

<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: KIRKNESS CONSULTING INC. 1179 AND 1185 RIVERSIDE DRIVE PUBLIC PARTICIPATION MEETING ON JUNE 20 @ 6:00 PM</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 Rezoning applications of Kirkness Consulting Inc. relating to a properties located at 1179 and 1185 Riverside Drive:

- a) The attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 23, 2016 to amend Zoning By-law No. Z-1 in conformity with the Official Plan to change the zoning of the subject lands **FROM** a Residential R1/Residential R6 (R1-4/R6-5.D20.H7) Zone **TO** a Residential R1/Residential R6 Special Provision (R1-4/R6-5(.D23.H7)) Zone to permit a single detached cluster housing development with increased density to 23 units per hectare and a reduced front yard setback of 1.5 metres for Unit 14 (the southwest unit) and 2.5 metres for Unit 1(the southeast unit) in place of the minimum requirement of 8 metres;
- b) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Vacant Land Condominium application and Site Plan concept;
- c) Council **SUPPORTS** the Approval Authority's issuing draft approval of the vacant land condominium for 14 cluster single detached residential units at 1179 and 1185 Riverside Drive;
- d) that the following objectives **BE CONSIDERED** by the Site Plan Approval Authority at the time of review of the site plan application:
  - i) Elevations of buildings and any attached structures (noise walls) need to provide a varied and interesting streetscape and long expanses of blank walls need to be minimized.
  - ii) Necessary noise walls need to be integrated into the design of the buildings and constructed of same, or complementary, materials. Height should be limited as much as possible, and landscape screening is to be provided in front. Consider incorporating segments of rod-style fencing or gaps in the masonry wall to break up its length, beyond the distance that is required for noise attenuation.
  - iii) The rear elevations of houses backing onto the walkway block need to incorporate a high level of architectural interest and articulation to appear attractive as seen from the public space.

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- iv) Private amenity areas adjacent to the walkway block should be designed as courtyards that permit visibility into the public walkway. Fencing along this property line to be limited in height to a maximum 1.2m and masonry walls be limited to a maximum height of 0.75m in order to provide passive surveillance. Fencing along the walkway block to the west should be visually permeable ornamental fencing and should be enhance with plant materials on private property but maintain sight lines and natural surveillance.
- v) Any masonry landscape walls (including the one at the end of the drive aisle) should be no more than 0.75m in height including caps and exposed footings.
- vi) The gates into many of the private amenity spaces requires access through portions of the properties (between houses). This may become a concern in the future if residents put up different fences or landscaping in their side yards.
- vii) The central tree looks like it will be highly impacted by the new driveway on either side and the guest parking spaces do not appear functional.
- viii) Provide details for all external lighting and adequately screen from abutting properties.
- ix) Privacy fencing will be required along the north and east property lines in addition to plant materials.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

None

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of this application is to consider a change to the zoning of the lands to support the development of a draft plan of vacant land condominium for 1179 and 1185 Riverside Drive. The plan consists of 14 residential units on a private road, with access from Riverside Drive.

**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 is compatible with adjacent surrounding land uses.
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.

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**File: 39CD-16503/Z-8594  
Planner: Alanna Riley**

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> February 16, 2016, Revised May 12, 2016	<b>Agent:</b> Kirkness Consulting Inc.
<p><b>REQUESTED ACTION:</b> The applicant is requesting approval of a draft plan of vacant land condominium on the subject lands. The applicant proposes to register a residential plan of vacant land condominium, creating 14 residential units, and a common element for the driveway and related services. A zoning by-law amendment is also required to permit the requested use.</p>	

