

--	--

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: FOREST PARK (FANSHAWE RIDGE) LTD 2031 PENNYROYAL STREET PUBLIC PARTICIPATION MEETING ON NOVEMBER 18, 2014 @ 4:00 P.M.

RECOMMENDATION

That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the Vacant Land Plan of Condominium application of Forest Park (Fanshawe Ridge) Ltd. relating to the property located at 2031 Pennyroyal Street:

- a) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft plan of vacant land condominium relating to the property located at 2031 Pennyroyal Street; and
- b) the Approval Authority **BE REQUESTED** to utilize (if possible) one agreement (in place of a separate development agreement and condominium agreement) to address the development of this site.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

November, 2003 – Council approved Zoning By-law Amendments and approved Draft Plan of Subdivision 39T-01509 for the lands located on the northeast corner of Highbury Avenue North and Fanshawe Park Road East.

May, 2005 – Planning Committee Report relating to special provision for Subdivision Agreement.

June, 2005 – Application Z-6912 to amend zoning by-laws was approved.

June, 2006 – Subdivision Plan 33M-348 was registered.

April, 2014 – Application OZ-8288 to amend policies related to vacant land townhouse condominiums was approved.

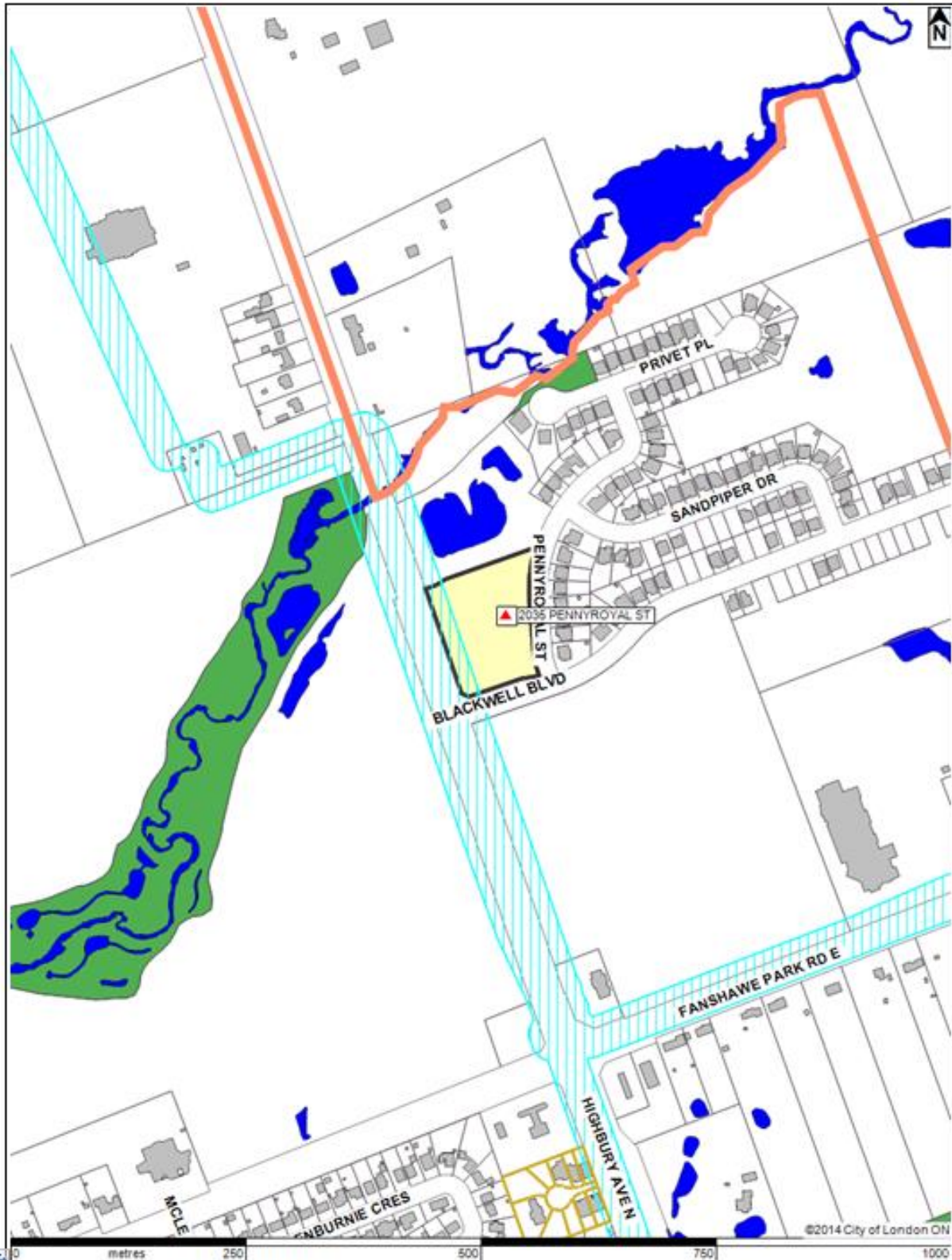
PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this application is to consider a proposed draft plan of vacant land condominium on 2031 Pennyroyal Street. The plan consists of a 42 unit townhouse development on a private road, and some with direct access from Pennyroyal Street and Blackwell Boulevard.

