.3 Open Space, Trail and Natural Areas**

- a) The existing former C.N.R. right-of-way in Development Area 1 extending from Michigan Avenue southerly to a point south of the south limit of Wiltshire Park shall be preserved as an extension to the Howard Watson nature trail, and shall in part serve to integrate Development Area 1 into the linear park and open space system in the City.
- b) A pedestrian trail extension to the extended Howard Watson Nature Trail shall be provided in the west half of the right-of-way and share with an arterial roadway that portion of the existing former C.N.R. right-of-way in Development Area 1 extending from a point south of the south limit of Wiltshire Park to London Road. The design and development of this pedestrian trail and trail extension shall function to create a buffer between existing residential uses to the west and that part of the arterial road that shares the former C.N.R. right-of-way.
- c) It shall be a policy of this Secondary Plan that the design and development of the pedestrian trail, trail extension and buffer area south of the south limit of Wiltshire Park shall proceed well in advance of the design and development of the proposed future arterial road. It is intended that there be sufficient time provided for the maturing of supplementary plantings in the trail area that will strengthen the natural amenity and buffer function of both the nature trail and the nature trail extension.
- d) The existing D2-C and Wilson Mathers drains are planned for enclosure/improvement as development proceeds in the area. The enclosure/improvement of these drainage facilities shall be undertaken in such a

manner as to create an extension to the pedestrian trail system, and shall be designed and landscaped in such a manner as to provide an aesthetically pleasing multi-use trail facility that will function to integrate the development area with the existing urban area to the west.

- e) The reservation, enclosure and improvement of the natural watercourses and drainage channels that traverse the development area shall not constitute any part of the lands required for parkland dedication as provided for by the Planning Act, nor shall any such land be recognized as a consideration in respect of a calculation for any agreed cash payment in lieu of such a required parkland dedication.
- f) Where appropriate, applications for draft plans of subdivision shall be accompanied by a report identifying the potential impact of the proposed development on environmentally significant feature(s) and the methods by which such impacts can be mitigated in conjunction with the proposed development. This Plan does not encourage the development of Environmentally significant features.

#### **3.1.2.4.4 Linkages: Pathways and Walkways**

- a) The design of the development of the land uses proposed in Development Area 1 shall incorporate provisions for a linked open space system that will include the Howard Watson Nature Trail and trail extensions mentioned in Section 3.1.2.4.3 of this Secondary Plan, and that may be comprised of a combination of parks, institutional areas, woodlots and natural areas, open and enclosed municipal drains, storm water management facilities, pedestrian walkways, trails and bicycle paths. The planning and implementation of this system shall generally be established through the design, approvals, and servicing processes of both plans of subdivision and site plan agreements.
- b) The linked open space system to be provided in conjunction with the development of Development Area 1 is intended to provide safe and accessible pedestrian linkages between residential areas, schools sites, commercial areas, transit stops, super mailbox locations and other similar public facilities for all residents of the development area, including the disabled.
- c) Special consideration shall be given to the provision of such features as hard surfacing, lighting, landscaping and benches along linkages, trails and walking/bicycle paths, and provision shall be made to ensure the creation of safe connections between the aforementioned facilities throughout Development Area 1.
- d) Public walkways shall be provided through residential blocks so as to create a convenient, safe, and efficient pedestrian circulation system.
- e) Sidewalks shall be provided along both sides of Michigan Avenue, the Rapids Parkway between London Road and Michigan Avenue, and along at least one side of all other arterials and collectors.

### **3.1.2.4.5 Stormwater Management**

- a) The nature of stormwater management facilities determined to be appropriate for Development Area 1 include the deepening and enclosure of existing municipal drains, and the creation of an artificial wetland in a drain structure to the east of the development area. Development in the Secondary Plan area shall provide for the integration of these drainage channel / enclosures and improvements required to achieve the stormwater objectives described in the aforementioned appendix.
- b) The provision of stormwater quality control facilities is proposed to be located to the east of Highway 40 / Modeland Road within a deepened and widened Marks Smith drain. The design of this proposed control facility is intended to create an artificial wetland area comprising pools and ponded areas, complete with appropriate vegetation and landscaping features.
- c) It shall be a policy of this Secondary Plan that where possible, the required drain enclosures and improvements and the quality control facility be integrated with the system of public open spaces and linear open space systems, and designed in such a manner as to create functional and pleasing, linked open space areas. To the extent practicable, enclosures of existing open drainage channels shall be integrated with the park, trail and pathway system that will link different parts of the development area to one another and to the rest of the municipality.
- d) It shall be a policy of this Secondary Plan that the planning and design of both the required drain enclosures and improvements and the proposed stormwater quality control facility accommodate a phased incremental approach to construction, concurrent with the phased development of Development Area 1.

