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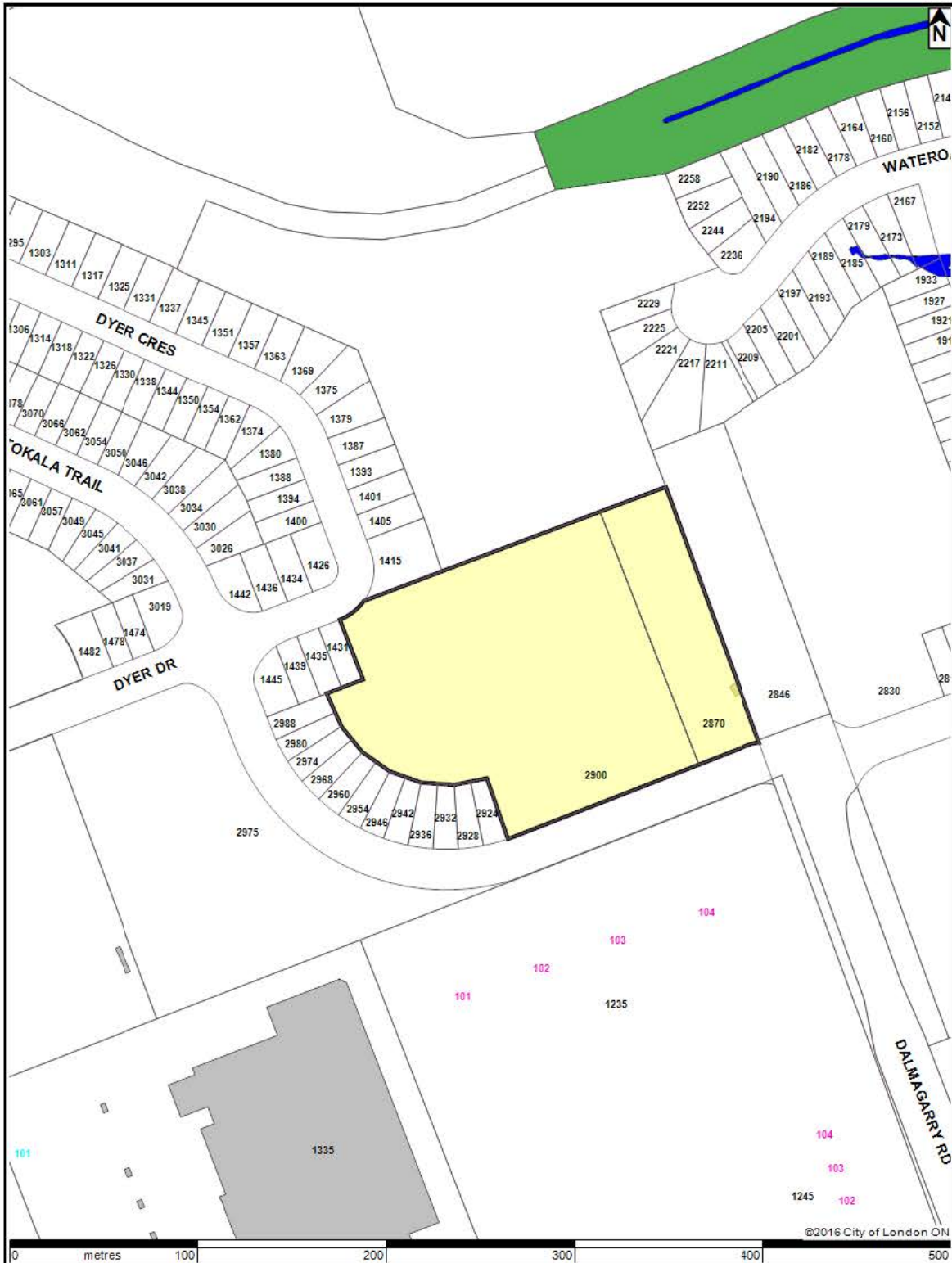
TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION FOR ZONING BY-LAW AMENDMENT & VACANT LAND CONDOMINIUM FOXWOOD DEVELOPMENT (LONDON) INC. 2870 AND 2900 TOKALA TRAIL PUBLIC PARTICIPATION MEETING ON SEPTEMBER 19, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the application of Foxwood Development (London) Inc. relating to the property located at 2870 and 2900 Tokala Trail:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on September 27, 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 Holding Residential R6 (h*h*71*h-100*R6-1) Zone and a Holding Residential R6/ Neighbourhood Facility (h*h-71*h-100*h-108*R6-1/NF1) Zone which permits cluster single detached dwellings and neighbourhood facility uses such as public schools, places of worship and community centres **TO** a Holding Residential R5 (h*h-71*h-100*R5-7) Zone and a Holding Residential R5/ Neighbourhood Facility (h*h*71*h-100*h-108*R5-7/NF1) Zone to permit 48 townhouse dwelling units at a maximum density of 60 units per hectare and a maximum height of 12 metres subject to holding provisions requiring a development agreement be entered into to the satisfaction of the City, street oriented development, adequate provision of municipal services, and that the block is consolidated with the lands to the east if the block is required as a future school site;
- 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;
- c) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the concept Site Plan; and
- d) 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.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 2900 Tokala Trail Applicant: Foxwood Developments (London) Inc. File Number: Z-8644 Planner: Craig Smith Created By: James Scott Date: 2016-08-12 Scale: 1:2500</p>	<p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">⊗</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	⊗	Assessment Parcels	■	Buildings	123	Address Numbers
■	Subject Site										
■	Parks										
⊗	Assessment Parcels										
■	Buildings										
123	Address Numbers										
<p>Corporation of the City of London Prepared By: Planning and Development</p>											

