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File: 39CD-15508  
 SP15-018076  
 Planner: Alanna Riley

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: 1822094 ONTARIO INC. 7186 ISAAC DRIVE PUBLIC PARTICIPATION MEETING ON FEBRUARY 22, 2016</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Vacant Land Plan of Condominium and Site Plan applications of 1822094 Ontario Inc. relating to a property located at 7186 Isaac Drive:

- a) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application of draft plan of vacant land condominium;
- b) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Ste Plan Approval; and,
- c) 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.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**OZ-6839**

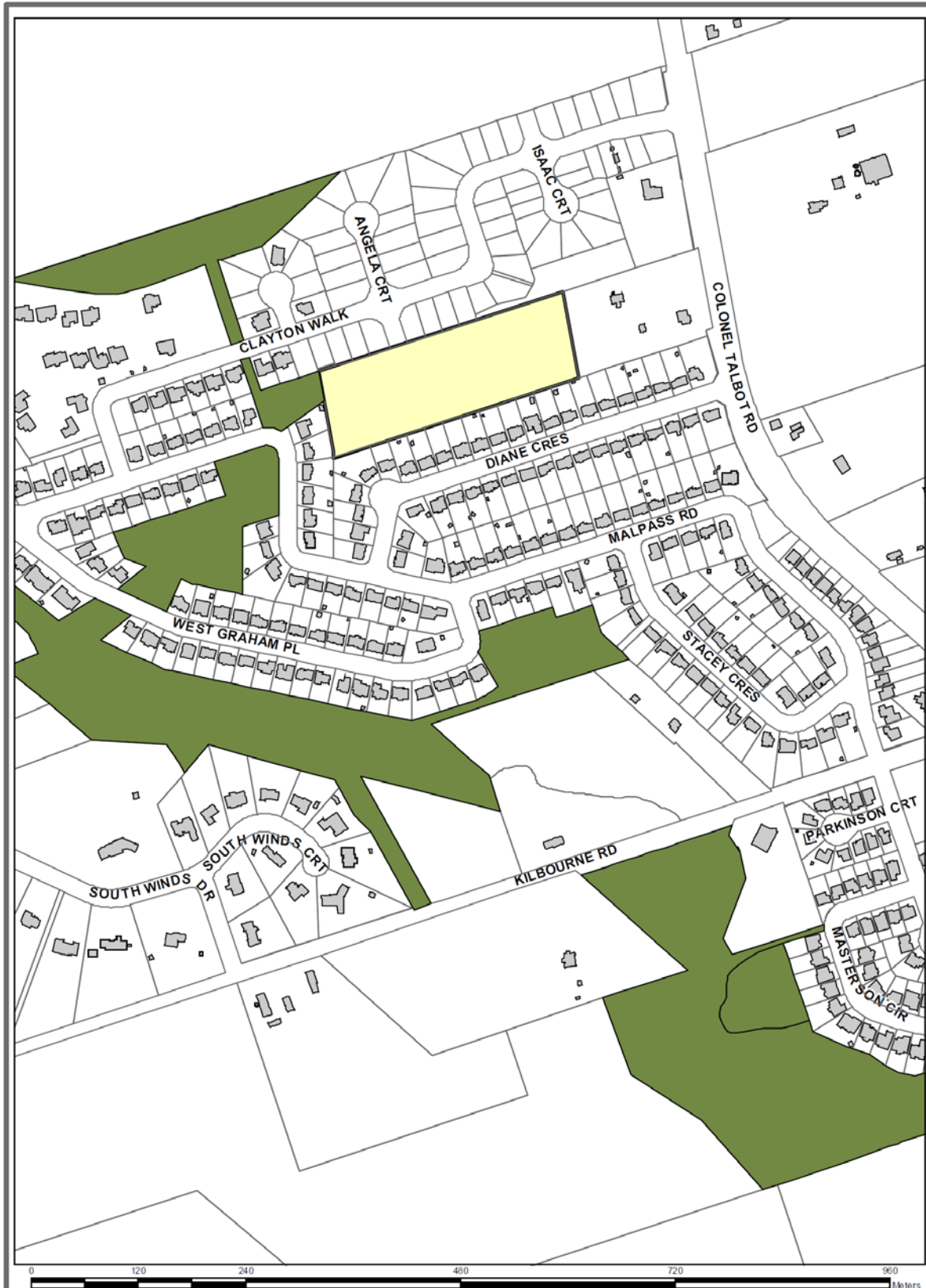
- Report to PEC on application to amend the Official Plan to Low Density Residential and Open Space and Zoning By-law to Holding Residential (h.h-5.R6-1.D10) - April 25, 2005

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this application is to approve a vacant land plan of condominium on 7186 Isaac Drive, consisting of 16 detached units, with the common element area to include a private roadway. A public meeting is required for Vacant Land Plan of Condominiums as per the Planning Act. A public meeting is also required to satisfy the "h-5" holding provision that applies to the zoning of this site.