RATIONALE

1. The submitted draft plan of vacant land condominium is in conformity with Official Plan Policies and the City's Condominium Submission Review and Approval Guidelines.
2. The draft plan of vacant land condominium can be accommodated on the subject lands and can be integrated with adjacent surrounding lands.
3. The draft plan of vacant land condominium is in conformity to the City of London Z.-1 Zoning By-law and consistent with the Provincial Policy Statement.
4. The proposed plan is consistent with the site plan for the development.

--	--



LOCATION MAP

Subject Site: 2031 Pennyroyal Street
 File Number: 39CD-14513
 Planner: Sean Meksula
 Created By: Sean Meksula
 Date: 2014-08-28
 Scale: 1:5000

LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers

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



--

--

BACKGROUND

Date Application Accepted: August 19, 2014	Agent: Laverne Kirkness
REQUESTED ACTION: application for Vacant Land Condominium and concurrent site plan (SP-14-005320) to permit the development of 42 unit townhouse development.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - vacant • Frontage – 137 m (Pennyroyal Street) • Depth – irregular • Area – 1.25 ha • Shape – irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Open Space Block • South – Future Commercial • East – Existing residential • West – Future residential

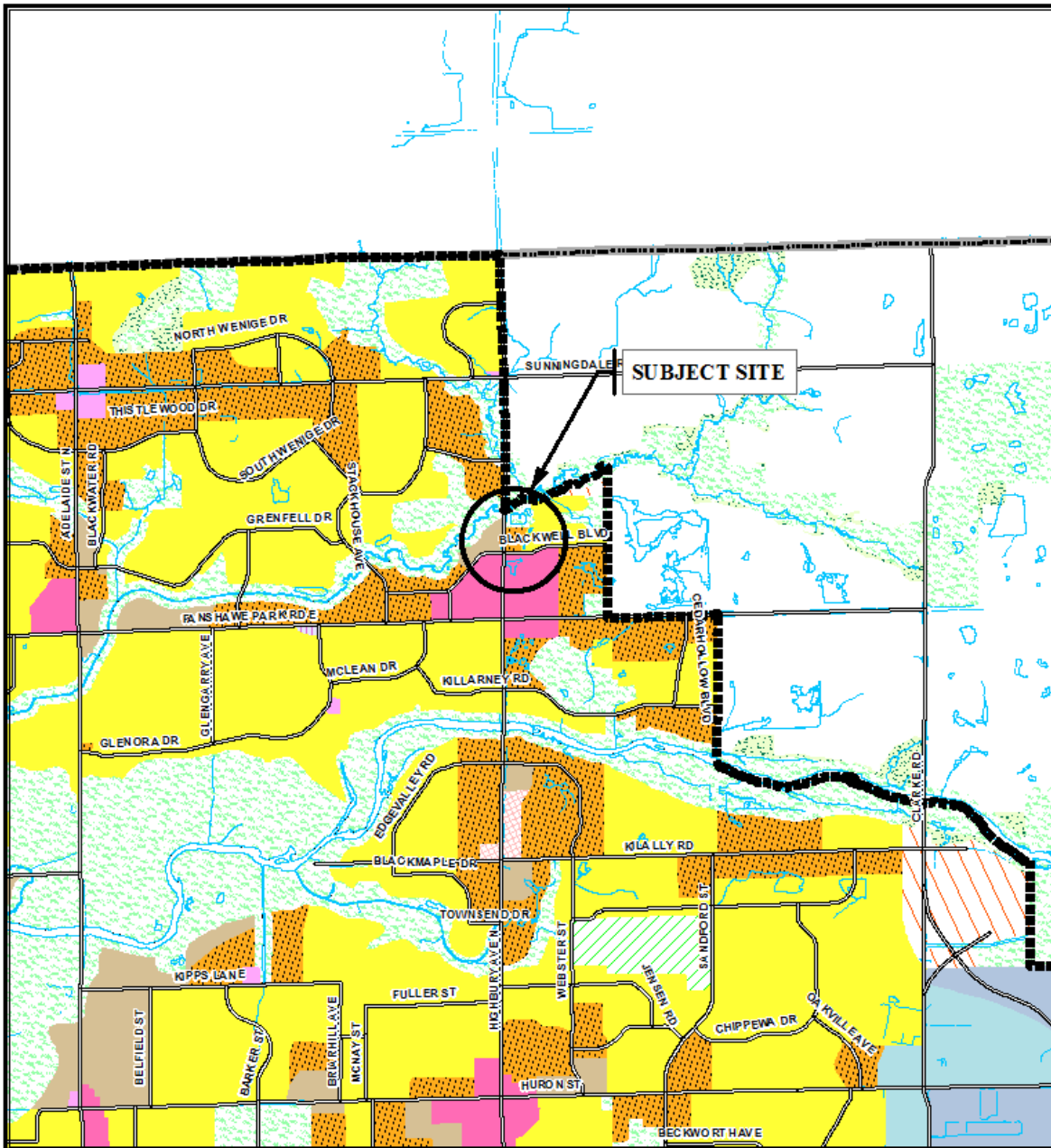
OFFICIAL PLAN DESIGNATION: (refer to map on page 4)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to map on page 5)
<ul style="list-style-type: none"> • Residential R5/R6 (R5-3/R6-5), which permits various forms of cluster housing.