### **3.1.2.5 Institutional and Community Services**

#### **3.1.2.5.1 General Policies**

- a) Institutional uses that may be located in Development Area 1 shall be encouraged to locate in proximity to arterial and / or collector roads.
- b) Institutional uses located in Development Area 1 shall be planned and designed in such a manner as to be both compatible and integrated with adjacent lands uses.

#### **3.1.2.5.2 Schools**

- a) One elementary school site and a secondary school site (planned to accommodate both an English and a French language secondary school) have been identified and designated in Development Area 1.
- b) School areas in the development area shall be incorporated into the linkage system of trails, pathways and walkways. The linkage system shall be designed so as to provide safe and convenient access to school lands.

- c) It is intended that school and related facilities contribute to the provision of recreational and cultural opportunities in conjunction with municipal facilities and parks. Where possible, joint use of these facilities shall be encouraged.

#### **3.1.2.5.3 Churches**

- a) Lands have not been specifically designated in Development Area 1 for church and religious institution uses. All proposed sites shall be subject to the policies of the Official Plan.

#### **3.1.2.5.4 Community and Social Services**

- a) The development of municipal facilities for recreational and cultural facilities may be considered for development as a joint venture undertaking in conjunction with the development of the school facilities planned for development in the Secondary Plan Area.
- b) The municipality shall cooperate with the appropriate agencies to ensure that the residents in Development Area 1 have access to a wide range of community and social services.
- c) Shared use of community and school facilities shall be encouraged.
- d) All community facilities shall include special provisions for special needs individuals.
- e) Daycare services shall be encouraged to locate in churches, schools, community facilities, shopping areas, places of employment or in separate buildings.
- f) Social and community service centres may be established in Development Area 1 when there is a need for such centres. The need for such centres, their location and services provided shall be determined in conjunction with representatives of the public agencies working in the City.
- g) Social and community service centres may provide educational and developmental services such as public health, social welfare, homemaker, legal aid, information and counseling, community development, and recreation for preschool children and senior citizens.

### **3.1.2.6 Environmental and Design Considerations**

#### **3.1.2.6.1 General Policies**

- a) In the planning and design of the range of land uses proposed for Development Area 1, regard shall be given to measures necessary to preserve, sustain and enhance existing natural features and integrate such features with the proposed land uses.
- b) It is recognized that in Development Area 1 lands have a moderate to high potential as possible locations of archaeological sites, and that an archaeological assessment of these lands by a consultant archaeologist may be necessary as a condition of development. Any significant sites found in the development area will require proper mitigation (e.g. avoidance or excavation) prior to the initiation of land disturbances or development.

#### **3.1.2.6.2 Environmental Protection**

- a) All necessary measures shall be taken to the extent feasible and practical to ensure the preservation and conservation of existing trees and woodlots that are determined by the municipality to warrant such preservation and conservation.
- b) The protection and preservation of any woodlots identified by the municipality as being significant shall be considered in the assessment of appropriate applications for draft plans of subdivision, and shall be accompanied by a report identifying the potential impact of the proposed development on the significant feature(s) and the methods by which that impact may be mitigated.
- c) Energy conservation shall be considered and encouraged through the design of local and collector road networks to minimize trip lengths, and through street layouts, lot configurations, subdivision landscaping and dwelling design orientation which serve to maximize passive solar gain during the winter months. These measures shall be encouraged while maintaining current subdivision design standards.

#### **3.1.2.6.3 Floodplain and Floodfringe Areas**

- a) The regulatory flood standard that applies to the Perch Creek watershed is the 100 year storm, and it has been determined that all of the lands in Development Area 1 are potentially subject to flooding under "100 year" storm conditions. On the basis of the detailed two-zone analysis of the Perch Creek flood plain north of Highway 402 and the flood potential of this portion of the Perch Creek watershed, Development Area 1 is hereby declared to be a floodfringe area capable of development, subject to the policies set forth in this Section. The balance of the floodplain north of Highway 402 shall remain as a floodplain area to which St. Clair Region Conservation Authority policies and regulations shall continue to apply.

- b) It shall be a policy of this Secondary Plan that in Development Area 1, all building openings shall be set at an elevation no less than **179.3 metres** (CGD) and the travelled portion of all public rights-of-way shall maintain a minimum elevation of no less than **179.1 metres** (CGD).