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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March 26, 2012 – public meeting relating to the Draft Plan of Subdivision, Official Plan & Zoning By-law Amendment (39T-11503/OZ-7985).

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 at 2900 Tokala Trail. The plan consists of a 48 unit townhouse development with a private internal drive and also with direct access from Tokala Trail. A future second vacant land condominium may be considered for the balance of Block 97 and Block 99 in Plan 33M-685 (currently identified as a school site) should it be determined that Block 99 is not required by any of the school boards as a school site.

RATIONALE

1. The requested zone to permit cluster townhouse dwellings is appropriate and consistent with the Multi-family Medium Density Residential designation which applied to these lands.
2. The requested amended zone retains the Neighbourhood Facility (NR1) Zone on Block 99, 33M-685 and would permit the block to be developed for a school, if required.
3. The submitted draft plan of vacant land condominium is in conformity the City's Condominium Submission Review and Approval Guidelines and the regulations of the recommended Residential R5 (R5-7) Zone.

BACKGROUND

Date Application Accepted: June 15, 2016	Agent: Montieth Brown Planning Consultants c/o Jay McGuffin
REQUESTED ACTION: application for Vacant Land Condominium to permit the development of 48 unit townhouse development.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - vacant • Frontage – 104 m • Depth – irregular • Area – 2 ha • Shape – irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Storm Water Management Facility • South – Vacant Commercial • East – Vacant future multi-family residential/possible school site • West – Single detached dwellings

OFFICIAL PLAN DESIGNATION: (refer to map)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to map)
<ul style="list-style-type: none"> • A Holding Residential R6 (h*h*71*h-100*R6-1) Zone and a Holding Residential R6/ Neighbourhood Facility (h*h-71*h-100*h-108*R6-1/NF1) Zone.

PLANNING HISTORY

The subject lands are located within the Foxhollow Community Planning Area. This Community Planning Area is bounded by Sunningdale Road West, Hyde Park Road, Fanshawe Park Road West and Wonderland Road North. The community plan and associated amendments to the Official Plan were adopted by Council in February 1999.

On March 8, 2016 the owner submitted a request for site plan pre-consultation. The owner is required to submit an application for Site Plan Approval. Site Plan Approval will be required prior to granting draft approval to the Vacant Land Condominium.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority (UTRCA)

- No objections.

Bell

- No conditions/objections.

Canada Post

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

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 :
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) 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 :
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii) install a concrete pad in accordance with the requirements of, and in

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locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes

- iii) 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.
 - iv) 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 effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Staff Response: Canada Post comments will be addressed through Site Plan Approval and conditions of draft approval.