PLANNING HISTORY

The subject lands were draft approved for a residential plan of subdivision (39T-01509) on December 2, 2003. An application to rezone the lands to apply a holding provision relating to adequate municipal services (Z-6912) was approved by Council in June 2005. In June, 2006 Subdivision Plan 33M-348 was registered.

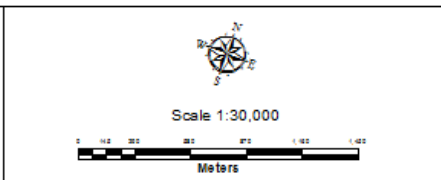
On February 25, 2014 an application for Site Plan Approval was submitted. The Approval Authority for site plans is prepared to grant Site Plan Approval for this application.

--	--



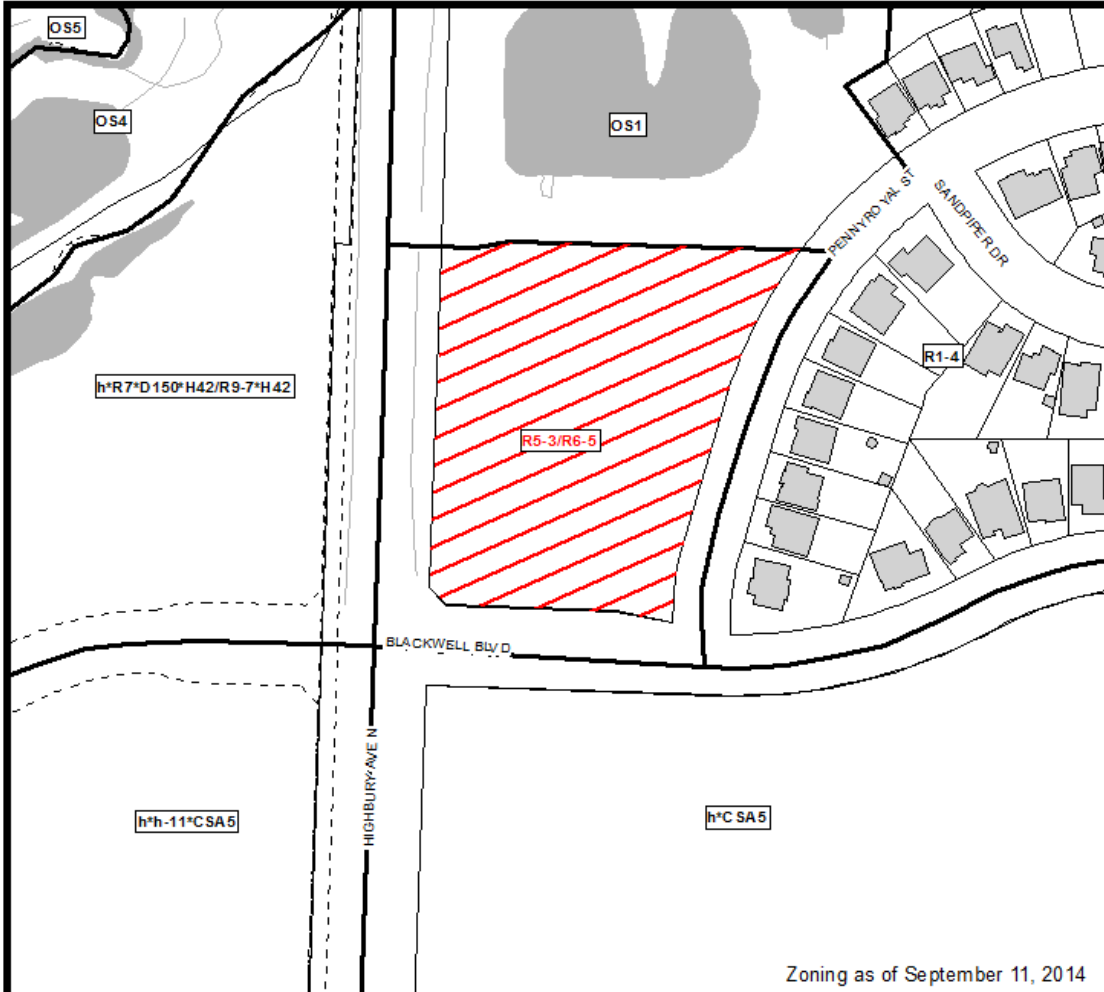
Legend					
	Downtown		Low Density Residential		Office Business Park
	Enclosed Regional Commercial Node		Office Area		General Industrial
	New Form at Regional Commercial Node		Office/Residential		Light Industrial
	Community Commercial Node		Regional Facility		Environmental Review
	Neighbourhood Commercial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

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LAND USE -
PREPARED BY: Graphics and Information Services



FILE NO: 39CD-14513
PLANNER: SM
TECHNICIAN: JTS
DATE: October 29, 2014

--	--



Zoning as of September 11, 2014



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|--|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 h° - HOLDING SYMBOL D° - DENSITY SYMBOL H° - HEIGHT SYMBOL B° - BONUS SYMBOL T° - TEMPORARY USE SYMBOL |
|--|--|

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:

39CD-14513 SM

MAP PREPARED:

October 29, 2014 JTS

1:2,000

0 10 20 40 60 80 Meters

--	--

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority (UTRCA)

- The UTRCA has no objections.