#### **3.1.2.6.4 Area of Special Policy (Landfill)**

- a) Approximately **10.7 hectares (26.46 acres)** of land located in the northwest corner of a portion of the development area south of Michigan Avenue designated for "Residential" use (and planned for development at a density of 4.5 units per acre) are subject to an "Area of Special Policy (Landfill)" notation that shall be deemed to overlay the "Residential" designation. This Area of Special Policy (Landfill) is intended to reflect the limits of a landfill area (inclusive of the required buffer area) that, by virtue of a Notice issued by the Ministry of Environment is deemed to have ceased receiving any waste on October 22nd, 1993.
- b) The lands designated for residential development and subject to special policies are lands that were used for landfill, and are subject to the provisions of Section 46 of the Environmental Protection Act, R.S.O. 1990, c.E.19. Section 46 of the Environmental Protection Act states that no use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five (25) years from the year in which such land ceased to be so used unless the approval of the Minister of Environment for the proposed use has been given.

It shall be the policy of this Secondary Plan that the landfill be closed in accordance with an approved closure plan and that these lands remain a closed landfill and not be permitted to develop for any other use for a period of twenty five (25) years commencing from October 22nd, 1993 (i.e.: the date the site ceased receiving waste) without the approval of the Minister of Environment, as provided for in the Environmental Protection Act.

Anytime after the aforementioned twenty-five (25) years have lapsed (October 22nd, 2018), but prior to any use being permitted to develop on or within the lands used for landfilling, an application must be made to the Ministry of Environment to amend the Certificate of Approval #A032005. No development shall take place on or within the lands used for landfilling until such time as an evaluation as to the presence and/or impact of any adverse environmental effects, and risks to health and safety is completed; Certificate of Approval #A032005 is amended; and any necessary remedial measures are undertaken to the satisfaction of the City of Sarnia and the Ministry of Environment.

- c) Any uses proposed to locate in that part of the development area in proximity to that portion of the Residential designation to which special policies apply shall have regard to the area of the landfill site mentioned in this section of the Plan and shall make provision for the future integration of this area of special policy with adjacent residential development.

The policy set forth in Section 4.3.3(b) of the Official Plan shall not apply to this landfill site. Rather, it shall be the policy of this Secondary Plan that any development within **500 metres** of the boundary of the "Special Policy Area (Landfill)" shall be subject to consultation with the Ministry of Environment before any Zoning By-law amendment, Official Plan Amendment, consent to sever approval, draft approval of a draft plan of subdivision or building permit is adopted or granted for such lands. The Ministry of Environment may require that a study be undertaken by an applicant to determine whether methane gas and/or leachate migration may potentially cause any adverse environmental effect or cause a risk to health and/or safety. If it is found that a potential adverse effect or risk does exist, development may be restricted.

#### **3.1.2.6.5 Design Considerations**

- a) Aesthetically pleasing streetscapes shall be encouraged through the careful use of architectural styles, varied setbacks, building materials, colours and landscaping.
- b) Subdivision design shall be sensitive to the topography and natural landscape in the development area.
- c) New Residential development adjacent to arterial and collector roads shall be designed to be sensitive to both the existing and predicted characteristics of adjacent roadway conditions.
- d) The design and construction of new arterial and collector roads shall recognize existing residential areas and shall be designed to reduce to the extent practicable and possible the impact of such arterial and collector roads through the use of such measures as increased setbacks, landscaping, and the creation of buffer facilities.
- e) Special care shall be taken in the design of the new arterial road connecting the development area with Exmouth Street (to the south) to provide for the integration of a nature trail/pedestrian trail connection from the approximate south limits of Wiltshire Park southerly under Highway 402 to Exmouth Street. These design considerations shall preserve, to the extent possible, the existing trail facility and shall have particular regard to the potential for the trail area to fulfil a buffer function between the proposed arterial road and the existing residential area.
- f) Care shall be taken to design, develop and maintain visually significant entrance features for Development Area 1 that do not create a visual obstruction.
- g) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimize potential conflicts between adjacent land uses including roads.
- h) All services within Development Area 1 shall be provided to the then current municipal specifications.

- i) The planting of trees in boulevards within the arterial, collector, and local road allowances shall be encouraged to comprise a part of the servicing and construction of residential districts throughout the Development Area.
- j) To create or enhance areas that maintain and encourage wildlife.