Engineering Review

- The site serving and grading plans are to show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, watermains, utilities, etc.
- Should a private drain connection(s), or other works be installed on a City street to service this site, then details of these works including restoration of the City street are to be shown on the site servicing plan or a separate drawing to City standards.
- A Traffic Management Plan is required.
- The Owner is required to obtain all other necessary and relevant permits and approvals such as Ministry of the Environment Certificates of Approvals, etc.
- The subject lands are within an existing Plan of Subdivision, Foxwood Subdivision Phase 1. Grading and sanitary and storm services shall be in accordance with the accepted subdivision engineering plans.
- The Applicant is to obtain permission from the Subdivider prior to the connection to the unassumed sewers and prior to making any changes to the subdivision design.
- Blocks 97 and 99 shall be merged on title.
- Private MOECC ECA will be required for any shared services.

Water Engineering

- Water is available from the 300 mm diameter PVC watermain on Tokala Trail.
- Water looping may be required.
- The Owner's Engineer is to provide water servicing report including fire protection and water turnover calculations.
- A separate water service will be required for each individual condo block.

Wastewater Engineering

- The sanitary sewer available for the subject lands is the 375mm sanitary sewer located just north of the northerly limit of the subject lands.

Stormwater Management

- The Owner shall submit a servicing report prepared by a Professional Engineer, licensed in the province of Ontario, for the subject site. The report is to be in accordance with City of London and MOECC standards and guidelines, all to the satisfaction of the City Engineer.

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The report shall take into account any drawings, reports, and previously prepared development agreements;

- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer;
- The Owner is required to provide a lot grading plan for stormwater flows and address major overland flow paths to safely convey the 250 year storm event;
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands;
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands;
- The Owner agrees to develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MOECC standards and requirements, all to the specification and satisfaction of the City Engineer.

Staff Response: Holding Provisions have been added to the amended zoning by-law to support these Engineering comments. These issues will be addressed through Site Plan Approval and conditions of draft approval.

Planning Services

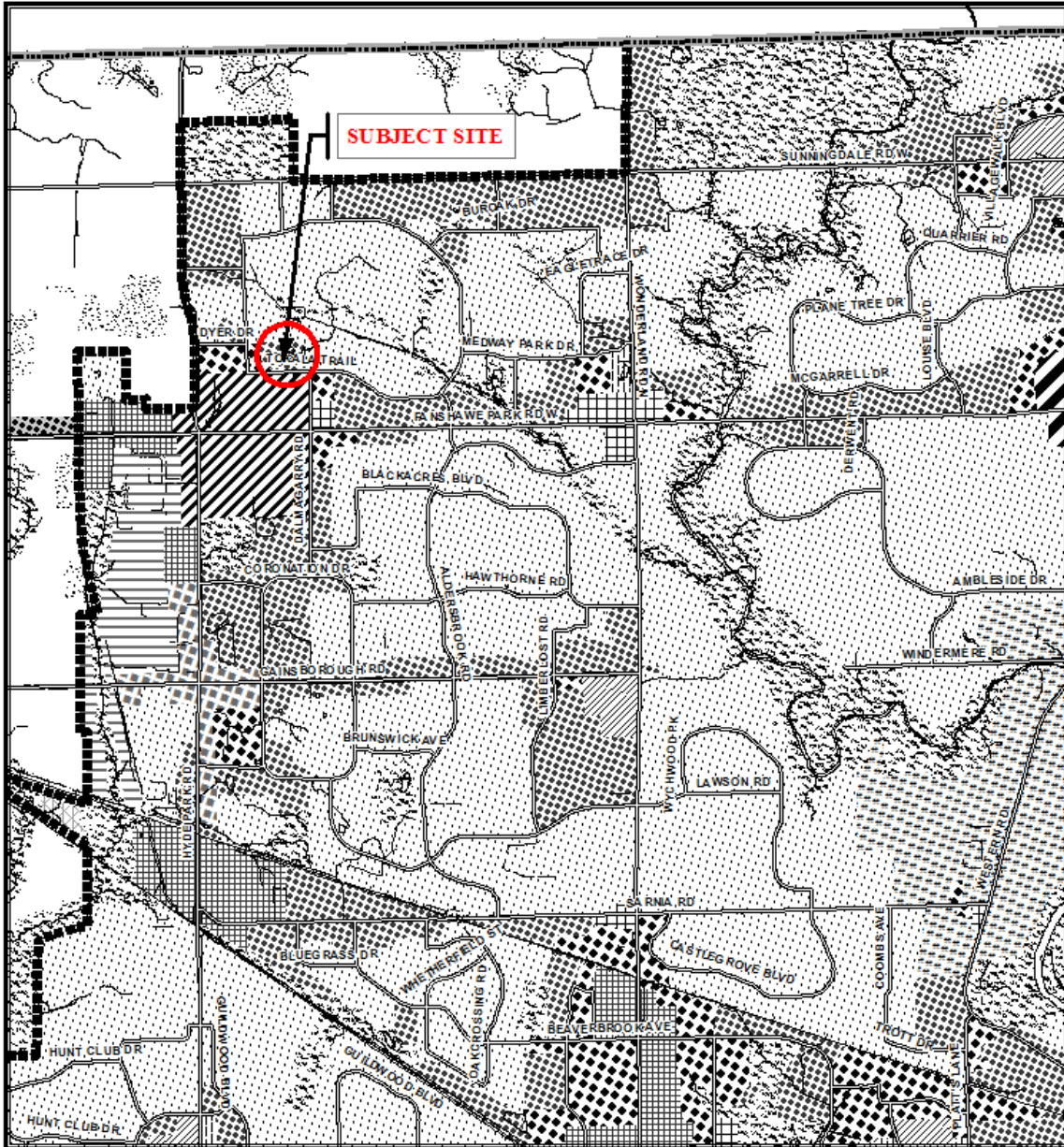
Planning Services have reviewed the above noted site plan documents and provide the following comments consistent with the Official Plan and applicable by-laws and guidelines:

- The development should have a positive interface with the public streets and public spaces surrounding it. Orient development to Tokala Trail and the park block on Dyer. Ensure there is a positive interface between this development and the storm water management facility (ies) and, in particular, any public pathways.
- We request that the following directions to the Site Plan Authority be included for Council consideration:

The Site Plan Authority be directed to consider:

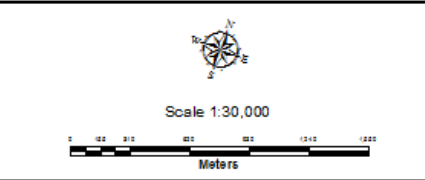
- 1) Designing units that side-lot onto Tokala Trail, as well as the west façade of the unit adjacent to the pathway off of Dyer Cres to include additional windows, architectural details, articulation and materials that wrap around the building in order to provide an active face to the pathway and public street.
 - 2) Wrap-around porches and front doors facing Tokala trail are highly encouraged.
 - 3) Cladding units that back onto the stormwater management facilities, and in particular, the public pathway, in high quality materials wrapped all the way around their facades to provide an attractive and positive interface with the public spaces.
 - 4) Limiting the length and/or height of fencing along open spaces (pathways, SWM facilities, public streets), and using landscaping to differentiate the public and private realm.
- Parkland dedication has not been provided for this site. It is to be noted that the applicant, at the time of building permit or as a condition of site plan approval, will be required to provide parkland dedication in the form of cash-in-lieu pursuant to By-law CP-9 for all residential. .

Staff Response: Holding Provisions to support the Planning comments have been added to the amended zoning by-law and will be addressed through Site Plan Approval and conditions of draft approval.