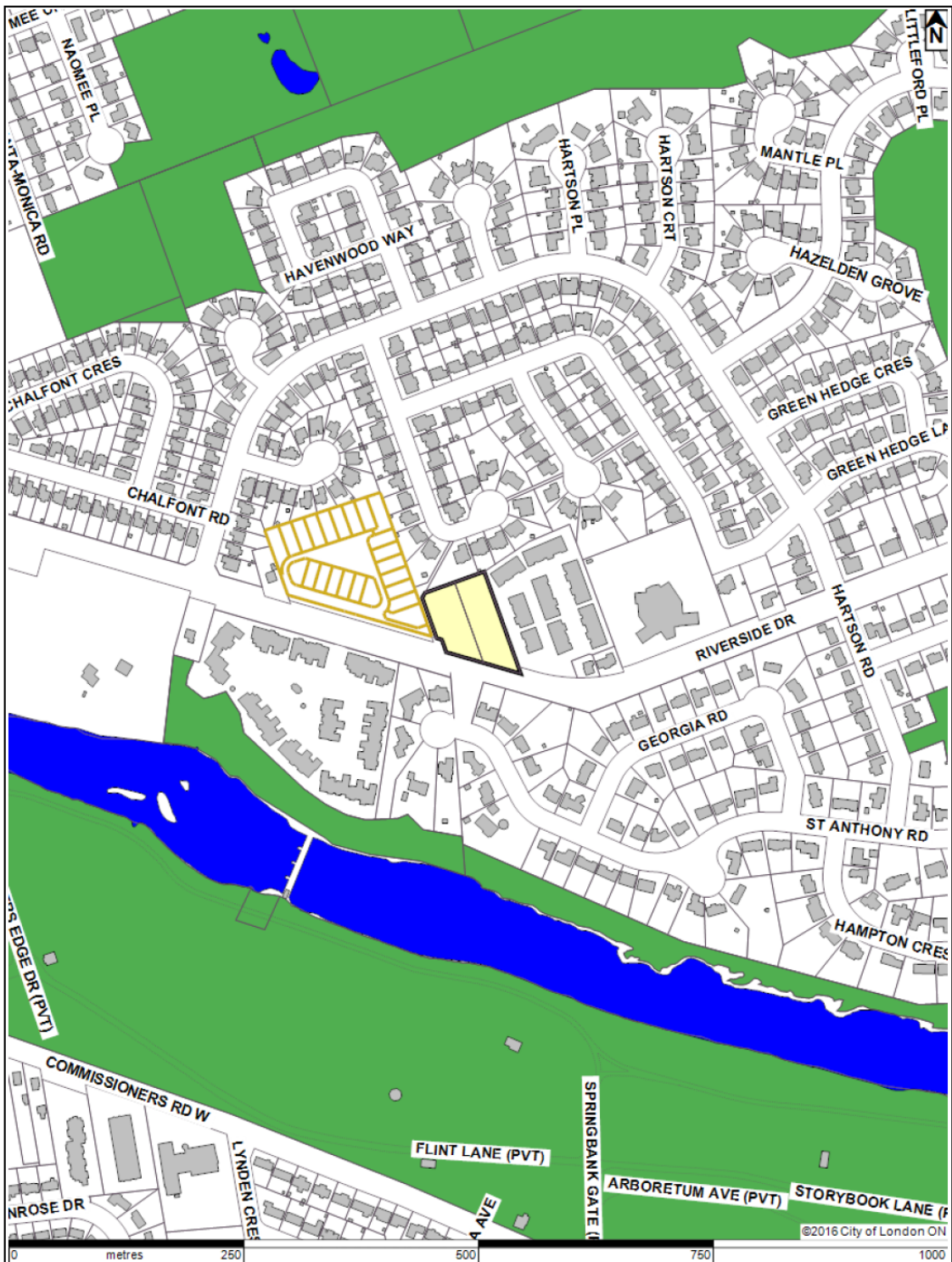
<p><b>SITE CHARACTERISTICS:</b></p> <ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – vacant</li> <li>• <b>Frontage</b> – +/- 85 m</li> <li>• <b>Depth</b> – irregular</li> <li>• <b>Area</b> – +/- 0.63 ha</li> <li>• <b>Shape</b> - irregular</li> </ul>
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<p><b>SURROUNDING LAND USES:</b></p> <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> – multifamily residential</li> <li>• <b>West</b> – multifamily residential</li> </ul>
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<p><b>OFFICIAL PLAN DESIGNATION:</b> (refer to map on page 5)</p> <ul style="list-style-type: none"> <li>• Low Density Residential</li> </ul>
<p><b>EXISTING ZONING:</b> (refer to map on page 6)</p> <ul style="list-style-type: none"> <li>• Residential R1/Residential R6 (R1-4/R6-5.D20.H7) Zone</li> </ul>

