

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P.Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Application By: Hyde Park Ventures Inc.  
1875 Dalmagarry Road  
Draft Plan of Vacant Land Condominium  
File Number: 39CD-23503, Ward 7  
Public Participation Meeting

**Date:** August 14, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Hyde Park Ventures Inc. relating to the property located at 1875 Dalmagarry Road:

- (a) the Planning and Environment Committee **REPORT TO** the Approval Authority on the issues, if any, raised at the public meeting with respect to the vacant land condominium application.

## Executive Summary

### Summary of Request

Hyde Park Ventures Inc. has made application to the City to permit the development of a 193-unit Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium, currently under review with Site Plan Approval, will consist of 193 multiple-attached townhouse dwelling units with access from Dalmagarry Road. The applicant's intent is to register the development as one Condominium Corporation.

### Purpose and the Effect of Recommended Action

1. The purpose and effect of the meeting is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium and application for Site Plan Approval.
2. The subject development block is of a size and shape suitable to accommodate the Draft Plan of Vacant Land Condominium.
3. The proposed use, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

## Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration, the City is committed to reducing and mitigating climate change by encouraging

intensification and growth at appropriate locations. This includes infill, efficient use of existing urban lands and infrastructure.

## **Analysis**

### **1.0 Background Information**

#### **1.1 Planning History**

This application for Draft Plan of Condominium Approval was accepted as a complete application on February 16, 2023. The lands which are the subject of this application are located on Part of Lot 24, Concession 4 (Geographic Township of London) City of London, County of Middlesex, known municipally as 1875 Dalmagarry Road. The public, relevant departments and agencies were circulated notice of the application on March 8, 2023.

This current development proposal is the subject of an application for Site Plan Approval (File No. SPC20-070).

### **2.0 Discussion and Considerations**

#### **2.1 Property Description**

The proposed vacant land condominium will occupy the southernly portion of the property at 1875 Dalmagarry Road which is comprised of relatively flat, vacant land formerly in agricultural use. Generally described as Part of Lot 24, Concession 4 (Geographic Township of London) City of London, County of Middlesex. The subject property is 2.96 hectares with approximately 236 metres of frontage on Dalmagarry Road and is rectangular in shape. The property is currently vacant with the exception of a temporary stormwater management pond. The proposed development is fully serviced with frontage and access on a public road.

The surrounding area consists of a woodlot to the west, single detached and townhouse dwellings to the east and single detached dwellings to the south. To the north is an existing commercial development, as well as a vacant block which is a future phase planned to be developed with stacked townhouse units.

#### **Current Planning Information**

- The London Plan Place Type – Neighbourhoods
- Zoning – Holding Residential R5 (h-5•R5-7)