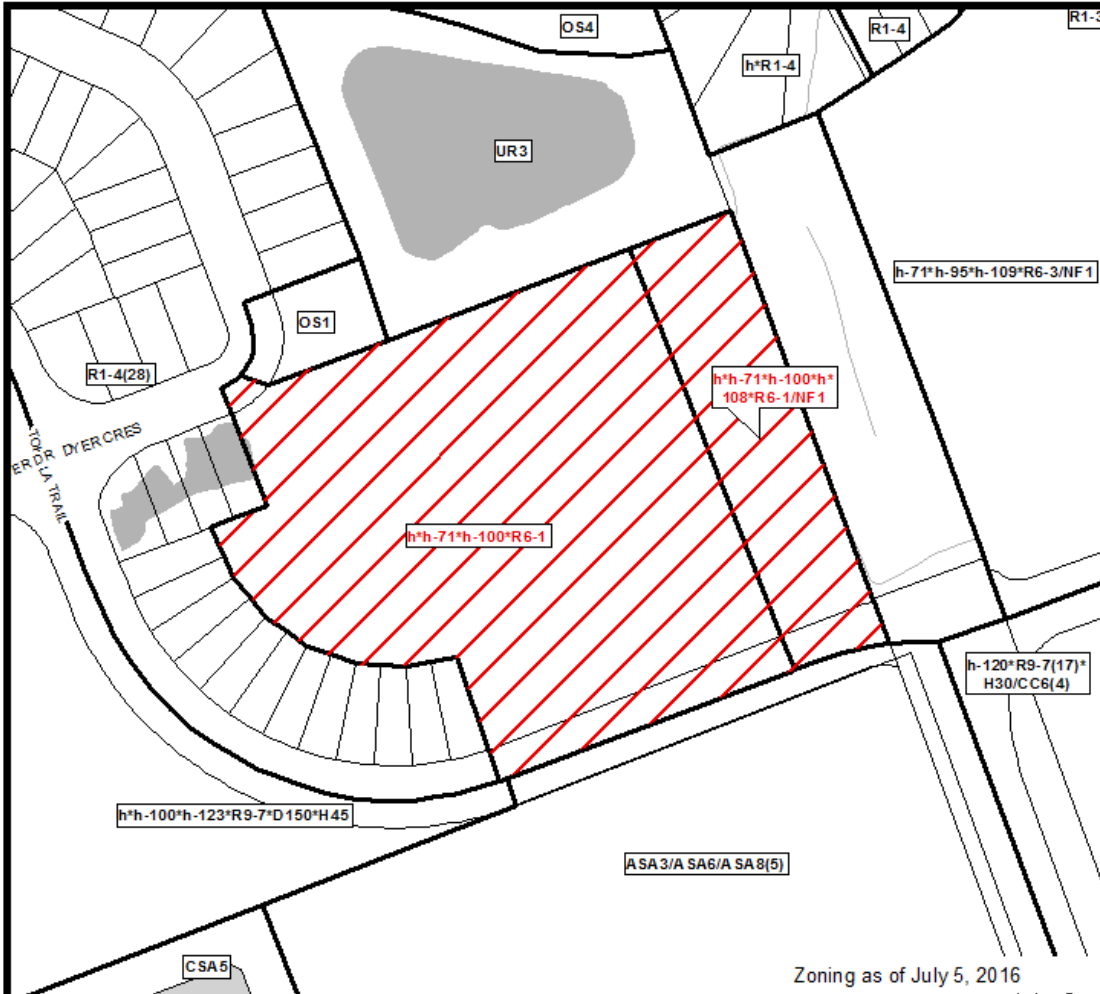


Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented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

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



FILE NUMBER: 39T-16509 / Z-8644
PLANNER: CS
TECHNICIAN: JTS
DATE: August 12, 2016



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
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| <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	FILE NO: H-8644 CS
ZONING BY-LAW NO. Z.-1 SCHEDULE A	MAP PREPARED: August 12, 2016 JTS
	1:2,000 0 10 20 40 60 80 Meters
THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS	

PUBLIC LIAISON:	On June 28, 2016 notices were sent to residents within 120 metres of the subject site. Notice of Application was also published in The Londoner on July 7, 2016.	No replies were received.
<p>Nature of Liaison: <i>The purpose and effect of this application is to permit the development of 48 detached cluster housing units within a plan of condominium. Consideration of a Vacant Land Plan of Condominium with 48 residential units on a private road, with access from Tokala Trail. *For the lands under consideration, an application for Site Plan has not been received for this site. Site Plan approval will be required prior to final condominium approval</i></p> <p><i>Possible Amendment to Zoning By-law Z.-1 to change the zoning FROM a Holding Residential R6 (h*h*71*h-100*R6-1) Zone and a Holding Residential R6/ Neighbourhood Facility (h*h-71*h-100*h-108*R6-1/NF1) Zone which permits cluster single detached dwellings and neighbourhood facility uses such as public schools, places of worship and community centres TO a Holding Residential R5 (h*h-71*h-100*R5-7) Zone and a Holding Residential R6/ Neighbourhood Facility (h*h*71*h-100*h-108*R5-7/NF1) Zone to permit 48 townhouse dwelling units at a maximum density of 60 units per hectare and a maximum height of 12 metres</i></p>		
Responses: None		