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**LOCATION MAP**

Subject Site: 7186 Isaac Drive  
 Applicant: 1822094 Ontario Inc. c/o Barbara Rosser  
 File Number: 39CD-15508  
 Planner: Allister MacLean  
 Created By: M. Sundercock  
 Date: 2015-07-13

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



**LEGEND**

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

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<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> June 12, 2015	<b>Agent:</b> Barbara Rosser
<b>REQUESTED ACTION:</b> application for Vacant Land Condominium containing 16 detached dwelling units, it being noted the applicant has submitted a concurrent site plan application.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – vacant</li> <li>• <b>Frontage</b> – approx. 20 metres(65 ft)</li> <li>• <b>Depth</b> – approx.. 96 metres (315 ft)</li> <li>• <b>Area</b> – +/- 2.8ha</li> <li>• <b>Shape</b> - rectangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> – single detached residential</li> <li>• <b>South</b> – single detached residential,</li> <li>• <b>East</b> – single detached dwelling</li> <li>• <b>West</b> – single detached residential</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b>
<ul style="list-style-type: none"> <li>• Low Density Residential</li> </ul>
<b>EXISTING ZONING:</b>
<ul style="list-style-type: none"> <li>• Holding Residential h.h-5.R6-1.D10</li> </ul>

<b>PLANNING HISTORY</b>
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In 2005, a Zoning By-law amendment application was submitted to permit cluster housing units at this location. Council adopted the Zoning By-law amendment. There were no appeals to this decision and the approved zoning h.h-5.R6-1.D10 remains in effect.

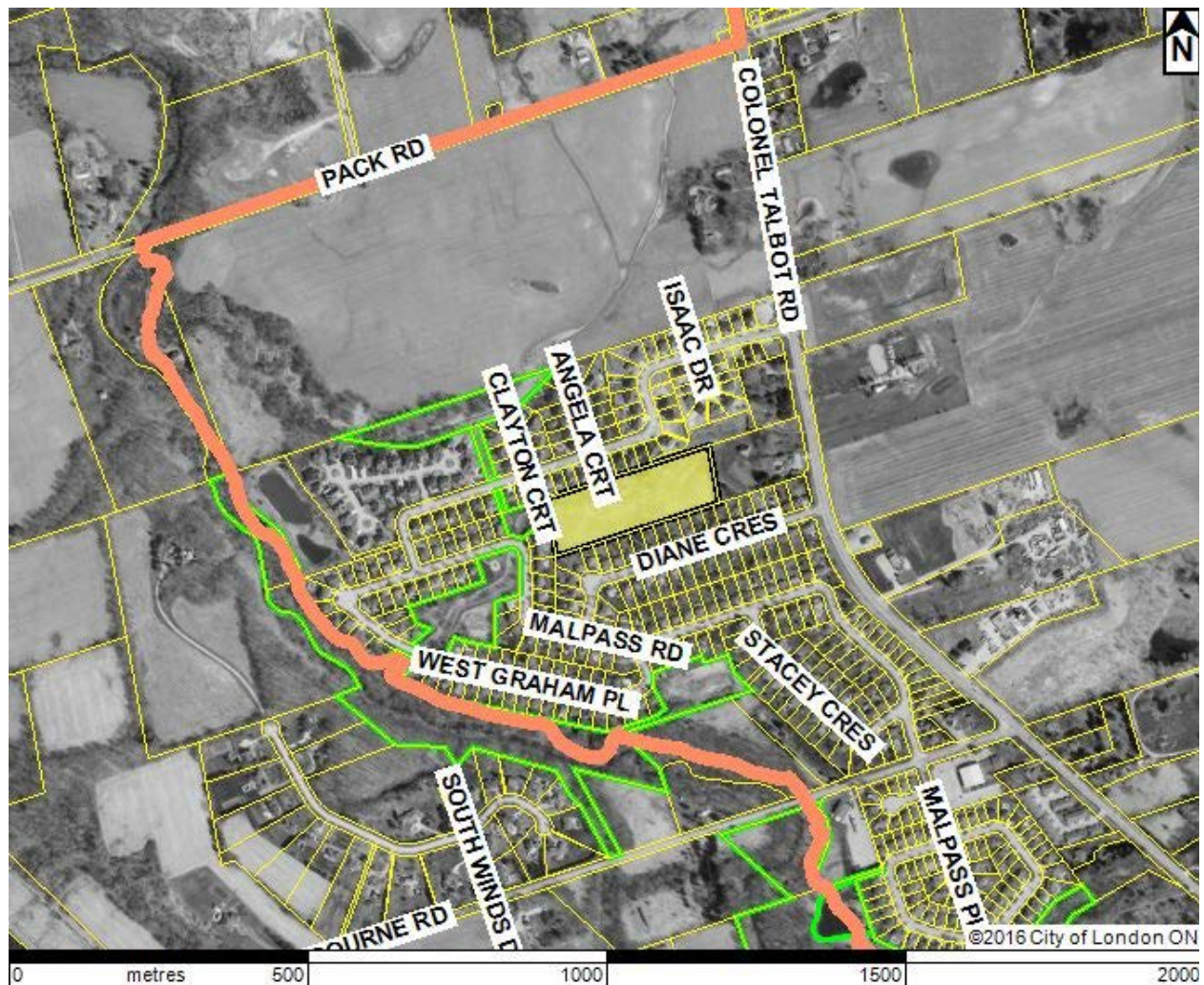
<b>PUBLIC LIAISON:</b>	On July 13, 2015 notices were sent to residents within 120 metres of the subject site. Notice was published in the Londoner	1 reply
<b>Nature of Liaison:</b> The purpose and effect of this application is to permit the development of 16 detached cluster housing units within a plan of condominium. Consideration of a Vacant Land Plan of Condominium with 16 units, all served by one (1) common element road. An application for Site Plan (SP15- 018076) was also been received for this site.		
<b>Responses:</b>		
One of the neighbours requested that appropriate fencing be provided along the eastern boundary of the site. The applicant has agreed to this request and the fence requirement will be added to the site plan.		