Canada Post

- This subdivision will receive mail service to centralized mail facilities provided through our Community Mailbox program.

PUBLIC LIAISON:	On September 10, 2014, 43 notices were sent to residents within 120 metres of the subject site. Public Notice & Bidding Opportunities was published on September 11, 2014.	No replies were received.
Nature of Liaison: The purpose and effect of this application is to permit the development of a 42 unit townhouse development within a plan of condominium. Consideration of a Vacant Land Plan of Condominium with 42 units served by one (1) common element road. <i>*For the lands under consideration, an application for Site Plan (SP-14-005320) has also been received for this site.</i>		
Responses: None		

ANALYSIS

Subject site

The subject site is located on the west side of Pennyroyal Street north of Blackwell Boulevard. The site abuts Highbury Avenue North to the west and a storm water management block to the north. There are no structures on the site currently. The property is a block in the plan of subdivision 33M-348.

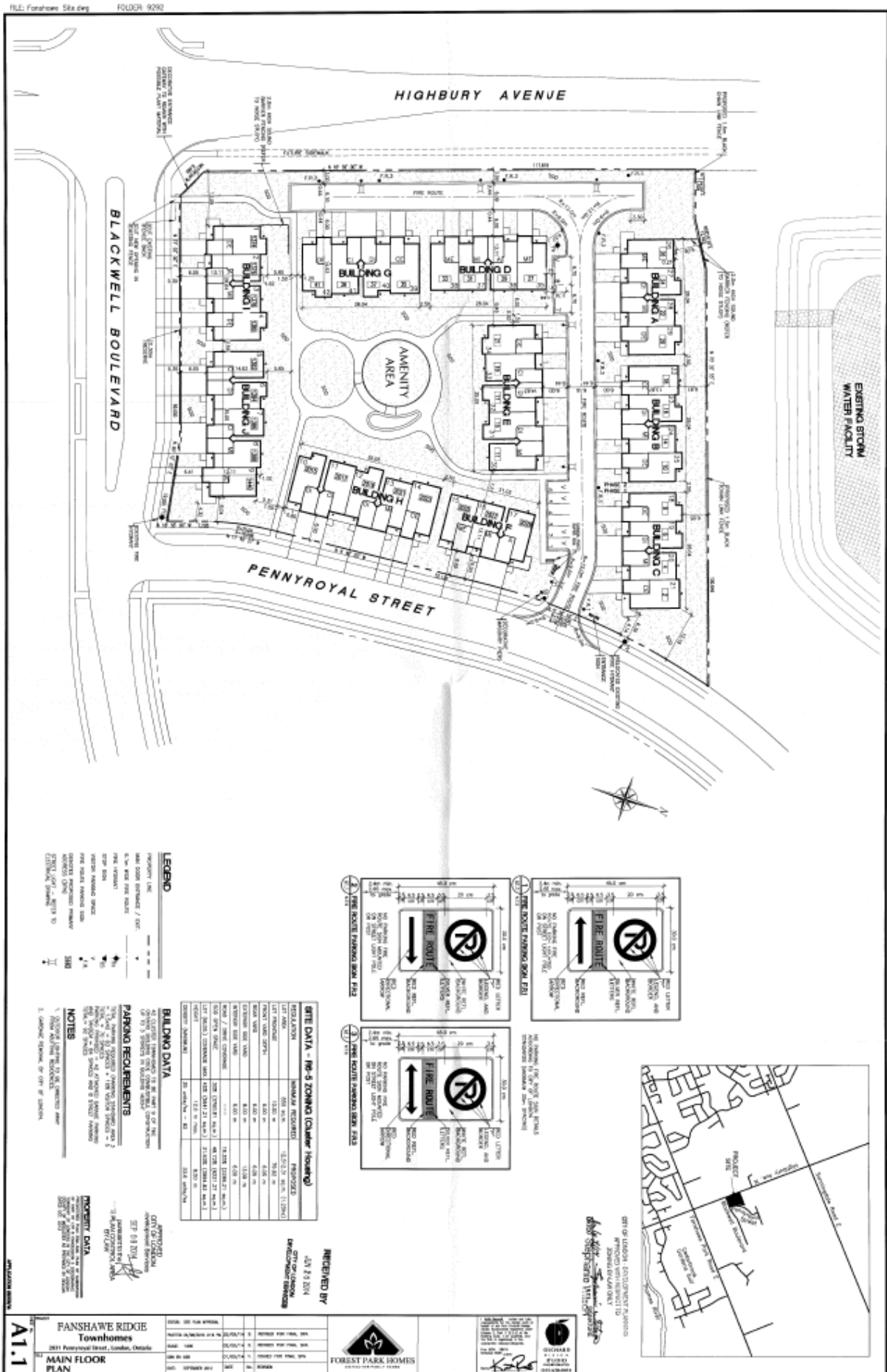
What is the nature of the application?

The applicant, Forest Park (Fanshawe Ridge) Limited, has applied for a vacant land condominium, and has also submitted a site plan application to permit a 42 unit townhouse development at this location. Common element components of the vacant land condominium includes private roadway including services and open space areas. The proposed site plan SP14-005320, landscape plan and proposed elevation are shown below.