### **3.1.2.7 Transportation**

#### **3.1.2.7.1 General Policies**

- a) All development shall have setbacks from rights-of-way adequate to provide for acceptable access, recognize the need for parking, provide for the installation of services, and maintain accepted traffic engineering standards to provide good visibility.
- b) Arterial, collector and local roads in the development area shall, to the extent possible, be aligned, designed and constructed in such a way as to preserve natural features, and maximize the safe and efficient function of the right-of-way. In the development area, arterial, collector and local rights-of-way shall generally be constructed to urban cross-section standards that include paved streets, curbs and gutters, grassed boulevards, streetlights, and sidewalks. The phased construction of roadways in the development area may require some interim variation from these standards.

#### **3.1.2.7.2 Highways**

- a) Direct access to Highway 402 is prohibited. Access to the development area shall be provided by an internal road system comprised of:
  - i) the phased extension of The Rapids Parkway ( a north/south arterial located both in the development area and part of the former C.N.R. right-of-way) from London Road to Michigan Avenue;
  - ii) the extension of a collector road from the intersection of The Rapids Parkway and Michigan Avenue to Blackwell Road; and
  - iii) the extension of a collector road from The Rapids Parkway easterly to Highway 40/ Modeland Road along the south side of the existing D2-C municipal drain.
- b) Lands in proximity to Highway 402 or Highway 40 / Modeland Road may be constrained for development as a consequence of exposure to noise, odour, vibration, particulate and other emissions. Where such a constraint is identified or anticipated, landowners shall be required to provide buffering measures necessary to satisfactorily mitigate identified or anticipated adverse environmental effects. Development so located shall also be required to include as background information in support of the development application a noise assessment / attenuation plan prepared by a qualified acoustical consultant that meets with the satisfaction of both the City of Sarnia and the Ministry of Environment. The recommendations of the aforementioned noise assessment / attenuation plan, (as

modified by the City of Sarnia and/or the Ministry of Environment if deemed necessary) shall be implemented through appropriate provisions in site plan agreements, subdivision approvals/development agreements, and/or zoning.

- c) For the purpose of attenuating noise, innovative subdivision and residential dwelling design shall be encouraged. The use of such features and techniques as subdivision design that provides for single-sided local rights-of-way development, increased setbacks, 2 + storey construction, reduced sideyards, semi-detached and row dwelling type development, air conditioning, construction materials and methods, landscaping and berming, fences and walls may all be useful means of attenuating noise levels.
- d) The design and approval of:
  - i. the collector road extending from The Rapids Parkway to Modeland Road together with any required improvements to the existing design of that portion of Modeland Road north Highway 402 and within the control limits of Highway 402; and
  - ii. that portion of The Rapids Parkway through the Highway 402 right-of-way shall be co-ordinated with the Ministry of Transportation, so as to minimize disruption to adjacent lands and create a safe, well designed access to the development area.
- e) All dwellings units and commercial institutional buildings shall be located a minimum of **30 metres** from any Controlled Access Highway (C.A.H.) property line.

### **3.1.2.7.3 Arterial Roads**

- a) Arterial roads have been identified on Schedule "C". With the exception of institutional uses, parkland areas, commercial areas, and collector roads and local streets, direct access onto The Rapids Parkway extending from Exmouth Street to Michigan Avenue shall generally be prohibited.
- b) The design and location of The Rapids Parkway and intersecting streets shall provide and maintain:
  - i) a minimum standard of visibility of at least 60 km/h, and ;
  - ii) where it is determined by the municipality to be reasonably possible, maintain a minimum standard of visibility of 70 km/h.

To this end, Schedule "A-3.1" denotes areas where access controls and restrictions shall apply. The detailed design of any roads to which these access controls apply shall include provisions to demonstrate that these standards can be achieved.

- c) Where arterial roads intersect with arterial roads or with collector roads, the design of such intersections shall provide for possible future signalization.
- d) The intersection of local roads with arterial roads shall be spaced so as to prevent interference with the safe and efficient operation of the roads system in accordance with accepted traffic engineering practice.
- e) Plans of Subdivision shall be reviewed to assess the suitability of local road and collector road intersection points.
- f) Transit routes have not yet been defined for the development area. However, it is possible that transit vehicles will operate on some of the arterial roads in the development area. It is intended that provision be made to inform the future owners of lands abutting these roads that they may be part of future public transit routes.
- g) Arterial roads may be off-set to permit wider boulevards on one side of the road, or may be designed to include a centre boulevard. The provision of a wider, off-set boulevard would be intended to better accommodate such facilities as a pedestrian and/or bicycle paths. The provision of a centre boulevard would be intended to accommodate improved landscaping in the right-of-way and the phased construction of the arterial.
- h) Sidewalks shall be provided along both sides of an arterial road.
- i) On-street parking shall not be permitted on arterial roads.
- j) The design and phased construction of The Rapids Parkway in the former C.N.R. right-of-way through the existing bridge structure under Highway 402 shall be coordinated with the provincial Ministry of Transportation so as to maintain the structural and functional integrity of both the arterial and the Highway 402 overpass structure.
- k) The design and phased construction of The Rapids Parkway in the former C.N.R. right-of-way through the existing bridge structure under Highway 402 and immediately north of the Highway 402 structure shall be designed to incorporate noise attenuation features sufficient to ensure that to the extent practicable, the construction of the Rapids Parkway does not further impact on the existing residential amenity of this residential area in proximity to the Highway 402 overpass structure.