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Location Map



**LOCATION MAP**

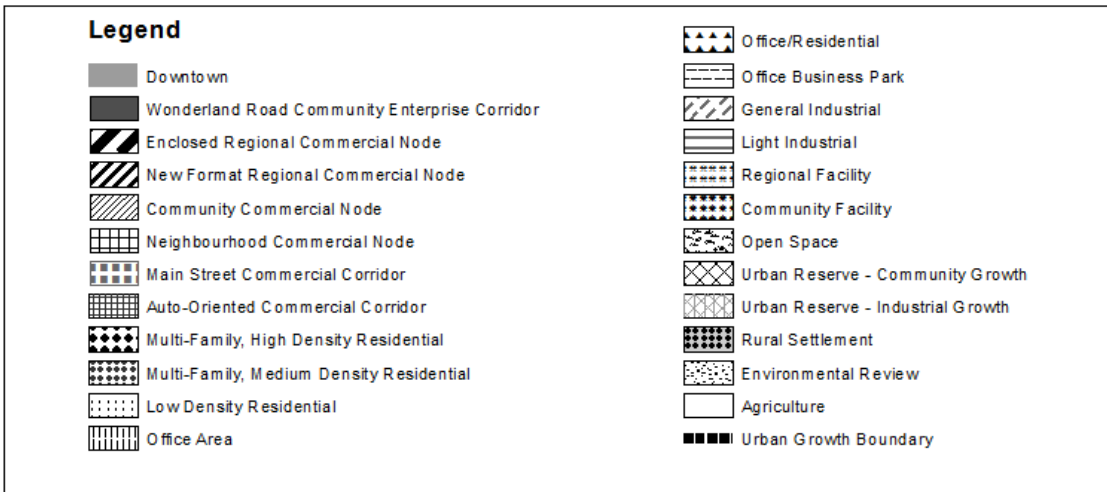
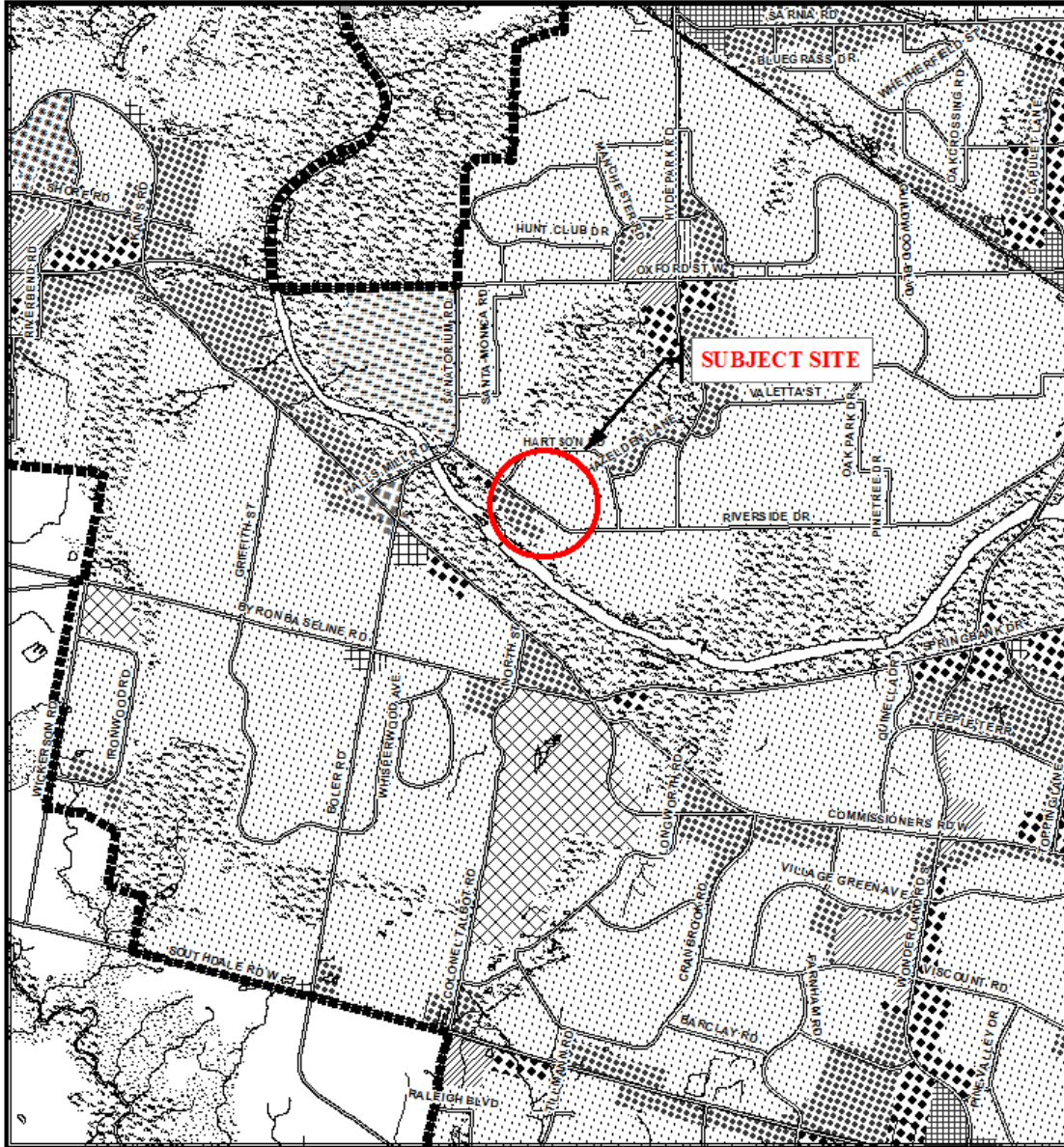
Subject Site: 1179 Riverside Dr  
 Applicant: Urban Signature Homes  
 File Number: 39CD-16503  
 Planner: Alanna Riley  
 Created By: Allister MacLean  
 Date: 2016-06-07  
 Scale: 1:5000

**LEGEND**

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

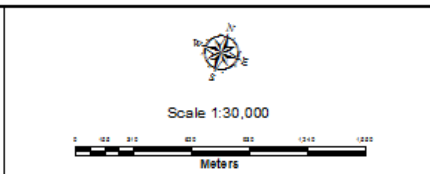


Corporation of the City of London  
 Prepared By: Development and Compliance Services