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**ANALYSIS**

**Subject site**

The subject property is located on the west side of Colonel Talbot Road, between Pack Road and Kilbourne Road. The 2.80 hectare site is rectangular in shape. Currently, the site is vacant surrounded by residential subdivisions to the north, west and south, and a single detached dwelling to the east.



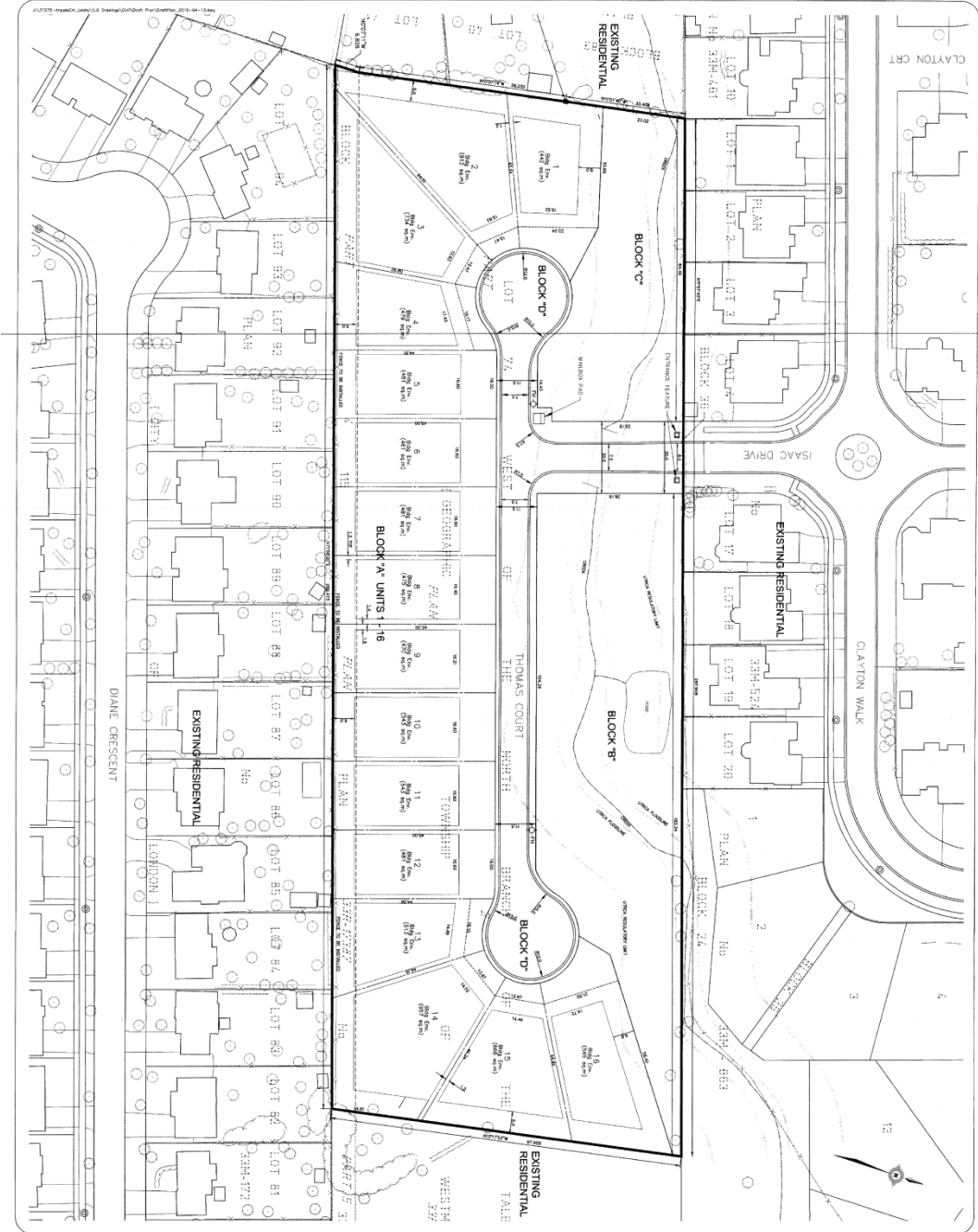
**What is the nature of the application?**