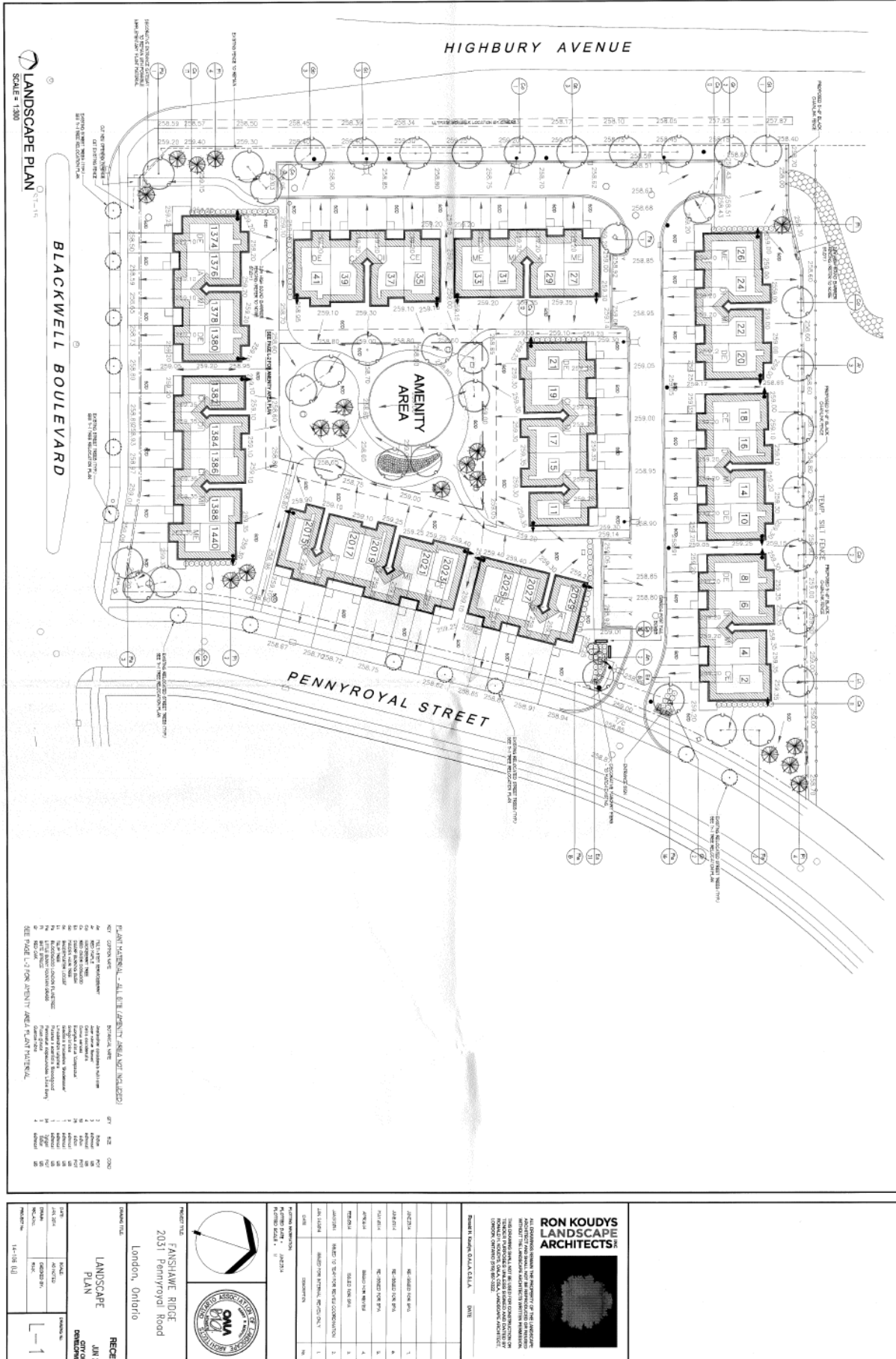
Empty boxes for agenda item and page numbers.

File: 39CD-14513
Planner: S. Meksula

Proposed Site Plan



Landscape Plan



Front Elevation (typical)