#### **3.1.2.7.4 Collector Roads**

- a) Collector roads have been designated on Schedule "C". The intersection of local roads with collector roads shall be spaced to prevent interference with the safe and efficient operation of the roads system in accordance with standard engineering practice.

- b) The travelled portion of the east-west collector road, to be located north of and adjacent to the existing elementary and secondary school lands and extending from Modeland Road westerly to the west limit of the secondary school lands, shall be aligned as far to the north as possible within the existing road allowance and the existing D2-C drain right-of-way, in order to achieve a maximum separation between the roadway and the St. Anne's/St. Christopher's school lands.
- c) Plans of Subdivision shall be reviewed to assess the suitability of local road and collector road intersection points.
- d) Transit routes have not yet been defined for the development area. However, it is possible that transit vehicles will operate on some of the collector roads in the development area. It is intended that provisions be made to inform the future owners of lands abutting these roads that they may be part of future public transit routes.
- e) The location of stop signs in the development area shall be carefully evaluated with an aim to reduce air pollution and energy consumption.
- f) Collector roads may be off-set to permit wider boulevards on one side of the road. The provision of a wider, offset boulevard would be intended to better accommodate such facilities as a pedestrian and/or bicycle path.
- g) Sidewalks shall be provided along one side of each collector road.
- h) On-street parking shall be permitted on collector roads except where a conflict between vehicular and/or pedestrian traffic has either been identified or is predicted.

#### **3.1.2.7.5 Local Roads**

- a) Local roads are for residential access only. They shall be designed to discourage through traffic and minimize traffic volume.
- b) On-street parking shall be permitted on local roads except where a conflict between vehicular and/or pedestrian traffic has either been identified or is predicted.

#### **3.1.2.7.6 Intersection Improvements**

- a) The design and construction of all arterials, collectors and local rights-of-way shall provide for future possible intersection improvements that may include, but are not limited to, turning lanes, acceleration or deceleration lanes, signalization, daylight triangles and improvements to sight lines.

### **3.1.2.7.7 Parking**

- a) The required parking for any proposed uses shall be accommodated "on-site" rather than "on-street". The design of parking areas shall incorporate measures to reduce the visual impact of such areas on adjacent land uses.

### **3.1.2.7.8 Transit**

- a) The arterial and collector road system has been designed so that most residents will reside within an acceptable walking distance to any public transit service system that may be extended to the development area. In plans of subdivision, local roads and pedestrian and bicycle paths should be designed to minimize walking distances to possible transit routes.
- b) Public transit shall be accommodated on arterial and collector roads.
- c) The future owners of lands fronting onto or abutting arterial or collector roads shall be informed that these rights-of-way may comprise part of a future public transit route.

### **3.1.2.8 Servicing**

#### **3.1.2.8.1 General Policies**

- a) Development Area 1 shall be developed on the basis of the provision of a full range of municipal services, including public roads constructed with curbs, gutters and asphalt; sidewalks on arterial and collector roads, piped potable water; sanitary sewers; a sanitary pumping facility; stormwater management facilities; storm drainage facilities; streetlights and underground electrical distribution systems; and other utilities such as hydro, natural gas, telephone and cable television. Although the phased development of lands in the development area may require some interim variation from these standards, it shall be a policy of this Secondary Plan that new development shall not proceed on the basis of the provision of individual wells and/or individual private sewage disposal systems.
- b) Development proposals incorporating alternative development standards (e.g. narrower road rights-of-way, reduced pavement widths, lower cost approaches to design and construction) that would effect a lowering of housing costs will be considered. Municipal approval of alternative development standards shall be based on ensuring that the function, efficiency, durability and maintenance of the alternative service or standard does not increase long-term costs.
- c) Development by way of plans of subdivision and/or phases of such plans of subdivision in Development Area 1 shall not be given draft approval by the City until it is satisfied that sufficient uncommitted reserve capacity is available for the provision of a full range of municipal services and that the servicing scheme adequately incorporates provisions for the co-ordinated distribution of infrastructure in Development Area 1.