The application is for a vacant land condominium, and a concurrent site plan application to permit 16 detached cluster housing units. Common element components include a private roadway. Access to the development will be via Isaac Drive. The proposed plan is shown below.

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**Proposed Draft Plan of Condominium**



**KEY PLAN**

**DRAFT PLAN OF CONDOMINIUM**

Part of the  
 LOT 74 WEST OF THE NORTH  
 BRANCH OF THE TALBOT ROAD  
 (Geographic Township of Westminster)

As per Part of  
 PLAN 33M-172

CITY OF LONDON  
 COUNTY OF WESTMIDSEX

INFORMATION REQUIRED UNDER  
 SECTION 51(17) OF THE PLANNING  
 ACT

**SCHEDULE OF LAND USE (N.H.)**

Block A Residential (Units 1-16)  
 Block B Residential (Units 17-24)  
 Block C Residential (Units 25-32)  
 Block D Residential (Units 33-40)

**OWNER'S AUTHORIZATION**

I HEREBY AUTHORIZE THE CITY ENGINEER TO SUBMIT THIS DRAFT PLAN OF CONDOMINIUM TO THE CITY OF LONDON.

*[Signature]*  
 DATE: 11/2/2015

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE CONVEYED BY THIS DRAFT PLAN OF CONDOMINIUM HAVE BEEN CORRECTLY SURVEYED AND SHOWN.

*[Signature]*  
 DATE: 11/2/2015

**IBI GROUP**  
 181  
 1000 SHEPPARD AVENUE EAST  
 SUITE 100  
 SCARBOROUGH, ONTARIO M1B 3Y9  
 TEL: 416-291-1111  
 FAX: 416-291-1112

DATE: NOVEMBER 2015 DRAWN BY: J.S.C. CHECKED BY: M.P.  
 JOB NO. 27275 DRAWING NO. 1

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Provincial Policy Statement (PPS)

These applications have been reviewed for consistency with the 2014 Provincial Policy Statement. It is staff’s position that the proposed development will provide for a healthy, livable and safe community. The site will be developed on full municipal services. Development of the lands by way of a vacant land plan of condominium minimizes the amount of land needed for road purposes and promotes a compact form of development. Measures are being taken through the site plan process and through conditions of draft plan approval to ensure the proposal will not negatively impact surrounding properties. The Provincial Policy Statement provides a basis for discouraging the fragmentation of hazard lands. It states that development will be generally directed to areas outside of hazardous lands adjacent to river and stream systems which are impacted by flooding and/or erosion hazards. This development has considered this and proposed development will be located outside the flood plain area. Based on staff’s review, the proposed plan with appropriate conditions is consistent with the 2014 Provincial Policy Statement.