FILE: Elevations SPA FOLDER: FANSHAW

FRONT ELEVATION BLOCK 1

Cypress Duncan Cypress Maxwell Maxwell

FRONT ELEVATION BLOCK 1

Duncan Maxwell Maxwell Duncan

LEFT SIDE ELEVATION BLOCK 1

Duncan

RIGHT SIDE ELEVATION BLOCK 1

Maxwell

MATERIAL LEGEND

- ① - exterior paint
- ② - exterior stone veneer
- ③ - exterior brick veneer
- ④ - brick
- ⑤ - red brick
- ⑥ - stone veneer
- ⑦ - horizontal siding
- ⑧ - vertical siding
- ⑨ - horizontal vinyl
- ⑩ - horizontal vinyl
- ⑪ - horizontal vinyl
- ⑫ - horizontal vinyl
- ⑬ - horizontal vinyl
- ⑭ - horizontal vinyl
- ⑮ - horizontal vinyl
- ⑯ - horizontal vinyl
- ⑰ - horizontal vinyl
- ⑱ - horizontal vinyl
- ⑲ - horizontal vinyl
- ⑳ - horizontal vinyl
- ㉑ - horizontal vinyl
- ㉒ - horizontal vinyl
- ㉓ - horizontal vinyl
- ㉔ - horizontal vinyl
- ㉕ - horizontal vinyl
- ㉖ - horizontal vinyl
- ㉗ - horizontal vinyl
- ㉘ - horizontal vinyl
- ㉙ - horizontal vinyl
- ㉚ - horizontal vinyl
- ㉛ - horizontal vinyl
- ㉜ - horizontal vinyl
- ㉝ - horizontal vinyl
- ㉞ - horizontal vinyl
- ㉟ - horizontal vinyl
- ㊱ - horizontal vinyl
- ㊲ - horizontal vinyl
- ㊳ - horizontal vinyl
- ㊴ - horizontal vinyl
- ㊵ - horizontal vinyl
- ㊶ - horizontal vinyl
- ㊷ - horizontal vinyl
- ㊸ - horizontal vinyl
- ㊹ - horizontal vinyl
- ㊺ - horizontal vinyl
- ㊻ - horizontal vinyl
- ㊼ - horizontal vinyl
- ㊽ - horizontal vinyl
- ㊾ - horizontal vinyl
- ㊿ - horizontal vinyl

NO.	DESCRIPTION	QTY.	UNIT	PRICE	TOTAL
1	WOOD SHINGLES				
2	WOOD SHINGLES				
3	WOOD SHINGLES				
4	WOOD SHINGLES				
5	WOOD SHINGLES				
6	WOOD SHINGLES				
7	WOOD SHINGLES				
8	WOOD SHINGLES				
9	WOOD SHINGLES				
10	WOOD SHINGLES				
11	WOOD SHINGLES				
12	WOOD SHINGLES				
13	WOOD SHINGLES				
14	WOOD SHINGLES				
15	WOOD SHINGLES				
16	WOOD SHINGLES				
17	WOOD SHINGLES				
18	WOOD SHINGLES				
19	WOOD SHINGLES				
20	WOOD SHINGLES				
21	WOOD SHINGLES				
22	WOOD SHINGLES				
23	WOOD SHINGLES				
24	WOOD SHINGLES				
25	WOOD SHINGLES				
26	WOOD SHINGLES				
27	WOOD SHINGLES				
28	WOOD SHINGLES				
29	WOOD SHINGLES				
30	WOOD SHINGLES				
31	WOOD SHINGLES				
32	WOOD SHINGLES				
33	WOOD SHINGLES				
34	WOOD SHINGLES				
35	WOOD SHINGLES				
36	WOOD SHINGLES				
37	WOOD SHINGLES				
38	WOOD SHINGLES				
39	WOOD SHINGLES				
40	WOOD SHINGLES				
41	WOOD SHINGLES				
42	WOOD SHINGLES				
43	WOOD SHINGLES				
44	WOOD SHINGLES				
45	WOOD SHINGLES				
46	WOOD SHINGLES				
47	WOOD SHINGLES				
48	WOOD SHINGLES				
49	WOOD SHINGLES				
50	WOOD SHINGLES				