ANALYSIS

Subject site

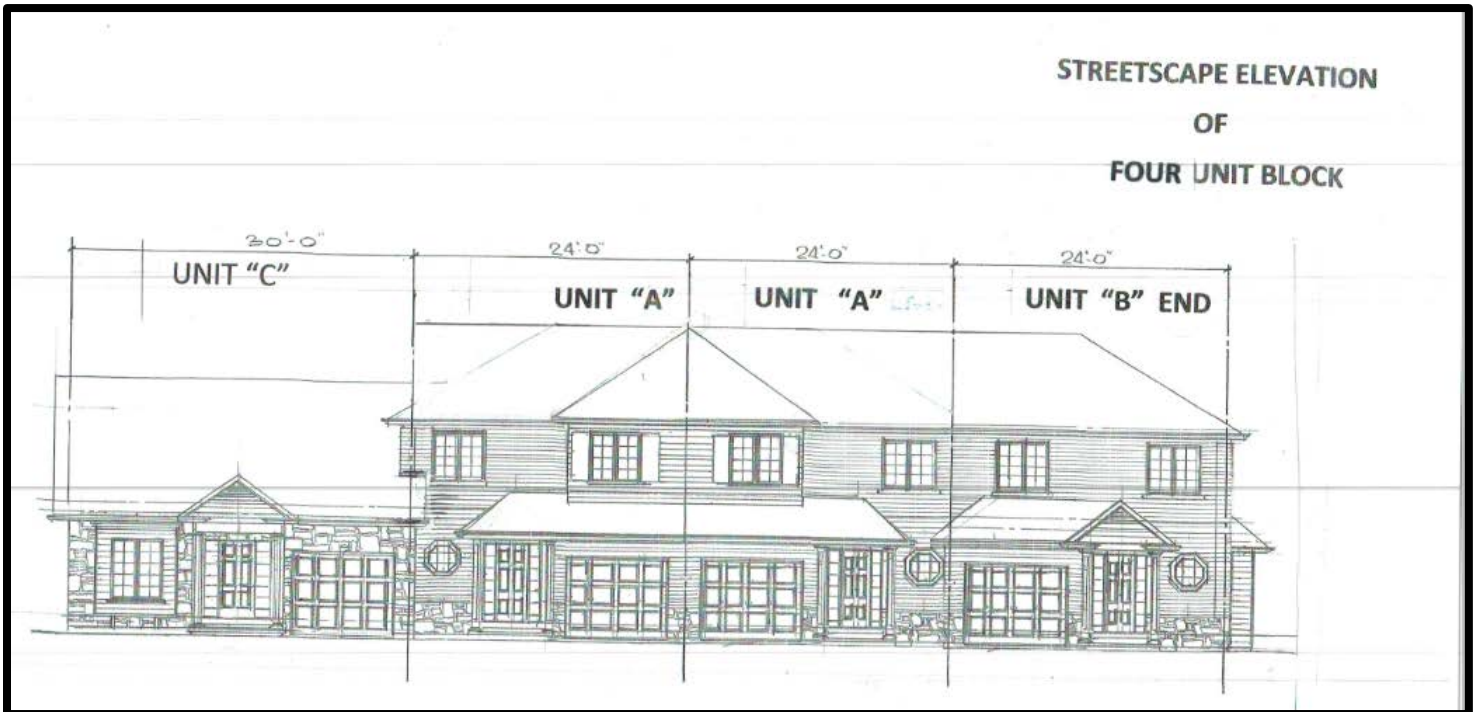
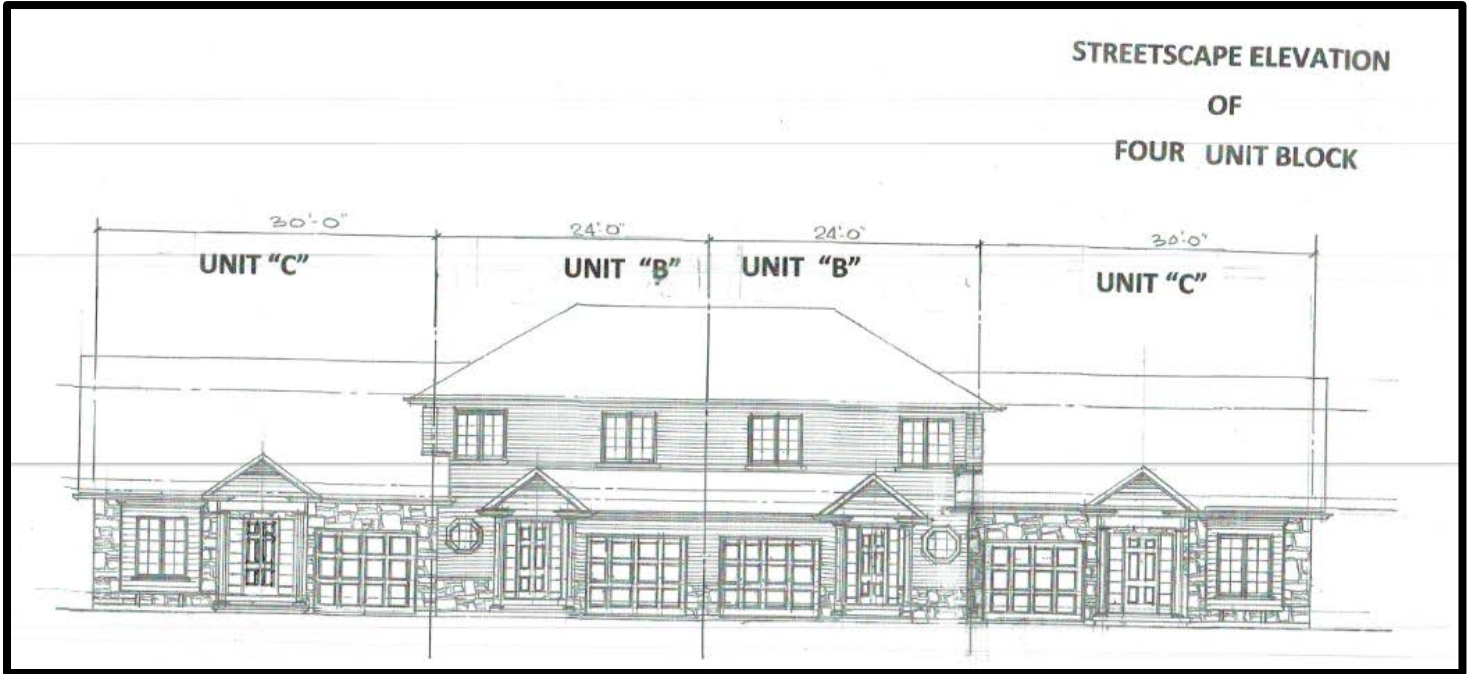
The subject site is located on the north side of Tokala Trail, west of Dalmagarry Road. The site is approximately 2 hectares in size, with 104 metres of frontage along Tokala Trail. It is surrounded by single detached residential uses to the west, commercial uses to the south, multi-family residential uses to the east and a stormwater management facility to the north. The site consists of two blocks: 2900 Tokala Trail (Block 97) and 2870 Tokala Trail (Block 99) in plan 33M-685. The sites are currently zoned Residential R6 and R6/Neighbourhood Facility (NF1). Block 99 is intended to be developed with additional lands to the west (outside of this subdivision) as a potential future school block. Conditions of subdivision approval require that this block be made available to the school boards as per Council Disposition of School Sites Policy (19(34)). If the school boards do not exercise their option to acquire this block the developer can develop the lands as per the approved zoning.