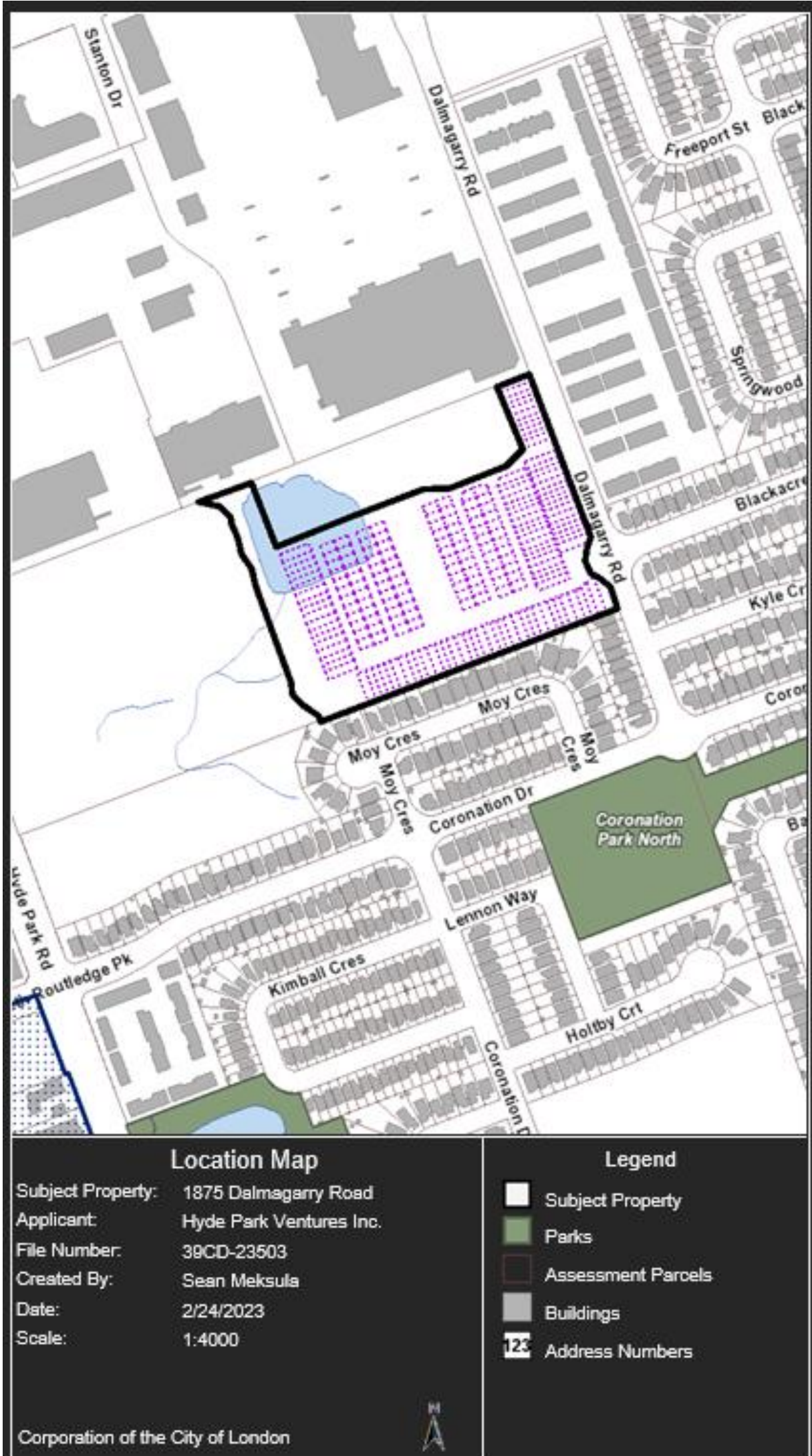
More information on the property and proposed development is provided in Appendix C.

#### **2.2 Development Proposal**

The proposed development consists of 193-unit vacant land condominium units within 46 townhouse buildings. The development includes a mix of townhouse unit formats including traditional and back-to-back townhouses. The development will be accessed from Dalmagarry Road through one of two driveway accesses and a multi-use pathway to Moy Crescent. The development will also contain a large central amenity area, as well as private amenity areas delivered and rear yards and balconies. As part of the development, the applicant will be dedicating the wood lot to the west. A future phase of development will introduce back-to-back, stacked townhouses to the remaining north portion of the development block.

In May of 2023, Council granted delegated approval authority to the Director of Planning and Development for subdivisions and condominiums. This application was circulated prior to the delegated approval with notice to the public that a future public meeting would be held before Planning Committee. This meeting fulfils the commitment to the public.

## 2.3 Property Location





## 2.4 Proposed Draft Plan of Vacant Land Condominium



Stantec  
 5501 CANADA AVENUE  
 TORONTO, ONTARIO  
 M3J 3K9  
 TEL: 416-593-9000  
 WWW.STANTEC.COM

LUDETYN KOENIG  
 The Corporation of LK and its representatives do not warrant, represent or assume any liability for the accuracy, completeness or timeliness of the information contained herein.