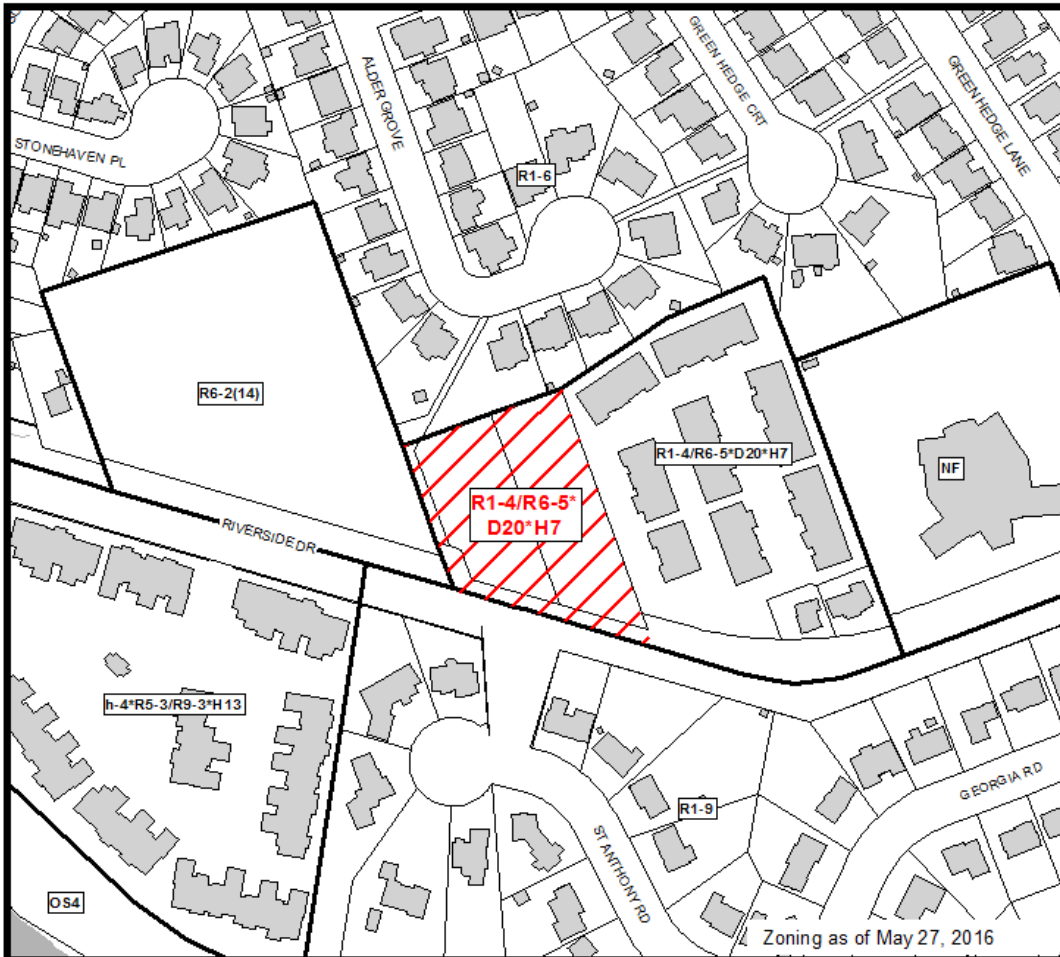


**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: 30CD-16503/Z-8594  
PLANNER: AR  
TECHNICIAN: JS  
DATE: 2016/09/08



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-4/R6-5\*D20\*H7**

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

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| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
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<p><b>CITY OF LONDON</b>  PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p><b>ZONING BY-LAW NO. Z-1</b>  <b>SCHEDULE A</b></p>	<p>FILE NO:  39CD-16503/Z-8594 AR</p> <hr/> <p>MAP PREPARED:  2016/06/08                      JS</p> <hr/> <p style="text-align: center;">1:2,500</p> <p style="text-align: center;">0 12.525 50 75 100 Meters</p>
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THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

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<b>SIGNIFICANT INTERNAL/AGENCY COMMENTS</b>
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**Union Gas**

As a condition of final approval that the owner/developer provide the necessary easements and/or agreements required for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

**Upper Thames River Conservation Authority (UTRCA)**

No comments

**Hydro One**

No comments or concerns.

**London Hydro**

London Hydro has adequate aerial distribution in place along Riverside Dr. for this development. The internal servicing of this development should present no foreseeable problems. The applicant will be responsible for the cost associated with the underground system expansion within the development but may receive rebates from London Hydro based on connected load over a five year connection window. Transformation lead times are minimum 16 weeks. London Hydro recommends you contact their engineering department to confirm transformer requirements and availability. The applicant will be responsible for the cost associated with the relocation of any existing infrastructure as a result of this development. London Hydro will require a blanket easement over the entire property.

**Canada Post**

The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post :

- a) include on all offers of purchase and sale, a statement that advises the prospective purchaser :

that the home/business mail delivery will be from a designated Centralized Mail Box.

that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

- b) the owner further agrees to :

work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which maybe utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

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install a concrete pad in accordance with the requirements of and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes

identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in affect for buildings and complexes with a common lobby, common indoor or sheltered space.

**Bell**

A detailed review of the Draft Plan of Condominium has been completed. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

The following paragraph is to be included as a Conditions of Draft Plan of Condominium Approval:

1. The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements

**Engineering Review**

The Draft Plan of Condominium is to be in compliance with all the obligations for current and future works and associated requirements set out in the future Site Plan design, and future Development Agreement. Once the servicing design and development agreement conditions are finalized, additional comments on the condominium application will be provided.



<b>PUBLIC LIAISON:</b>	On March 10, 2016 notices were sent to residents within 120 metres of the subject site. A notice of revised application was sent on May 18, 2016. Notice was published in the Londoner May 12, 2016.	11 Replies
<b>Nature of Liaison:</b>		
<p>The purpose and effect of these applications are to receive feedback and direction from Council and the public on the proposed draft plan of vacant land condominium, concept site plan and zoning amendment for 1179 and 1185 Riverside Drive. The revised plan consists of 14 residential units (previously 17 units) on a private road, with access from Riverside Drive.</p> <p>Consideration of a request to approve a vacant land plan of condominium consisting of 14 single detached units (previously 17 townhouse units), and common elements for the internal private drive.</p> <p>Vacant land condominiums include units and common elements. The "unit" is a parcel of land on which a building or structure will be constructed. When a vacant land condominium is registered, each unit may be sold to a future homeowner either before or after the home is constructed on the unit. Planning and Environment Committee will be considering the implications of dividing the land into units and common elements as shown on the attached draft plan.</p> <p>Possible Amendment to Zoning By-law Z.-1 to change the zoning from a (Residential R1 (R1-4)/Residential R6 (R6-5. D20.H7)) Zone to a (Residential R1 (R1-4)/Residential R6 Special Provision (R6-5( ).D23.H7) to increase the density to 23 units per hectare (previously 27 units) and to reduce the front yard setback (previously rear yard, front yard and side yards).</p> <p>Site Plan approval is required for the form of development currently under review for approval. Planning and Environment Committee will consider the site plan at this meeting.</p>		
<b>Responses:</b>		
<p>All of the telephone and written responses were from surrounding neighbours who raised the following concerns:</p> <ol style="list-style-type: none"> <li>1. Density, Compatibility</li> <li>2. Height</li> <li>3. Trees</li> <li>4. Privacy/Fencing</li> <li>5. Property Values</li> <li>6. Housing Type</li> <li>7. Setbacks</li> <li>8. Snow Removal</li> <li>9. Visitor Parking</li> </ol> <p>These are addressed further in this report. It should be noted the developer revised the application from 17 cluster townhouse units to 14 cluster single detached dwelling units on a private road, with access from Riverside Drive. Also, It should be noted that the developer held a community meeting with the neighbourhood on May 11, 2016 to receive input from the public. A number of the concerns from the neighbourhood have been alleviated and will be addressed through the site plan approval process.</p>		