- d) The cost of providing full municipal services necessary to facilitate the development of lands within Area 1 shall generally be borne by the developers of the lands. The application of development charges and development charge revenues, subdivider contributions, front ending agreements, service-in-lieu agreements and other measures as may be appropriate, may be used to finance and facilitate both the installation of services and the recovery of the cost of any oversized services borne by developers, all to ensure a fair and equitable distribution of servicing costs among benefitting owners in the development area.
- e) Pursuant to the provisions of the standard form of subdivision agreement used by the municipality, services once installed shall become the property of the municipality, notwithstanding any other requirement.
- f) It shall be a policy of the municipality to provide for the fair and equitable distribution of costs among benefitting owners to provide a full range of municipal services.
- g) A program to provide services to Development Area 1 in the form of a trunk watermain, a portion of an arterial road, sanitary gravity sewer, sanitary pump station, sanitary forcemain(s) and a hydro service is proceeding to construction and completion concurrent with the preparation and approval of this secondary plan. It shall be a policy of this plan to recognize that these services extended into the development area have been designed and constructed so as to be capable of servicing the development area in a comprehensive manner.

#### **3.1.2.8.2 Water Supply System**

- a) The design and construction of the water supply and distribution system shall be adequate to provide a reasonable and desirable level of service to all areas either presently developed or proposed for development or redevelopment. New development and/or redevelopment shall only be permitted where the water supply and distribution system is adequate to service such development and/or redevelopment.
- b) Improvements as necessary shall be required to the water supply and distribution system to provide sufficient volume and storage capacity, and water pressure in the distribution system, to provide an adequate level of protection in the event of fires or other emergencies.

#### **3.1.2.8.3 Sanitary Sewer System**

- a) The Sanitary Sewer Study prepared by the City of Sarnia Development Engineering Section of the Works Policy Area demonstrates that the South Huron Trunk Sanitary system has sufficient capacity to provide a sanitary sewer outlet for both this Development Area 1 as well as Development Area 2. To the extent permitted, in respect of any sanitary sewers to be provided in support of servicing the development area, this sanitary sewer study shall be deemed to satisfy Phase I and II of the Class Environment Assessment for Municipal Water and Wastewater Projects (as published by the Municipal Engineers Association, June,

1993).

- b) Sanitary sewage collection and pumping facilities shall be provided to adequately serve the development area. New development and/or redevelopment shall only be permitted where the sewage collection and treatment facilities are available to service such development.
- c) As part of the first phase of providing sanitary sewer service to Development Area 1, a sanitary sewer monitoring system shall be installed with the sanitary sewer pumping station, and provisions shall be made for the City to monitor the flow of effluent from the development area to the existing sanitary sewer system in Michigan Avenue.
- d) All new development occurring by way of registered plan of subdivision or consent shall be serviced by the municipal sewage collection system and the developer shall be responsible for the installation of such works subject to the approval of the City and the Ministry of Environment.

#### **3.1.2.8.4 Stormwater Management System**

- a) The urbanization of Development Area 1 provides for the integration of a stormwater system to manage the stormwater discharged from both the development area and the existing residential areas located to the west that presently flow through the development area. The D2-C, Wilson-Mathers, Marks Smith and Clark drains all function to convey these stormwater flows to the Perch Creek, which is the drainage outlet for the development area. It is intended that the servicing of the development area provide for the phased enclosure of the D2-C and Clark drains, the phased improvement of the Wilson-Mathers drain and that the Marks Smith drain be improved (in phases) as a stormwater quality control facility, in such a manner as to resemble an artificial wetland area.
- b) The Two Zone Analysis undertaken for that portion of the Perch Creek watershed north of Highway 402 has determined that removal of Development Area 1 from the defined floodplain (and the consequent reduction in flood storage area) will have no significant or measurable impact on the extent or nature of flooding predicted to occur from time to time in the balance of the floodplain. It shall be a policy of this Plan that no development shall be approved in the development area without appropriate provisions for floodproofing. In these respects, all development in the development area shall be required to maintain a minimum elevation of **179.3 metres** (CGD.) and no building opening shall be permitted below this minimum elevation. The travelled portion of all public and private roadways shall maintain a minimum elevation of **179.1 metres** (CGD).
- c) Before approving any amendment to this Secondary Plan, a Zoning By-law amendment, a development proposal or entering into a subdivision or site plan agreement, the Municipality shall ensure that the proposal has been reviewed to determine the impact on the planned approach to stormwater quality control management. In reviewing the proposal, the municipality may set out additional specific requirements on a case by case basis and may prescribe (i) measures for

the provision of components of the planned stormwater management system, and (ii) measures for the provision of features (e.g. grassed swales) that would support the function and operation of the planned stormwater management system.