Design Date: 02/23/2021

REVISION NO.	DATE	DESCRIPTION	BY	CHK
1	02/23/2021	ISSUE FOR PERMIT	LUDETYN	LUDETYN
2	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
3	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
4	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
5	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
6	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
7	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
8	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
9	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
10	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
11	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
12	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
13	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
14	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
15	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
16	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
17	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
18	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
19	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
20	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
21	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
22	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
23	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
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58	02/23/2021	ISSUE FOR PERMIT (REVISED)	LUDETYN	LUDETYN
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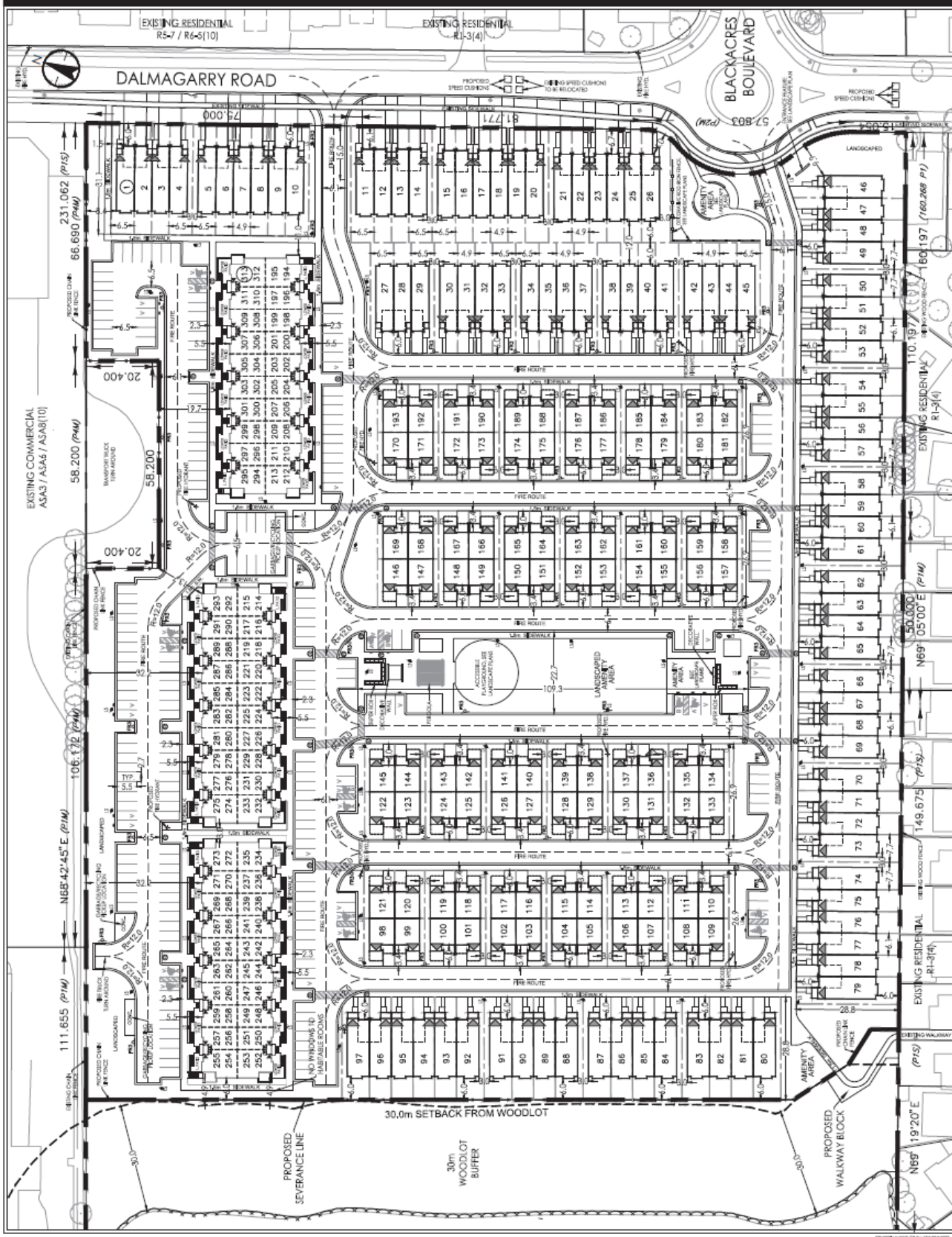
NOTES: 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL BUILDING CODE (NBC) AND ALL LOCAL ORDINANCES. 3. ALL UTILITIES SHALL BE DEPTH MARKED AND AVOIDED UNLESS OTHERWISE NOTED. 4. ALL STRUCTURES SHALL BE CONSTRUCTED TO A MINIMUM FINISH FLOOR ELEVATION OF 100.00 M (328.08 FT). 5. ALL FOUNDATIONS SHALL BE CONSTRUCTED TO A MINIMUM FINISH GRADE ELEVATION OF 99.00 M (324.80 FT). 6. ALL UTILITIES SHALL BE PROTECTED AND RELOCATED AS NECESSARY. 7. ALL EXISTING UTILITIES SHALL BE DEPTH MARKED AND AVOIDED UNLESS OTHERWISE NOTED. 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2014 NATIONAL BUILDING CODE (NBC) AND ALL LOCAL ORDINANCES. 9. ALL STRUCTURES SHALL BE CONSTRUCTED TO A MINIMUM FINISH FLOOR ELEVATION OF 100.00 M (328.08 FT). 10. ALL FOUNDATIONS SHALL BE CONSTRUCTED TO A MINIMUM FINISH GRADE ELEVATION OF 99.00 M (324.80 FT).