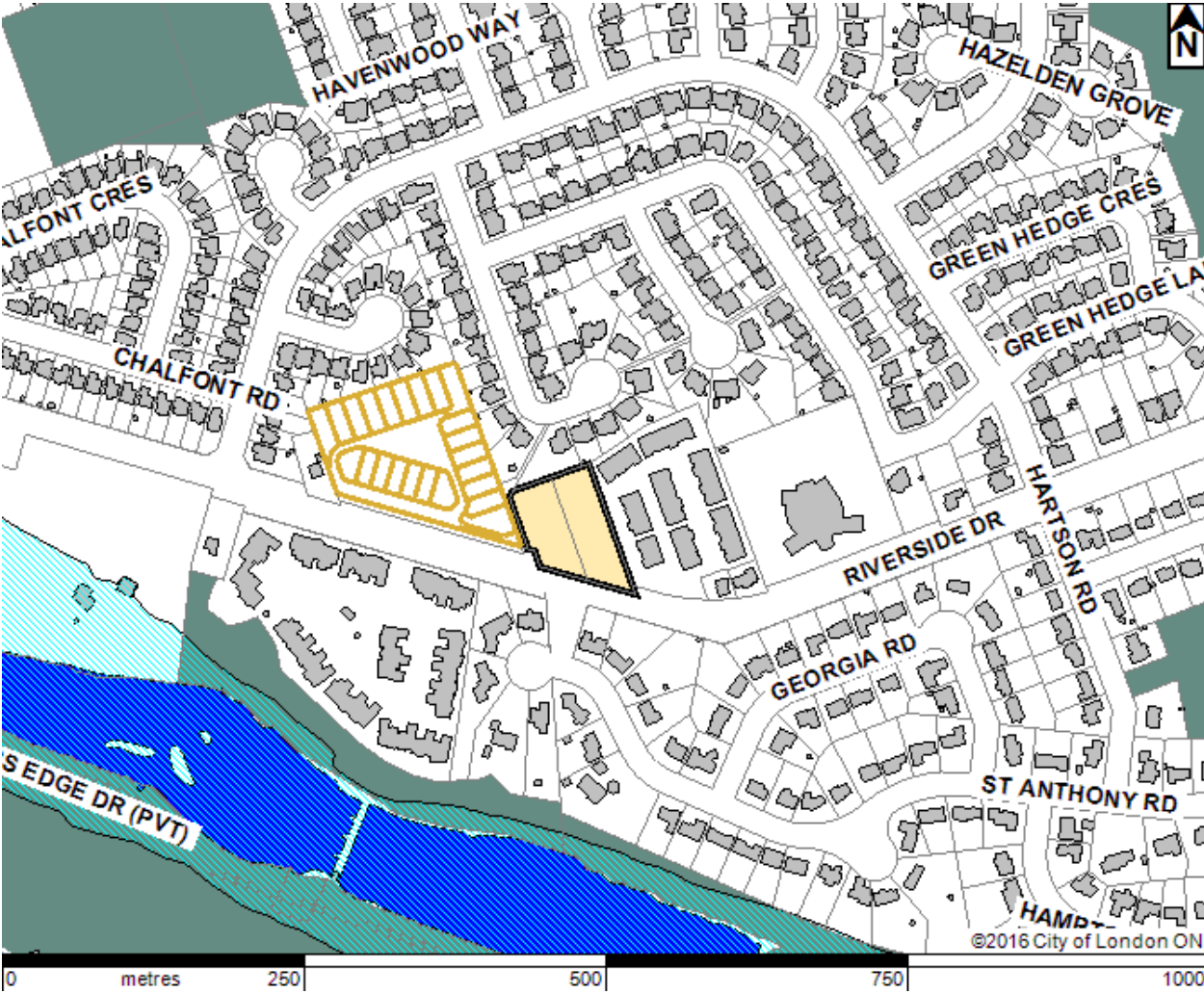
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**ANALYSIS**

The following report provides an analysis of the effect of this requested Zoning By-law amendment and the proposed vacant land condominium. The Site Plan Approval process will address issues related to the physical form of development, such as the internal driveway layout, unit configuration/orientation, servicing, noise impacts from Riverside Drive, and other development considerations/constraints.

**SUBJECT SITE**

The subject sites are located on the north side of Riverside Drive, west of Hartson Road. The 0.63 hectare sites are irregular in shape with an 85 metre frontage along Riverside Drive, which is classified as an arterial road. The sites previously contained two single detached dwellings. Surrounding uses consist of single detached dwellings to the north and south, and cluster dwellings to the east and west.