Official Plan Policies

A portion of the subject lands are designated Low Density Residential which permits single detached dwellings and semi-detached dwellings, with a maximum density of 30 units per hectare (uph). Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. A natural channel corridor that extends along the northern boundary of the subject lands is designated Open Space. While this channel is not identified as a “Significant Corridor” in the Official Plan, a portion of the channel is floodplain and subject to regulation by the UTRCA.

The subject site is located within the Urban Growth Boundary for the City of London. The subject site will be serviced by the creation of a local driveway off Isaac Drive and there is capacity to accommodate the traffic generated by the development of 16 units. The recommended dwellings in a cluster form, are similar to the land uses to the east and consistent with the single detached dwellings to the north, west and south providing a development that will fit in with the character of the area. The designated Open Space area will be dedicated to the City.

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.

- This proposal is consistent with the objectives and policies of the Official Plan, Low Density Residential Designation.
- The site can be readily serviced by sewer and water.
- The proposed development is in close proximity to community parks, open space and trails.
- There is a holding provision in place to ensure a development agreement is in place.
- Sanitary Capacity has been reviewed and the Sanitary Division is satisfied there is capacity in the Southwinds Pumping Station.
- From a Placemaking perspective, the small size of the condominium allows for easy access for the homeowners of the development to the City’s multi-use pathway system, to future transit on the arterials, and the surrounding neighbourhoods and community uses. Overall, this development meets the intent of the Placemaking principles.
- The applicant is proposing to construct 16 new cluster detached dwellings on vacant land condominium units (lots) which range in size from 1800 to 2000 square feet. This development is proposed in a single detached residential neighbourhood. The existing

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homes in the area and immediately surrounding this development are of a comparable size to the proposed units. Based on the size of the proposed lots and building footprints, it is anticipated that the design of these homes will not have a negative impact on the character of this neighbourhood.

- The subject land is 2.80 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for cluster detached dwellings. As mentioned previously, the size of units and proposed buildings is comparable with existing development in the area.

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 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;
- an easement granted to the City for continuous pedestrian access across the driveway entrance;
- agreement with the City to maintain the public portion of the entrance (from the roundabout to the south limit of the road allowance of Isaac Dr);
- 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 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; and
- drainage and stormwater management.

The site plan and final development agreement will ensure landscaping, grading, servicing and stormwater management issues are appropriately addressed.

#### Evaluation of the Site Plan Application

The proposal is for a 16 unit cluster housing development at 7186 Isaac Drive. A single access will be from Isaac Drive at the western end of site. Early on in the development of this area, it was anticipated that Isaac Drive would be extended as a public street through these lands. At the time this parcel was rezoned for cluster housing, the extension of Isaac Street was no longer required. As a result, the applicant will be gaining access to these lands from Isaac Drive (a municipal street) however the condominium corporation will be required to enter into an agreement with the municipality to maintain Isaac Drive from the roundabout to the entrance of their development.

The open channel which abuts the northern limit of this parcel is to be dedicated to the City and will provide for pedestrian connectivity east and west of the site. The owner will be required to grant an easement to the City across the driveway access to provide for this pedestrian connection. These items will be addressed through the development agreement and/or condominium declaration and description.

Tree protection fencing and erosion and sediment control measures (as shown on the Vegetation Management Plan and Grading Plan) will be required prior to the issuance of any

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building permit to protect downstream drainage systems and any trees within 3m of the property lines.

Sanitary Servicing is available from Isaac Drive. Storm water will be directed to an oil grit separator to address storm water quality prior to discharge into the existing tributary. This will require an ECA from the Ministry of the Environment and Climate Change (MOECC) for which the certificate must be in place prior to the issuance of site plan approval.