- LEGEND
- ROUTE (As Shown)
  - ROUTE (Proposed)
  - ROUTE (Standard)
  - ROUTE (Special Ramp)
  - ROUTE (Concrete)
  - ROUTE (Asphalt)
  - ROUTE (Gravel)
  - ROUTE (Grass)
  - ROUTE (Other)



Client/Project:  
 HYDE PARK VENTURES INC.  
 1801 HYDE PARK RD.  
 LONDON NORTH COMMERCIAL AND RESIDENTIAL LANDS  
 London, ON Canada

Title: SITE PLAN  
 Project No: 61418945  
 Drawing No: SP-1  
 Revision: 4  
 Date: 02/23/2021



# 2.5 Site Plan



STANTEC GEOMATICS LTD.  
 250 SHEPPARD AVENUE EAST  
 TORONTO ON M2N 6L7  
 TEL (416) 374-4100  
 WWW.STANTEC.COM

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SEE MAP NOT TO SCALE



**LEGAL DESCRIPTION**  
 PART OF LOT 24, CONCESSION 4  
 (GEOGRAPHIC LOCATION)  
 COUNTY OF MIDDLESEX

**INFORMATION REQUIRED**  
 UNDER SECTION 47(1) OF THE PLANNING ACT, TO BE MARKED  
 ON THIS PLAN AS FOLLOWS:  
 1. ALL BOUNDARIES  
 2. ALL EASEMENTS  
 3. ALL RIGHTS OF WAY  
 4. ALL UTILITIES  
 5. ALL FENCES  
 6. ALL SIGNAGE  
 7. ALL OTHER FEATURES AND STRUCTURES MARKED AS PER THE RECORD DRAWINGS

**SEWERAGE CERTIFICATE**  
 THE SEWERAGE SYSTEMS OF THE SUBJECT LOTS ARE TO BE CONNECTED TO THE MAIN SEWERAGE SYSTEM OF THE CITY OF MIDDLESEX AND THE CONNECTION TO THE MAIN SEWERAGE SYSTEM SHALL BE MADE AT THE POINTS INDICATED ON THIS PLAN.

February 13, 2023  
 NAME: AMARIL L. MALHOTRA  
 CHIEF LAND SURVEYOR

**OWNER'S CERTIFICATE**  
 HEREBY AFFIRMED THAT THE INFORMATION CONTAINED ON THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: FEBRUARY 13, 2023  
 NAME: HYUN PANG YONG  
 HYUN PANG YONG INC.

**LAND USE SCHEDULE**

LAND USE	AREA (SQ. METERS)	PERCENTAGE OF TOTAL AREA
RESIDENTIAL	114,693.2	100.00%
COMMON ELEMENT	114,693.2	100.00%
TOTAL	114,693.2	100.00%