**NATURE OF APPLICATION**

The applicant, Kirkness Consulting on behalf of Hampton Group, has made an application for a vacant land condominium and amendment to the Zoning By-law to permit 14 single detached cluster housing units. Common element components include a private roadway. Access to the development will be via Riverside Drive. The proposed (revised) site plan concept is shown below.



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**ARE THE PROPOSED APPLICATIONS APPROPRIATE?**

***a) Provincial Policy Statement (PPS)***

These applications have been reviewed for consistency with the 2014 Provincial Policy Statement. It is staff's position that the plan of condominium and concurrent zoning will provide for a healthy, livable and safe community. The proposed residential development will provide housing 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. Through the future site plan review process, noise mitigation measures will be identified and the Site Plan/Development Agreement will ensure their installation and long-term maintenance. Measures will be taken through the site plan servicing drawings and the conditions of draft plan approval to ensure the proposal will not negatively impact surrounding properties. Based on staff review the proposed plan with appropriate conditions would be consistent with the 2014 Provincial Policy Statement.

***b) Official Plan Policies***

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. The density of the proposed development is 23 units per hectare which complies with the density criteria outlined in the Official Plan.

The Low Density designation also permits infill development on vacant or underutilized sites. Infill development is considered to be residential intensification under the policies of the City's Official Plan. Therefore site plan matters, including those matters set out in the intensification policies of the Official Plan, were considered as part of the review of this application.

Residential Intensification may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the following policies and the Planning Impact Analysis policies under Section 3.7.

A Planning Impact Analysis is used to evaluate applications for an Official Plan amendment and/or Zone change, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses.

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of the following relevant criteria:

- compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.
- the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;
- the supply of vacant land in the area which is already designated and/or zoned for the proposed use; and
- the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the

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proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;

- the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;
- the potential impact of the development on surrounding natural features and heritage resources;
- constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;
- compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and
- measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.

#### Compatibility

The applicant has indicated the development was designed specifically for the subject site to be in keeping with the scale and density of surrounding development along Riverside Drive. The residential lands to the west have been developed as a vacant land condominium with single detached units and to the east as a condominium with townhouse units.

The housing form and scale will be compatible with other housing in the surrounding area, and within the Official Plan criteria for the Low Density Residential designation.

#### Ability of Site to Accommodate Development

The subject land is 0.637 hectares in size. The draft plan of vacant land condominium illustrates how these lands are to develop for single detached dwellings and was specifically designed considering size, dimensions and existing municipal infrastructure. The site is of sufficient size to allow for the development of 14 single detached units with on-site parking and amenity area, and is an efficient use of land and resources.

#### Vacant Land in the Area

This is the last parcel within this neighbourhood and there are no other available lands in the area appropriately zoned for this type of residential development.

#### Building Size and Siting

The proposed development will include 14 single detached dwellings in a cluster housing form. Area residents raised concerns regarding the potential loss of privacy as a result of the original reduced setbacks requested for this development. As a result, the plan was revised to increase the setback to the property immediately to the north from 3 metres to 4 metres with no windows, which will provide for additional separation from these house to the north and which is in keeping with the current zoning regulations. The developer has also agreed to fencing and enhanced landscaping as outlined in the recommendation to alleviate privacy concerns. This will be identified on the landscape plan and required through site plan approval.

The size of structures within this development will be regulated by the R6-5 Special Provision zone regulations. The applicant has indicated that the dwellings in this development are to be 2 storeys in height with an average floor area of approximately 185 m<sup>2</sup> which is similar to the dwellings on the east and west sides. The applicant has requested special provisions to the zoning to allow for a reduced setback from Riverside Drive of 1.5 m for the dwelling at the westerly limit and 2.5 m for the dwelling at the easterly limit to create a visually strong street edge. This development will visually enhance the

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existing streetscape along Riverside Drive and contribute to the residential vitality of the neighbourhood.

The requested special provisions to the zoning are considered to be appropriate and represent sound land use planning.

Natural Features

There is no significant vegetation on the lands however some trees are to be maintained for aesthetic purpose where feasible. The proposed median for the private drive retains one existing large tree. However, this will need to be reviewed further during the Site Plan Approval process to determine if this tree can be preserved.

Site Access

This development incorporates one access from Riverside Drive. The subject site is located on an arterial road that carries approximately 10,000 vehicles per day. There is capacity to accommodate the traffic generated by the development of 14 single detached dwellings. The subject site will be serviced by the creation of a local driveway off Riverside Drive. The recommended single detached dwellings in a cluster form, are similar to the land uses surrounding the site. This type of development will fit in with the character of the area. Given the low number of units of this proposed development, there will be a minimal impact on the traffic carrying capacity of Riverside Drive. The limited increase in traffic should not pose any further risk to the public as a result of this development. At this time there are no plans to widen Riverside Drive.

Development Constraints

The subject lands abut Riverside Drive which is an arterial road. Due to the impacts of noise generated by vehicles on arterial roads, a noise study is required to address this issue. The recommendations in the accepted noise study will be included in the development agreement and the declaration and description of the condominium. A noise study will be required through site plan approval and recommended conditions will be implemented in the approved site plan and condominium declaration.

Based on the above analysis, the applicant's proposal to amend the Zoning By-law to allow for cluster single detached dwellings in this area is appropriate and the proposed development will be compatible with adjacent low density residential uses.

**c) Zoning By-law**

The proposal is in general compliance with the current Zoning By-law. The existing zoning allows for a maximum density of 20 units per hectare and 13 units on the site with a 7m building height. The proposed zoning would maintain the current zone, however increase the density to 23 units per hectare, permitting 14 units on the site, along with a special provision for a reduced front yard setback. Therefore, the request is very site specific and is consistent with the standard zoning provisions with the exception of density and the one special provision.