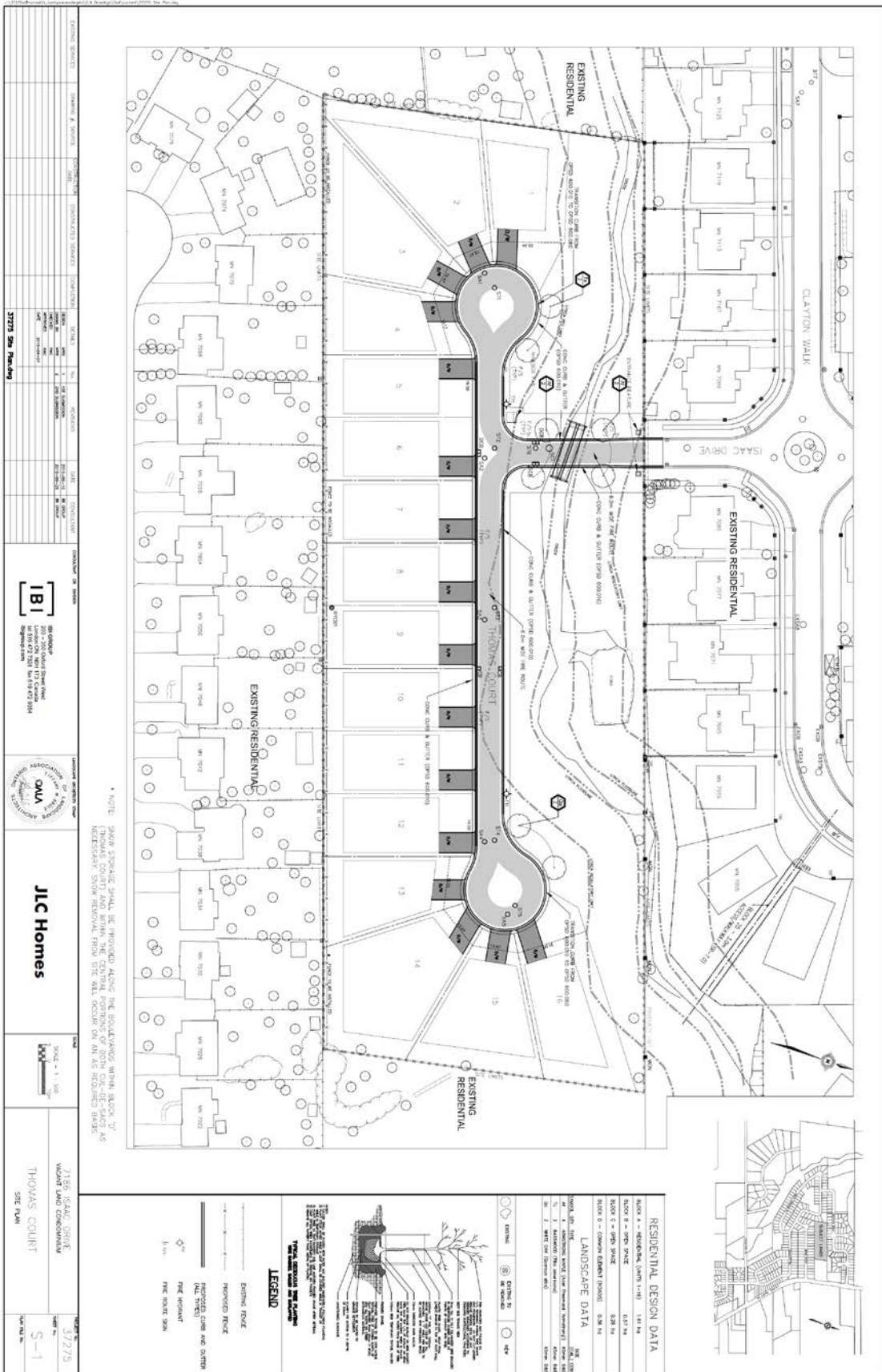
With respect to water services, if it is determined by the MOECC that the private water services for the site constitute a regulated drinking water system, then the Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O. Reg. 170/03. This will be included as a condition of draft approval for the condominium.

### Outstanding Issues

The UTRCA has advised that the applicant must provide modeling for the flood plain so that the UTRCA can establish the development limit and Section 28 permit requirements. The applicant is currently working to provide this information. Site Plan Approval will not be granted until this information has been reviewed and accepted by the UTRCA. Any changes required as a result of this new information will be addressed through a revised Site Plan submission and corresponding redline amendment to the Condominium Plan.