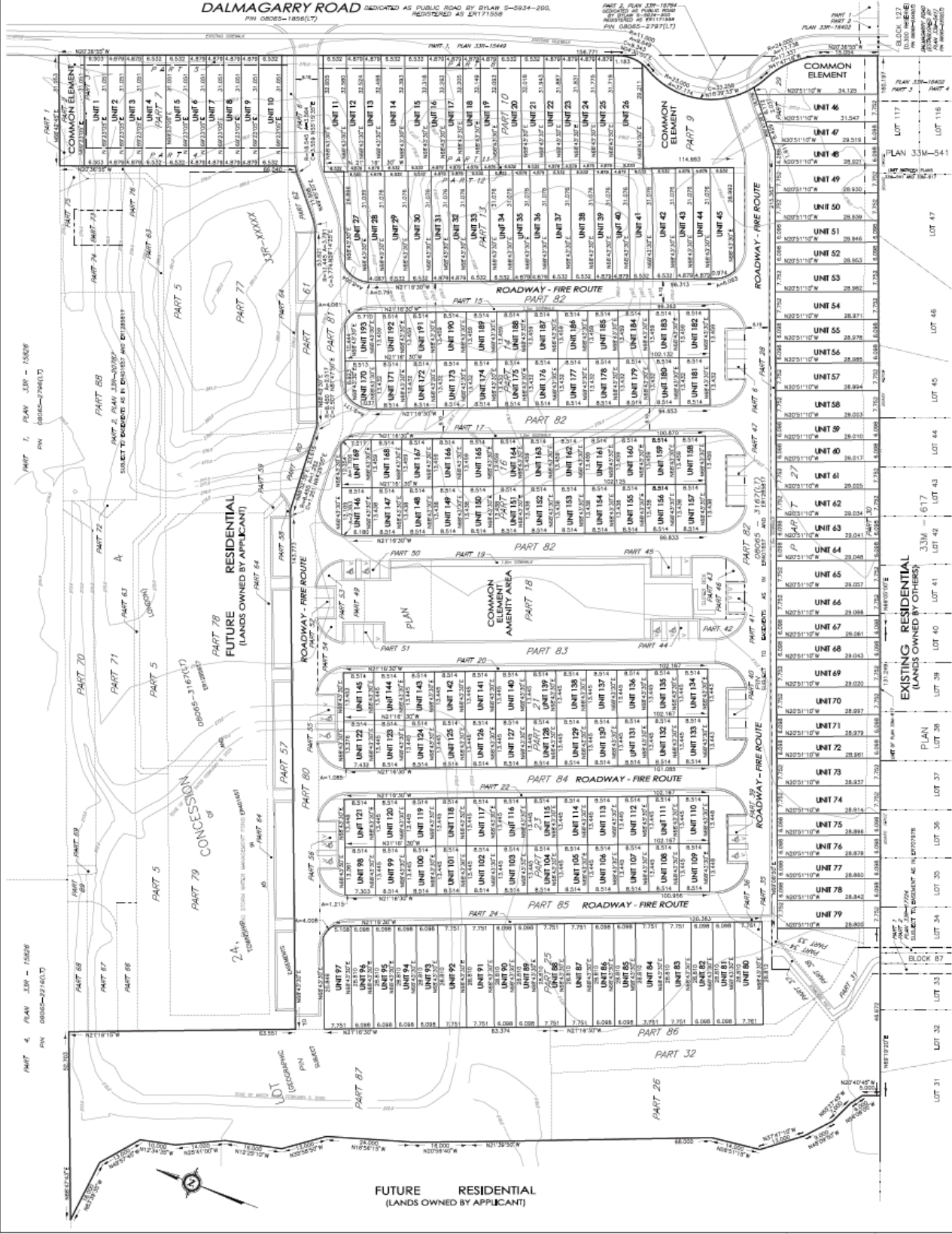
**DEVELOPMENT DATA**

ITEM	DESCRIPTION	VALUE
TOTAL AREA	114,693.2	114,693.2
TOTAL COMMON ELEMENT AREA	114,693.2	114,693.2
TOTAL UNIT AREA	114,693.2	114,693.2
TOTAL UNIT COUNT	114,693.2	114,693.2
TOTAL UNIT PRICE	114,693.2	114,693.2
TOTAL UNIT VALUE	114,693.2	114,693.2

**TITLE**

UNIT	AREA (SQ. METERS)	PRICE	VALUE
UNIT 1	...	...	...
UNIT 2	...	...	...
UNIT 3	...	...	...
UNIT 4	...	...	...
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UNIT 200	...	...	...

SCALE: 1:500  
 PROJECT NO.: 184189-05



**DRAFT PLAN OF VACANT LAND CONDOMINIUM**



## 2.6 Building Elevations – Block 6 Units 38-42



## 2.7 Building Elevations – Block 16 Units 102-107



## 2.8 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on March 8, 2023 and advertised in the Londoner on March 9, 2023. At the time of preparation of this report, three responses were received from the public in response to the Notice of Application and The Londoner Notice. Comments/concerns received from the community are generally summarized as follows:

- It will impact resident's privacy, quiet enjoyment of their property, increased traffic backing onto Dalmagary Road from new units and vehicles cutting through the subdivision.
- Addition of almost 200 units will give more burden to the busy traffic on the round about.
- Request for privacy fencing for lots on Moy Crescent that do not have privacy fencing.
- Where will walkway go from Moy Crescent to new development.

- Prefer one floor units especially backing onto Moy Crescent, what will the height of the units be?
- Back of properties backing onto Moy Crescent should at least be 40-50 feet.
- There is a big difference between backing onto single family homes compared to multi-storey townhouses.

## **2.9 Policy Context (see more detail in Appendix B)**

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

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

The proposed development achieves objectives for efficient development and land use patterns. It represents new development taking place within the City's urban growth area, and within an area of the City that is currently building out. It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, and maintains appropriate levels of public health and safety.

The subject lands were created through a consent application on lands that have been designated and intended for medium density residential uses over the long term. There are no natural heritage features present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through previous planning applications on the site. The proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

### **The London Plan**

With respect to The London Plan, the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, triplexes, fourplexes, stacked townhouses, low-rise apartment buildings and small-scale community facilities as the main uses. The proposed draft plan of condominium incorporates is connective with the neighbourhood and compatible with existing uses.

The London Plan includes criteria for evaluating plans of subdivision through policy 1688 that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type in which the proposed subdivision is located
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Staff are of the opinion that all the above criteria have been satisfied.