The proposed density is below the 30 units per hectare permitted in Low Density Residential areas and no change is proposed for the maximum building height.

**d) Evaluation of the Vacant Land Condominium Application**

The effect of the registration of the draft plan of vacant land condominium would be to create 14 vacant land units, on which individual homes may be constructed either before or after registration of the condominium corporation. The registration of the condominium allows the future occupants to purchase their unit, which will include the land surrounding each dwelling unit. The private driveway (as shown on the draft plan) will be located in a common element and managed by the condominium corporation.

The Planning Act requires the same considerations and requirements for the evaluation of draft plans of subdivision also apply to draft plans of vacant land condominiums.

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- This proposal is consistent with the objectives and policies of the Official Plan, Low Density Residential Designation and 2014 Provincial Policy Statement.
- The site can be readily serviced by sewer and water.
- The proposed development is in close proximity to community parks, open space and trails.
- Noise impacts will be addressed through Site Plan Approval.
- From a Placemaking perspective, the small size of the condominium allows for easy access for the homeowners of the development to parks in the area, and direct access to transit on Riverside Drive, and the surrounding neighbourhoods and community uses. Overall, this development meets the intent of the Placemaking principles.
- The landscape plan will be reviewed as part of the site plan process, and will form part of the development agreement.
- The applicant is proposing to construct 14 new cluster single detached dwellings on vacant land condominium units (lots). This development is proposed in a predominantly single detached residential neighbourhood. The existing 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 0.63 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for cluster single detached dwellings.
- 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 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 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;
- limiting the type of housing to single detached dwellings only;
- appropriate fencing to mitigate any privacy issues; and
- noise attenuation recommendations/clauses.

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

## **SITE PLAN CONCEPT**

The properties to the east and west are one storey dwellings in condominium ownership. The urban design features on the dwellings adjacent to Riverside Drive will ensure an aesthetically pleasing frontage along this section of Riverside Drive. The plan provides for sufficient parking

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spaces and amenity areas as well as retained and proposed vegetation along the rear and the east side of the property. The proposed plan will be compatible with the surrounding uses and is considered appropriate for the development of these lands.

The recommendation includes directions on specific items which are to be considered as part of site plan approval including design, landscaping, fencing, and outdoor lighting.

Once the Site Plan application has been received a full review will be conducted to ensure compliance with the Site Plan Control By-law.

## **SERVICING**

### Sanitary

The available municipal sanitary sewer for this site is the 450 mm diameter sanitary sewer on Riverside Drive.

### Storm

The municipal storm outlet for the subject lands is the 675 mm storm sewer on Riverside Drive. The Owner must allow for conveyance of overland flows from the external drainage areas that naturally drain by topography through the subject lands. and ensure that stormwater run-off from these lands will not cause any adverse effects to these lands and/or adjacent lands.

### Water

Water is available from the 300 mm diameter watermain on Riverside Drive. Should a water service be required to service this site, the Owner will be required to install a water service meter to the satisfaction of the City Engineer.

### Transportation

A 6.5m road widening is required along the Riverside Drive frontage of this plan. Access is to be opposite from St. Anthony Road

## **NEIGHBOURHOOD CONCERNS**

### **1. Density, Compatibility**

There was concern with the density and compatibility of the proposed development. The proposed unit size will allow for single detached dwellings at a scale of housing similar to what exists and is planned for the area.

The applicant has proposed 14 condominium single detached dwellings resulting in a density of 23 units per hectare which is slightly higher than the density in the existing zone.

### **2. Height**

The current permitted height is 7m which the applicant is not proposing to change. All units proposed will be two storeys, with basements, however they will have flat roofs and will appear lower than units with typical peaked roofs.

### **3. Privacy/Fencing/Noise**

The neighbours feel that this development will cause loss of privacy and create noise. Appropriate fencing will be provided along the lot lines to provide privacy and reduce noise. This issue will be dealt with in greater detail through the Site Plan Approval process.



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**4. Property Values**

There is no evidence that supports the suggestion that cluster housing decreases surrounding property value. Similar housing forms currently exist in the neighbourhood, both adjacent to the site, and across the street to the south west.

**5. Housing Type**

The neighbours are concerned about the type of housing that a condominium development would permit. The proposed development for this land would constitute a small single detached dwelling cluster development. This type of development fits the classification for vacant land condominiums; small, infill properties inside the urbanized area or on a block in approved plans of subdivision. Cluster housing developments about the subject property on the east and west sides.

**6. Setbacks**

The easterly and northerly neighbours are concerned the units will be too close to their properties. The developer has provided a revised plan to incorporate measures to address these concerns by revising the setback.

**7. Snow Removal**

The developer has indicated that there will be private site snow removal for this development similar to others in the area.

**8. Parking**

A concern was raised that there is no visitor parking. The zoning by-law requires 2 spaces per single detached unit. There is no by-law requirement for additional visitor parking. Driveway locations and parking requirements will be confirmed on the approved site plan drawings.

**CONCLUSION**

Based on 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 infill development. The applicant's proposal to allow for cluster single 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, these applications represent good planning.