- d) The Municipality shall not approve any development if it would have a significant adverse impact on the quality of discharged stormwater and increase the potential for flooding, erosion, sedimentation or pollution, both during and after construction.
- e) Each development in the development area shall include a detailed plan, prepared by a Professional Engineer, that provides for the phased, incremental expansion of the overall stormwater quality control facility and document acceptable calculation or modelling techniques to demonstrate that any proposed facility improvements will provide for an appropriate level of control as outlined in the Stormwater Management Plan for Development Area 1. The Area 1 Stormwater Management Plan prepared by Totten, Sims, Hubicki Associates, May, 1995 shall, to the extent possible in respect of any storm sewer system to be installed in support of servicing this development area, be deemed to satisfy Phase 1 and 2 of the Class Environment Assessment for Municipal Water and Wastewater Projects as published by the Municipal Engineers Association, June, 1993.
- f) The detailed design of the stormwater management facilities shall be in accordance with the general design guidelines outlined in the Stormwater Management Plan for Development Area 1 and shall give consideration to the most recent "Best Management Practices" available at the time of development.
- g) Construction and maintenance of stormwater management facilities shall be the responsibility of the municipality, financed at the expense of the developing lands and shall be undertaken in accordance with the general guidelines set out in the Stormwater Management Plan for Development Area 1 and to the satisfaction of the municipality.
- h) The design and construction of an improved Wilson-Mathers drain, and an improved and expanded Marks Smith drain in the form of an artificial wetland area shall both provide for the integration of a natural trail facility to extend from Modeland Road to Michigan Avenue and the Perch Creek, respectively.

#### **3.1.2.8.5 Storm Sewer System**

- a) The design and construction of the storm sewer system shall be adequate to provide a reasonable and desirable level of service to all areas either presently developed or proposed for development or redevelopment. New development and/or redevelopment shall only be permitted where the storm sewer system is adequate to service such development and/or redevelopment.
- b) The design and construction of the planned enclosure of the D2-C drain and the Clark drain and the planned improvements to the Wilson-Mathers drain shall provide for the integration of a natural trail facility.

- c) The design of the storm sewer system shall be integrated with the design of the stormwater management system.
- d) The storm sewer system shall be constructed in accordance with the standards of both the municipality and the Ministry of Environment.

#### **3.1.2.8.6 Utilities**

- a) All wiring for power distribution, streetlighting, telephone and cable television facilities shall, to the extent possible, be located underground.

#### **3.1.2.9 Phasing and Staging of Development**

- a) Final approval for the development of any parcel of land within Development Area 1 shall not be granted until such time as storm water, sanitary sewer, piped water facilities and all utilities necessary to serve the subject lands are available.
- b) Where service capacity constraints are identified, development may be regulated so as to proceed on a phased draft approval basis. The City shall require that the draft approval of each successive phase be conditional upon a detailed engineering review of the uncommitted reserve capacity.
- c) Where it is determined that over-sizing of services is required for the co-ordinated installation of infrastructure, front-end agreements, development charges, services in-lieu agreements, or a combination thereof may be applied in order to ensure the fair and equitable distribution and recovery of costs.
- d) Front-ending agreements and development charges may also be used to ensure the fair and equitable provision, distribution and recovery of costs associated with such facilities as parkland, flood plain/drainage areas, stormwater management facilities and the location of schools.
- e) No development shall be approved until an agreement is entered into by the developer(s) and the City for contributions to cover the installation costs of services such as sewers, watermains, streets, sidewalks and the costs of planning and engineering services.
- f) Stormwater quality control facilities required for the development area, as outlined in the Stormwater Management Plan for Development Area 1, may be subject to a phased installation as part of the servicing of any development or phase of development in Area 1. The City shall undertake a preliminary design of the stormwater management quality control facilities required for the development area so as to facilitate any required land acquisitions and the incremental implementation of the proposed facility. Negotiated front-ending agreement(s) with the municipality and/or other landowners may be used to facilitate the construction or phased construction of the stormwater management facility or improvement.

- g) The phased construction of The Rapids Parkway shall proceed in the form of a two (2) lane road in the westerly and northerly portion of the right-of-way extending from Michigan Avenue both southerly and westerly towards Exmouth Street. Any expansion of The Rapids Parkway from a two (2) lane road to a four (4) lane road shall be based on a detailed traffic analysis that demonstrates that such an expansion is warranted.