### **Vacant Land Condominium Application**

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event

- these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
  - Payment of outstanding taxes or local improvement charges, if any;
  - Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
  - The maintenance of any stormwater servicing works including on-site works;
  - Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
  - Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

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

The zoning on the site is Holding Residential R5 (h-5•R5-7) which permits such uses as cluster townhouse dwellings and cluster stacked townhouse dwellings. This R5 Zone provides for and regulates medium density residential development in the form of cluster townhouses. Different intensities of development are permitted through the use of the seven zone variations. Density provisions range from 25 units per hectare (10 units per acre) designed to accommodate townhouse development adjacent to lower density areas, to 60 units per hectare (24 units per acre) for inner city areas and locations near major activity centres. The higher density zone variation has been designed to accommodate stacked townhouses. The middle range zone variations are designed for most suburban townhouse developments. With a density of 36.32 units per hectare, Staff are of the opinion that the proposal aligned with the existing Zoning. Staff are satisfied that the site plan submission addresses the design and engineering issues as noted above.

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

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

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

#### **4.1 Issue and Consideration # 1 – Site design and orientation in relation to the adjacent lands to the south.**

The proposed condominium development consists of 193, 3-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with two access from Dalmagarry Road. The development block interfaces with Dalmagarry Road and features street fronting townhouse dwellings with landscaped planting strips. End dwelling units featuring covered porches to enhance the relationship and orientation of dwelling units to Dalmagarry Road. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern property boundaries (interfacing with the existing low density residential development lands on Moy Crescent). Strong building orientation is achieved with street-facing units having front door entrances oriented to Dalmagarry Road. Units along Dalmagarry Road also have individual driveway accesses contributing to an active frontage and connection to the public street.

Through the site plan review process, Staff have been working with the applicant on improving the building orientation adjacent to Dalmagarry Road in recognition that this is a key entry point and gateway to the neighbourhood. The site plan does show covered porches and walkway connections from individual units to the public sidewalk. The plans and building elevations have been reviewed for compliance with the City's Placemaking Guidelines.

#### **4.2 Issue and Consideration # 2 – It will impact resident's privacy, quiet enjoyment of their property, and traffic.**



Building front entrances, driveways, and garages are oriented internally to the site so that impact on privacy of adjacent properties is minimized. Perimeter fencing (1.8 metre high board-on-board fence) and landscape planting buffers will also be incorporated into the approved site plan and landscape plans to provide screening and privacy of adjacent rear yard amenity areas. The proposed 3-storey dwellings with pitched roof design are not expected to cast shadowing on adjacent properties or result in any significant loss of sunlight or privacy. Dalmagarry Road and the roundabouts were designed to accommodate the anticipated increased traffic of this development.

More information is available in Appendix A and B of this report.

## **Conclusion**

The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, and in conformity with The London Plan. The proposed cluster townhouse dwelling units are appropriate for the site and permitted under the existing zoning. An application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

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

Britt O'Hagan, MCIP, RPP  
Manager, Current Development

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager,  
Planning and Economic Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Peter Kavcic, Manager, Subdivisions and Development Inspections  
cc: Matt Davenport, Manager, Subdivision Engineering  
cc: Mike Pease, Manager, Site Plan

August 8, 2023

## Appendix A – Public Engagement

### Community Engagement

**Public liaison:** On March 8, 2023, Notice of Application was sent to 334 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 9, 2023. A “Planning Application” sign was also posted on the site.

**Responses:** 3 email replies were received.

**Nature of Liaison:** Consideration of a Draft Plan of Vacant Land Condominium consisting of 193 cluster townhouse dwelling units, and a common element for a private access from Petty Road, to be registered as one Condominium Corporation. This property is also the subject of an application for Site Plan Approval SPA20-070.

**Gord Worrall Sent: Monday, March 13, 2023 1:14 PM**  
**To: Meksula, Sean**  
**Subject: Re: [EXTERNAL] 1875 Dalmagarry Rd**

Sean,

Thank you for your response.

I encourage you to ask the decision makers to go and look at the backyards of the units across from 1875 Dalmagarry that back onto Blackacres and ask themselves if they would be happy if units like that were built that close to their backyard.

The two detached houses behind my house have backyards less than 40 feet deep. My own backyard is also less than 40 feet. However, one of the houses I back onto is a bungalow and I can see between the houses and for a far distance. Consequently, there is a big difference between backing onto single family homes compared to multi-storey townhouses. I firmly believe the city should set minimum distances for the backyards. I think the minimum backyard should be 30 feet for one floor townhomes, 40 feet for two storey townhomes and 50 feet for three storey townhomes.