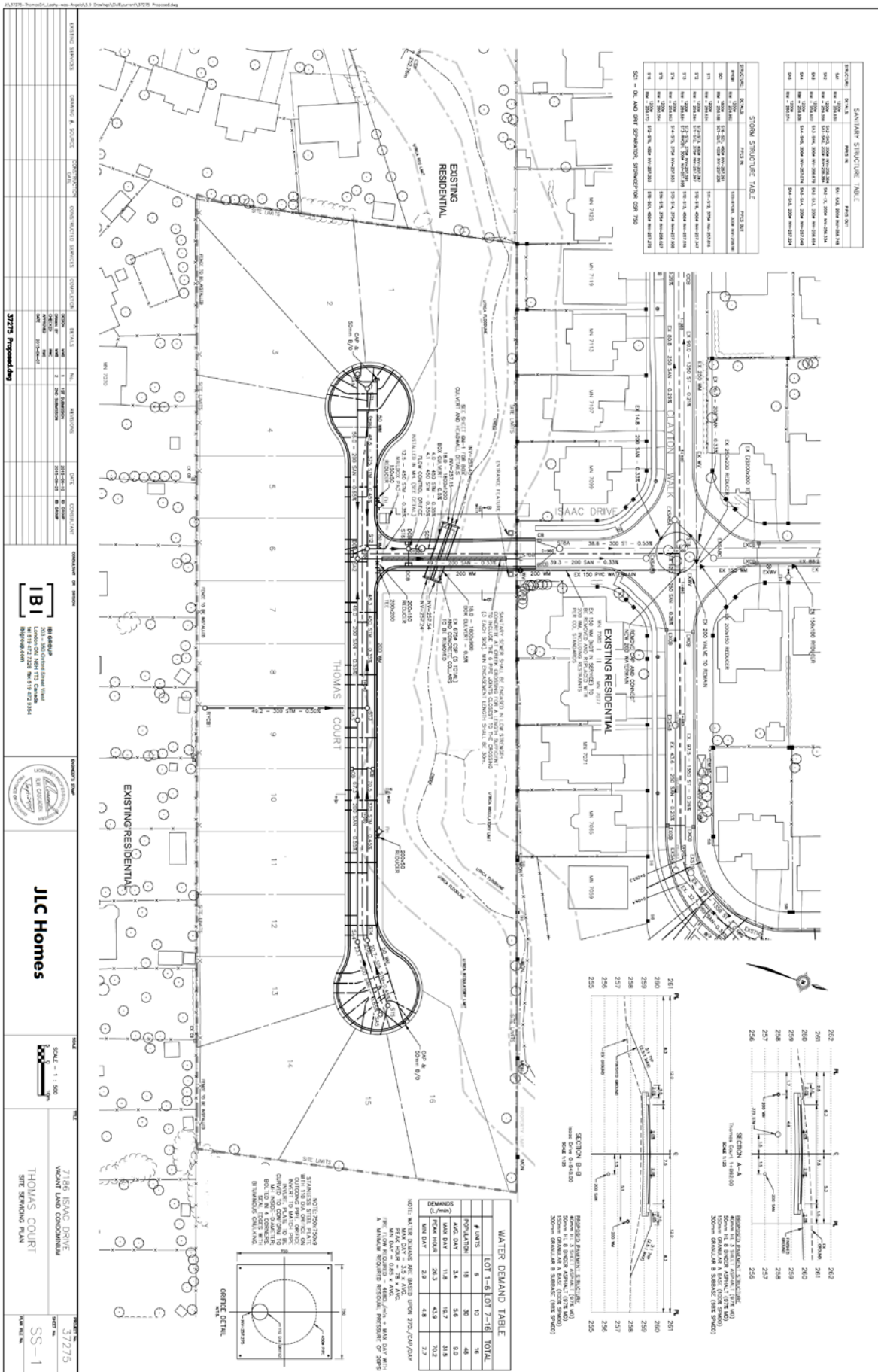


Site Plan



Servicing Plan

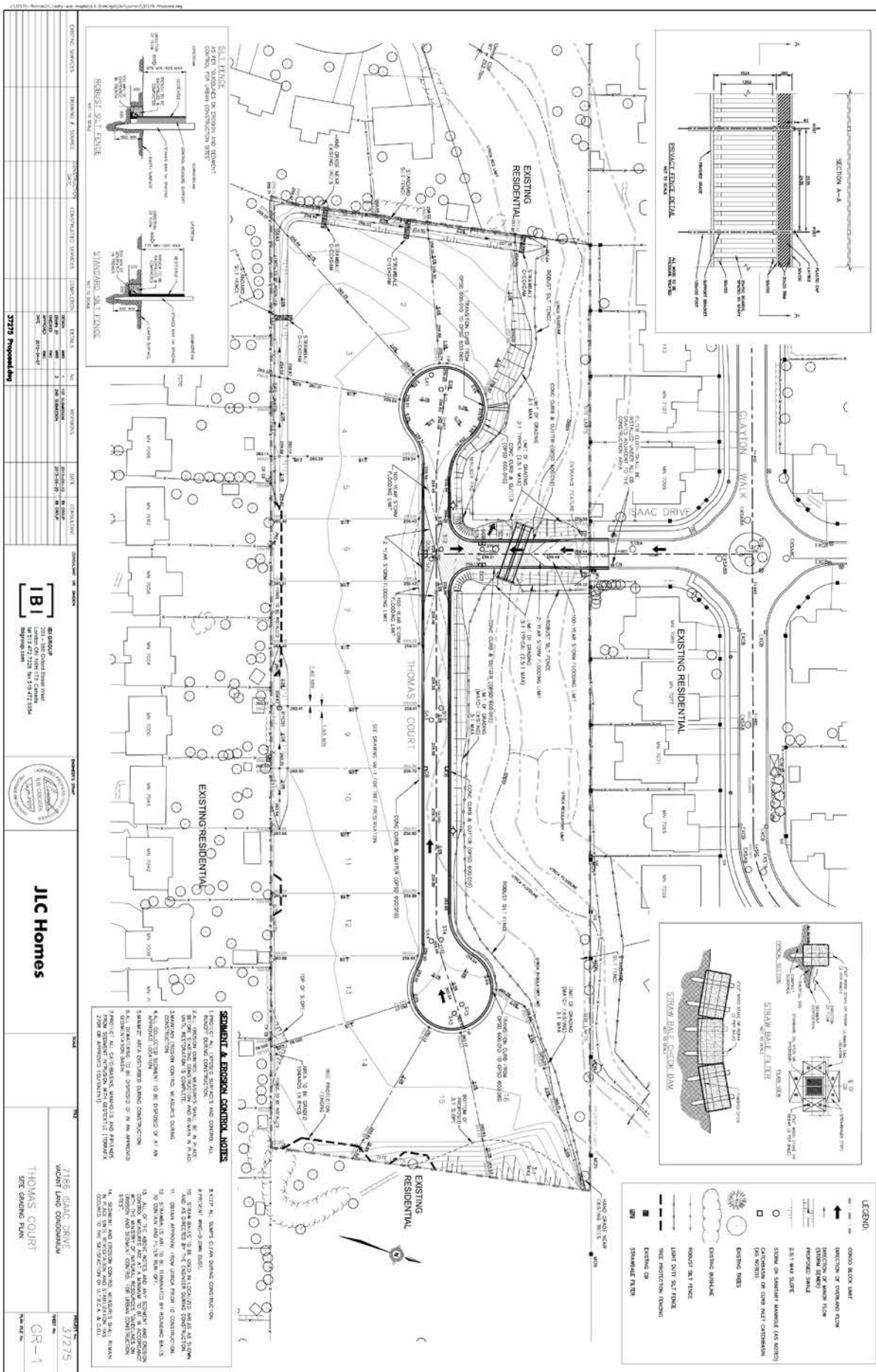
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### Grading Plan





Zoning By-law

The existing zoning allows for a density of 16 units on the site. The proposed units(lots) are of sufficient size to accommodate dwellings of similar size to those found in the area. There is an existing holding provision “h-5” on this property for a public site plan meeting.

Based on the above analysis, the current proposal will conform with the City’s Site Plan Control By-law and Z-1 Zoning By-law.

<b>CONCLUSION</b>
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Based on the above analysis, the proposed Vacant Land Condominium and Site Plan 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 development. The applicant’s proposal to allow for cluster detached dwellings in this area is appropriate and allows for a development which is of comparable scale and intensity as existing dwellings in this area. Overall, this application represents good planning.