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Planner: Alanna Riley**

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

June 13, 2016

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2016\39CD-16503 - 1179 & 1185 Riverside Road (AR)\PEC report.docx

"Attach"

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Planner: Alanna Riley**

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

**Telephone**

**Written**

Kathy Hodgkinson  
Walter Meiklejohn  
Christopher Fleming  
Irene Robertson  
Susan Hickey  
Anne Green  
Peter Vandusen  
Graham Reid  
Nancy Reid  
David Smith  
Douglas Bell

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Bill No. (number to be inserted by Clerk's Office)  
2016

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located 1179 and 1185 Riverside Drive.

WHEREAS Kirkness Consulting Inc. has applied to rezone an area of land located 1179 and 1185 Riverside Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1179 and 1185 Riverside Drive, as shown on the attached map, from a Residential R1/Residential R6 (R1-4/R6-5.D20.H7) Zone to a Residential R1/Residential R6 Special Provision (R1-4/R6-5( ).D23.H7) Zone.

1) Section Number 10.4 of the R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provisions:

Section No. 10.4 e)	R6-5 Zone Variation	
a)	Regulation[s]	
	i) Front Yard Setback (applies to unit 14) only in plan 39CD-16503)	1.5 metres (min)
	ii) Front Yard Setback (applies to unit 1) only in plan 39CD-16503)	2.5 metres (min.)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on June 23, 2016.

Matt Brown  
Mayor

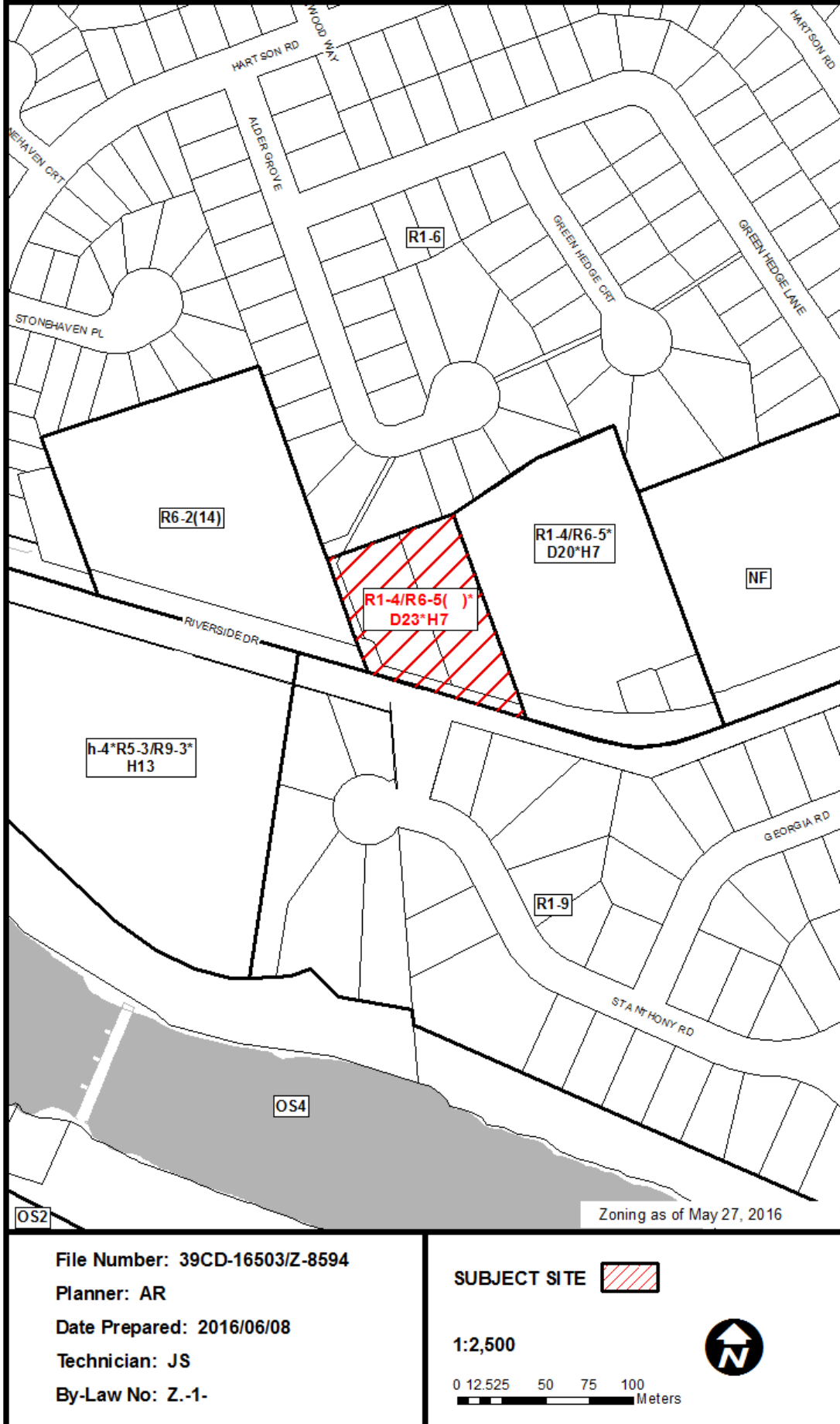
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**Planner: Alanna Riley**

Catharine Saunders  
City Clerk

First Reading - June 23, 2016  
Second Reading - June 23, 2016  
Third Reading - June 23, 2016

**AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)**



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**Planner: Alanna Riley**

**Bibliography of Information and Materials**

Request for Approval:

City of London Condominium Application Form, completed by Laverne Kirkness.  
 Draft Plan of Vacant Land Condominium

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, 2014.  
 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-16503 or Z-8594 unless otherwise stated