I do believe the city and developers are missing an opportunity by not having the whole complex or at some of it it be one floor units geared to seniors, as there are so many amenities for seniors close by. As well, one floor units fronting the west side of Dalmagarry would greatly enhance the overall feel of the area, especially with having so many two and three storeys townhomes on the east side of Dalmagarry.

Regards,  
Gord Worrall

**From: Gord Worrall**  
**Sent: Friday, March 10, 2023 9:19 PM**  
**To: Meksula, Sean**  
**Subject: [EXTERNAL] 1875 Dalmagarry Rd**

Hi Sean,

I received the notice of planning application for 1875 Dalmagarry Rd because I live close to it.

I am disappointed that they are choosing to go with all multi-storey units when there are hundreds of them across the street. I would much prefer to see at least some of them be one floor units, especially the ones backing onto Moy Cr. where a very large percentage of the houses are bungalows.

Can you tell me the distance from the back of the units that back onto Moy Cr. to the property line? The city should never have allowed such small backyards for the units that back onto Blackacres Blvd. and Springwood Cr. If I lived on Blackacres or Springwood, I would be outraged. Actually, I am outraged by it and I don't live there. I

would like to see the city ensure that the distance from the back of the units to the property line for the units backing onto Moy Cr. is an acceptable distance of at least 40-50 feet.

Regards,  
Gord Worrall

**Sent: Thursday, April 6, 2023 10:15 PM**  
**To: Meksula, Sean**  
**Subject: File: 39CD-23501 Applicant: Hyde Park Ventures Inc.**

Hello Sean:

Following are my concerns about the development:

1. Traffic - I am concerned about the 26 units that will be backing cars directly out onto Dalmagarry which is already a very busy through road with traffic cutting through from Gainsborough to Walmart/Fanshawe, increasing safety concerns.
2. Fences - most of us have 6 foot privacy fences along the north end of our properties, bordering on to the site, but some have chain link. Will there be fences put up by the developer along the chain link fence to increase privacy, or any required changes to our existing fences?
3. Walkway - there is currently a walkway from Moy Cres to the development property going between two houses. Will this just dead-end at the development or will there be a continuation through the new property allowing entrance to the Walmart plaza? It appears from the plan that the walkway continues half-way across the property from south to north and stops.
4. House Styles - what are the heights of the townhouses running along the south side? Previous plans showed them as two storey. When will the development plan with buildings be available and will adjacent residents be able to comment and express concerns about those?

Thank you for the opportunity to detail my questions and thoughts.  
Kathryn McDonald

**From: Jia Cheng**  
**Sent: Tuesday, March 28, 2023 9:13 PM**  
**To: Meksula, Sean**  
**Subject: Comment on 1875 Dalmagarry Road**

Hi Sean,

I am writing to express my concern on the draft plan of Vacant Land Condominium(1875 Dalmagarry Road).

My biggest concern is about the busy traffic of that roundabout which provides access to these units. Due to the Walmart right beside the Dalmagarry road, the traffic in this roundabout has been very busy and crazy sometimes.

The additional almost 200 units in the future will gives more burden to this roundabout. I am very concerned about the traffic condition even though there will be two new private roads added to access from Dalmagarry road.

Sincerely,  
Jia Cheng

**Agency/Departmental Comments:**

**No significant comments were received.**

## **Appendix B – Policy Context**

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

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

The proposed development achieves objectives for efficient and resilient development and land use patterns. It represents new development taking place within the City's urban growth area, and within an area of the City that is currently building out. It also achieves objectives for promoting compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, supports energy conservation and efficiency, and avoids land use and development patterns which may cause environmental or public health and safety concerns.

The proposed development introduces a mix of townhouse units creating live-work opportunities and maximizing the potential to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs.

There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the Site Plan Approval process. Based on our review, the proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

### **The London Plan**

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The proposed Draft Plan of Vacant Land Condominium in the form of multiple-attached townhouse dwellings conforms with the Place Type policies.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium contributes to achieving those policy objectives, including the following specific policies:

#### **Our Strategy**

##### *Key Direction #5 - Build a Mixed-Use Compact City*

- 4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
- 6. Mix stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity.*

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

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

##### *Key Direction #7 - Building strong, healthy and attractive neighbourhoods for everyone*

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

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

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



The proposed vacant land condominium represents a form of intensification and reformatting of an existing neighbourhood area as envisioned by The London Plan. It provides for a mix of uses that will promote walking and generate pedestrian activity. The internal access driveways and walkways have been laid out on a grid structure to maximize connectivity with adjacent public streets, and neighbourhood services and facilities. The introduction of residential townhouse dwelling units contributes to development of a complete neighbourhood, providing immediate access to a variety of services including shopping and restaurants, and creating opportunities for aging in place. The proposed development complies with the zoning that has been approved by Council for the site; it provides for a transition in use, form and intensity; and is considered a good fit within the context of the existing neighbourhood.