RECEIVED BY: [Signature]
DATE: 06/22/14
CITY OF LONDON
2000 WATERLOO STREET, LONDON, ONTARIO N6A 3K9
TEL: 519-333-1111

FANSHAW RIDGE CONCORD SCHOOL

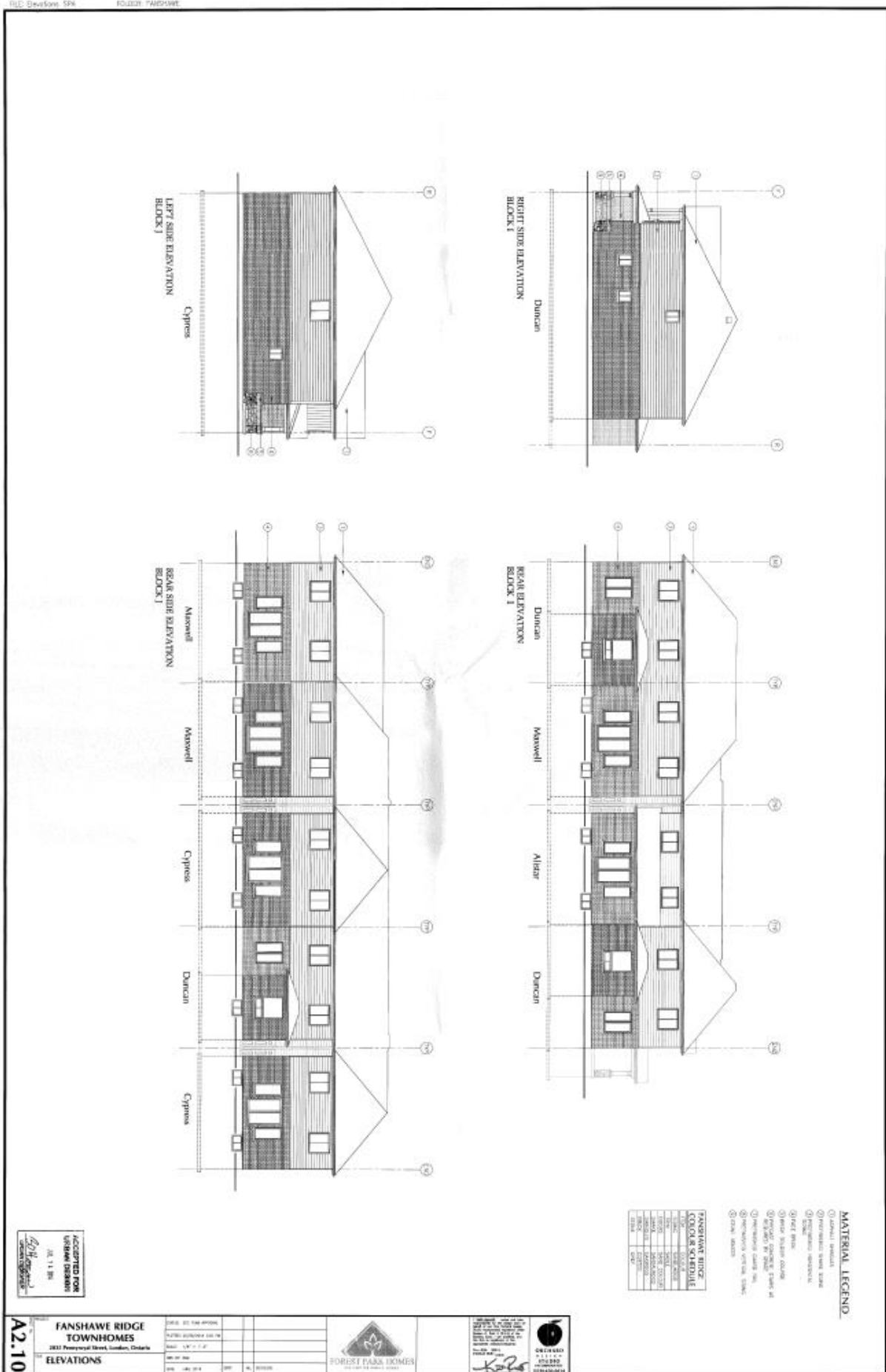
NO.	DESCRIPTION	QTY.	UNIT	PRICE	TOTAL
1	WOOD SHINGLES				
2	WOOD SHINGLES				
3	WOOD SHINGLES				
4	WOOD SHINGLES				
5	WOOD SHINGLES				
6	WOOD SHINGLES				
7	WOOD SHINGLES				
8	WOOD SHINGLES				
9	WOOD SHINGLES				
10	WOOD SHINGLES				
11	WOOD SHINGLES				
12	WOOD SHINGLES				
13	WOOD SHINGLES				
14	WOOD SHINGLES				
15	WOOD SHINGLES				
16	WOOD SHINGLES				
17	WOOD SHINGLES				
18	WOOD SHINGLES				
19	WOOD SHINGLES				
20	WOOD SHINGLES				
21	WOOD SHINGLES				
22	WOOD SHINGLES				
23	WOOD SHINGLES				
24	WOOD SHINGLES				
25	WOOD SHINGLES				
26	WOOD SHINGLES				
27	WOOD SHINGLES				
28	WOOD SHINGLES				
29	WOOD SHINGLES				
30	WOOD SHINGLES				
31	WOOD SHINGLES				
32	WOOD SHINGLES				
33	WOOD SHINGLES				
34	WOOD SHINGLES				
35	WOOD SHINGLES				
36	WOOD SHINGLES				
37	WOOD SHINGLES				
38	WOOD SHINGLES				
39	WOOD SHINGLES				
40	WOOD SHINGLES				
41	WOOD SHINGLES				
42	WOOD SHINGLES				
43	WOOD SHINGLES				
44	WOOD SHINGLES				
45	WOOD SHINGLES				
46	WOOD SHINGLES				
47	WOOD SHINGLES				
48	WOOD SHINGLES				
49	WOOD SHINGLES				
50	WOOD SHINGLES				

FANSHAW RIDGE TOWNHOMES
2000 WATERLOO STREET, LONDON, ONTARIO N6A 3K9
TEL: 519-333-1111

FOREST PARK HOMES
2000 WATERLOO STREET, LONDON, ONTARIO N6A 3K9
TEL: 519-333-1111

A2.5
ELEVATIONS
14-005320

Rear Elevation (typical)



Agenda Item #	Page #

File: 39CD-14513
Planner: S. Meksula

Is the proposed application appropriate?

a) Provincial Policy Statement (PPS)

This application has been reviewed for consistency with the 2014 Provincial Policy Statement. It is staff's position that the plan of condominium will provide for a healthy, livable and safe community. The proposed residential development will be on full municipal services. The site plan, development agreement and conditions will identify noise mitigation. The site will not negatively impact any natural heritage or man-made hazards, and is located close to amenities and public open space. Based on the review of the Provincial Policy Statement, approval of the proposed plan with appropriate conditions is consistent with the 2014 Provincial Policy Statement.

b) Official Plan Policies

The subject lands are designated Multi-Family, Medium Density Residential (MDR) which permits multiple-unit residential developments having a low-rise profile, with a maximum density of 75 units per hectare (uph). Areas designated Multi-Family, Medium Density Residential are intended to include multiple-attached dwellings, such as row houses or cluster houses. These areas may include single-detached, semi-detached and duplex dwellings. This type of development will fit in with the character of the area and there are no minimum density policies which are applicable to this site.