<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>ALANNA RILEY, MCIP, RPP</b> <b>SENIOR PLANNER</b> <b>DEVELOPMENT SERVICES</b>	<b>ALLISTER MACLEAN</b> <b>MANAGER OF DEVELOPMENT</b> <b>PLANNING</b> <b>DEVELOPMENT SERVICES</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY, MCIP, RPP</b> <b>MANAGER, DEVELOPMENT PLANNING &amp;</b> <b>PLANNING LIAISON</b>	<b>GEORGE KOTSIFAS, P.ENG.</b> <b>MANAGING DIRECTOR, DEVELOPMENT</b> <b>&amp; COMPLIANCE SERVICES</b> <b>AND CHIEF BUILDING OFFICIAL</b>

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**Responses to Public Liaison Letter and Publication in “Living in the City”**

**Telephone**

**Written**

Ian Campbell

Requesting a fence along the eastern property limit.

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**Bibliography of Information and Materials**

Request for Approval:

City of London Condominium Application Form, completed by Barbara Rosser, June 10, 2015.  
 Draft Plan of Vacant Land Condominium, June 11, 2015.  
 City of London Site Plan Application Form, completed by Barbara Rosser.

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, March 1, 2005.  
 City of London, Site Plan Control Area By-Law, September 19, 23011, as amended.  
 City of London, Condominium Submission, Review and Approval Guidelines, March 2003.

Correspondence:

\*all located in City of London File No. 39CD-15508 or SP15-018076 unless otherwise stated