### **City Building and Design Policies**

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

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

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

*291\_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.*

*295\_ Residential and mixed-use buildings should include outdoor amenity spaces.*

The proposed condominium development consists of 193, 3-storey cluster townhouse dwellings arranged in 46 blocks of units attached side-by-side, with access from Dalmagarry Road and provision for future pedestrian access over the Part 37 and Block 87 on development lands to the south to Dalmagarry Road. Buildings have been arranged with a strong north-south and east-west orientation maximizing exposure to passive solar energy. Pedestrian walkways having the same north-south/east-west orientation provide excellent connectivity through the central portion of the site with direct connections to Dalmagarry Road, Dalmagarry Road and the future development phase to the north.

Building setbacks from the public right-of-way are within the minimum and maximum setback regulations in the approved zoning for this site (yard depths to be a minimum of two (2) metres and a maximum of five (5) metres from Dalmagarry Road and Dalmagarry Road). The site plan and building elevations show the principal building entrances oriented to the public right-of-way of Dalmagarry road, and incorporating covered porches, and pedestrian connections to the street for each individual dwelling unit to promote an active frontage. Buildings also incorporate a similar level of architectural detail on the front and side elevations flanking public streets and walkways. A landscaped outdoor amenity area is centrally located within the common element. Adjacent buildings and dwelling units have again been designed with front door and second floor balcony orientation and walkway connections to the common outdoor amenity feature.

### **Our Tools**

*1709\_ The following policies will apply to consideration of an application for a vacant land condominium:*

- 1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium (see Vacant Land Condominium Application section below).*
- 2. The applicant may be required to provide site development concepts and meet*

*design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.*

*3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.*

*4. Only one dwelling will be permitted per unit.*

*5. At the time of registration, structures cannot cross unit boundaries.*

*6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.*

### **Vacant Land Condominium Application**

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- Sewer and water services will be provided in accordance with the approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, schools, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster townhouses. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. In order to ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Enbridge Gas, Bell, etc.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- A conditions that the Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA20-070) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Provision of an easement agreement for pedestrian access between the condominium townhouses and the future phase development lands to the south.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.

- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

## Appendix C - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Vacant
Frontage	236 metres
Depth	~310
Area	2.96 hectares
Shape	Regular (rectangle)
Within Built Area Boundary	No
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Commercial
East	Residential
South	Residential
West	Open Space

#### Proximity to Nearest Amenities

Major Intersection	Dalmagarry Road/Fanshawe Park Road West, approximately 625 metres
Dedicated cycling infrastructure	Fanshawe Park Road West, approximately 625 metres
London Transit stop	Fanshawe Park Road, approximately 500 metres
Public open space	ESA woodlot, 0 metres
Commercial area/use	Retail, service, clothing, and restaurants, abutting lands to the north, 0 metres
Food store	Abutting lands to the north
Primary school	St. Marguerite d'Youville Catholic School, approximately 700 metres Emily Carr Public School, approximately 2,000 metres
Community/recreation amenity	Aquatics Centre and Sherwood Public Library, 2.6 km

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods fronting a Neighbourhood Connector
Current Special Policies	N/A
Current Zoning	Residential R5-7

#### Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	N/A



## C. Development Proposal Summary

### Development Overview

Vacant land condominium to facilitate a cluster townhouse development.
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### Proposal Statistics

Land use	Residential
Form	Cluster Townhomes
Height	3-storeys (12.0 metres)
Residential units	193
Density	37 units per hectare
Gross floor area	Unknown
Building coverage	55.6%
Common Element	44.4%
Functional amenity space	Centrally located, refer to Site Plan
New use being added to the local community	No

### Mobility

Parking spaces	2 per unit, 1 inside, 1 outside, 15 visitor parking (10 barrier free)
Vehicle parking ratio	2.0 spaces per unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	Unknown
Secured bike parking ratio	Unknown
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

### Environmental Impact

Tree removals	No
Tree plantings	Refer to Site Plan
Tree Protection Area	No
Loss of natural heritage features	Woodlot being dedicated
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	N/A
Green building features	Unknown