The Kilally North Area Plan is a guideline document to be used in the review of development applications and includes criteria on transportation, land use, and compatibility. The subject site will be serviced by the creation of a local driveway off of Pennyroyal Street as well as Blackwell Boulevard, and will not have direct vehicular access from the arterial road. Pedestrian linkages to the arterial road through the internal road network will meet the Community Plan's objective of strong pedestrian connectivity and will allow easy access to transit. Servicing has been provided to meet the design criteria set out in this subdivision. Storm water management will be incorporated into the development to control water quantity were approved through the site plan approval process and included in the development agreement.

Given the location of the site and the manner in which it is to be developed, the current application provides for the integration of this site and is consistent with the Official Plan and Kilally North Area Plan.

c) Zoning By-law

The property was zoned Residential R5/R6 (R5-3/R6-5), when the plan of subdivision was approved. The applicant is proposing to develop townhouses based on the existing R5-3/R6-5 Zoning. The current proposal of 42 units is less than 35 units per hectare. The existing zoning and proposed draft plan of condominium are in general conformity with the above policies, and are in conformity to the Official Plan.

d) Evaluation of the 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:

- This proposal is consistent with the objectives and policies of the Official Plan, and the Kilally North Area Plan.
- The site can be readily serviced by sewer and water.
- The proposed development is in close proximity to community parks, open space and walking trails. Waste collection will occur on site via the individual units.
- A noise study was provided as part of site plan approval application, and localized noise attenuation barriers will be constructed to protect the outdoor amenity area for units which flank Highbury Avenue North. Warning clauses will also be registered on title for the development.

Agenda Item #	Page #

File: 39CD-14513
Planner: S. Meksula

- The development is designed such that traffic will not access the arterial road directly, but rather be directed through the internal streets such as Blackwell Boulevard and Pennyroyal Street. The proposed plan is designed to be integrated with adjacent lands.
- From a Placemaking perspective, the proposed development is on a small parcel of land within a much larger area that includes excellent visibility to the Kilally (North) Community. The proposal is oriented to Highbury Avenue North which creates a sense of place by providing a visual focal point into the neighbourhood along the window street frontage and avoids the need for noise berms and extensive noise walls. It allows for multiple views into the neighbourhood. Overall, this development meets the intent of the Placemaking principles.
- The applicant is proposing to construct 42 new townhouse dwellings on vacant land condominium units (lots). The proposed townhouses satisfy the locational and compatibility criteria of the Official Plan as they abut arterial and secondary collector roads which serves as a transition into the existing low density residential neighbourhood. Based on the size of the proposed lots and building footprints it is anticipated that the design of these townhomes will not have a negative impact on the character of this neighbourhood.
- The subject land is 1.25 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for townhouse dwellings. The size of units and proposed buildings meet the community demand for housing type, tenure and affordability with the existing development in the area.
- The applicant must ensure that the proposed grading and drainage of this development does not adversely impact adjacent properties. All grading and drainage issues will be addressed by the applicants consulting engineer to the satisfaction of the City through the Site Plan Approval process.

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. The applicant will be required to meet conditions of draft plan approval within a specified time period, failing which, draft plan approval will lapse.

In order to ensure that this vacant land condominium development functions properly, the following issues among others will be addressed through conditions of draft approval:

- 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;
- 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, Union Gas, Bell, etc.);
- ensuring that any homes already constructed at the time of registration are located within the unit boundaries to be registered;
- 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, fencing, and any other structures in the common elements;
- appropriate fencing to mitigate any privacy issues;
- relocation of the existing municipal sidewalk;
- drainage and stormwater management; and
- noise attenuation.

CONCLUSION

Based on all of the above analysis, the proposed Vacant Land Condominium represents an efficient use of land and encourages compact urban form. The Provincial Policy Statement and the City's Official Plan encourage this form of redevelopment. The applicant's proposal for a townhouse development in this area is appropriate. Overall, this application represents good planning and is appropriate.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
SEAN MEKSULA PLANNER II, DEVELOPMENT SERVICES	BRUCE HENRY MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2014\39CD-14513 - 2031 Pennyroyal Street (SM)\PECreport_2031Pennyroyal Street.docx
CC. Kirkness Consulting Inc. (1647 Cedar creek Crescent, London ON N5X 1C8)
Forest Park (Riverbend) Limited (71 Schneller Drive, Baden ON N3A 2L5)

Agenda Item #	Page #

File: 39CD-14513
Planner: S. Meksula

Bibliography of Information and Materials

Request for Approval:

City of London Condominium Application Form, completed by Laverne Kirkness, August 11, 2014.

Draft Plan of Vacant Land Condominium, August 11, 2014.

Site Plan Approval Application, completed by Laverne Kirkness, February, 2014.

Elevations, Fanshawe Ridge Townhomes

Reference Documents:

City of London. Official Plan, June 19, 1989, as amended.

City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended.

Ontario. Ministry of Municipal Affairs and Housing. Provincial Policy Statement, April 30, 2014.

City of London, Site Plan Control Area By-Law, September 19, 2011, as amended.

City of London, Condominium Submission, Review and Approval Guidelines, March 2003.

Correspondence:

*all located in City of London File No. 39CD-14513 or SP14-005320 unless otherwise stated

Reports submitted with Application:

Noise Assessment Report, dBA Environmental Services Inc., May, 2014