The first phase of The Rapids Parkway shall extend from Michigan Avenue to the most westerly access to St. Francois Xavier Secondary School. The eventual extension of The Rapids Parkway from the south limit of the first phase construction to Exmouth Street shall proceed as part of the subdivision of the lands between the St. Francois Xavier Secondary School and the former C.N.R. right-of-way, and shall incorporate noise attenuation features sufficient to ensure that to the extent practicable, the construction of The Rapids Parkway does not further impact on the existing amenity of this residential area in proximity to the Highway 402 overpass structure.

- h) Buffering and landscaping (in the form of berming, planting and fencing) required in the area the lower portion of the Howard Watson Nature Trail south of Wiltshire Park to create a visual screen and effect noise attenuation shall be undertaken as soon as practicable and well in advance of residential development in proximity to this portion of the nature trail, so as to afford such buffering improvements the maximum amount of time to mature and improve the quality of the buffer facilities.
- i) The approval of development applications in Development Area 1 shall be governed by the following principles:
- i) the avoidance of scattered development;
  - ii) the planned, logical, sequential development of neighbourhood areas;
  - iii) the provision of schools and parks and the logical, sequential development of an open space system;
  - iv) the logical and sequential construction of arterial and collector roads and access to arterial roads;
  - v) the logical and sequential construction of sanitary sewers, pump stations, and watermain extensions;
  - vi) approvals for the phased construction of a stormwater quality control facility for the area are in place and provisions for the facility or improvement to be constructed before any construction within that tributary area;
  - vii) the adequacy of proposed storm drainage systems; and
  - viii) the minimization of public front-end financing.

### 3.1.3 Implementation

- a) An amendment or a series of amendments to the Zoning By-law will form the basis for the implementation of the land use policies of this Secondary Plan. Upon final approval of this Secondary Plan, the City shall give consideration to the merit of rezoning the lands in the development area from the existing Agricultural and Open Space zonings to a Future Urban type zone to reflect the intended future use of the land for a mix of urban uses. Where appropriate, the City may (in conjunction with the approval of plans of subdivision) rezone the lands to apply a Holding "H" Zone to reflect the intended use of blocks and lots, and effect the proper staging and phasing of development.
- b) The design of commercial, institutional, and residential buildings and facilities (except single detached and semi-detached dwellings) including position on the lot, lot coverage, parking layout, loading facilities, control and orientation of outdoor lighting, signs, poles, posts, noise attenuations, stormwater management and all other external features shall be subject to site plan control to ensure orderly and aesthetically pleasing development.
- c) Development shall be permitted to proceed only when adequate municipal water, storm and sanitary sewer services including both waste collection and waste treatment works, are provided; when streets, educational facilities, parks and recreational facilities are determined by the City to be adequate; and when such other works, facilities and services as the City shall from time to time require of the developer(s), are provided.
- d) Open space and parklands required for municipal purposes shall be acquired by any of the following means:
  - i) the provisions of The Planning Act;
  - ii) the dedication of five percent (5%) of the land in a development or a cash-in-lieu payment (or a combination thereof) for parkland with respect to all lands proposed for development, except commercial and institutional development; and
  - iii) the expenditure of funds allocated in the City budget or designated from reserve accounts; donations, gifts, or bequests from individuals or corporations; funds allocated by any authority having jurisdiction.
- e) The cost of physical services associated with new development, including sanitary sewers, watermains, stormwater management facilities, storm sewers, streetlighting, electrical distribution on, roads, sidewalks, and curb and gutter shall generally be borne by the developer or benefitting landowner.
- f) The City may cooperate in any cost sharing program, whereby the portions of costs of certain public facilities serving the development area or the City at large which may be initially chargeable to private development, will be shared and

recovered among the benefitting parties.

- g) The City shall review and may revise the provisions of this Secondary Plan from time to time.

### **3.1.4 Interpretation and Effect**

- a) The boundaries between the land use designations shown on Schedule "A-3.1" are approximate, except where they coincide with boundary roads, or any other clearly defined physical feature. Adjustments to features, proposed land uses, or figures shall not require any amendment to this Secondary Plan provided the general intent of the policies are maintained.
- b) The location of roads shown on Schedule "A-3.1" are approximate and adjustments shall not require any amendment to this Secondary Plan provided the general intent of the policies are maintained.
- c) The provisions of the Official Plan as amended from time to time, regarding the interpretation of the Official Plan shall apply in regard to this Secondary Plan.