The following report provides an analysis of the effect of this requested Zoning By-law amendment and the proposed Vacant Land Condominium. The property owner has pre consulted for Site Plan approval. The property owner will be required to submit an application for Site Plan Approval. 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, and other development considerations/constraints.

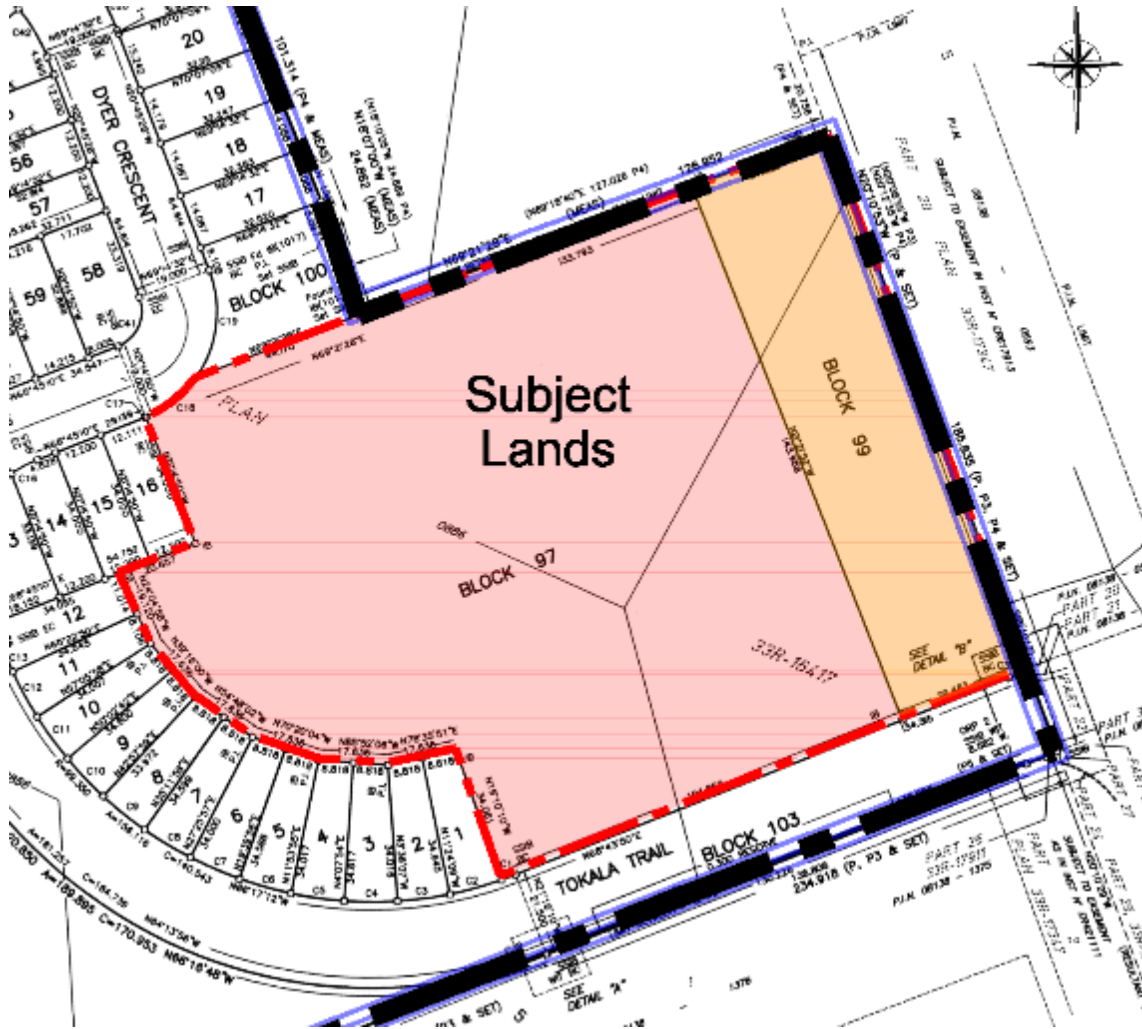
What is the nature of the application?

The applicant, Foxwood Development (London) Inc., has applied for a Zoning By-law amendment and Vacant Land condominium to permit a 48 unit townhouse development at this location. Common element components of the Vacant Land Condominium include private roadway and open space areas. The proposed site plan, landscape plan and proposed elevations are shown below. The Vacant Land Condominium is being developed at this time on a portion of Block 97 in order to allow for flexibility in design should Block 99 become available for residential development. A future vacant land condominium is proposed on the balance of the Block 97 and with the possible inclusion of Block 99. The design of this future vacant land condominium is dependent on whether or not this block is required by the school boards.

Concept Elevations



Subject Site
Plan 33M-685 Blocks 97 and 99



The Subdivision Agreement for Plan 33M-685 was registered in the Land Registry Office for the Land Titles Division of Middlesex (No. 33) on October 20th, 2015 as Instrument Number ER1010151. The agreement states:

The Owner shall set aside an area or areas (being Block 99) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.

The School Boards shall have the right, expiring three years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City Engineer or the date on which seventy (70) percent of the dwelling units in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two years from the date of giving notice.

The proposed zoning amendment maintains the h-108 Neighbourhood Facility (NF1) zone on Block 99. The Holding Provision (h-108) requires Block 99 to be consolidated with the abutting lands, if required, in order to provide for a block that can accommodate a school. The proposed zoning amendment would permit the 48 unit vacant land condominium to be developed on a portion of Block 97 and will allow the balance of Block 97 and possibly Block 99 to be developed as a second vacant land condominium (as shown on the proposed site plan drawing above).

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This future Vacant Land condominium design as shown on the concept site plan can only be considered if the school boards do not exercise the option to acquire Block 99. The balance of Block 97 can still be developed as a second vacant land condominium, even if Block 99 is to be used as a school site(as shown on the concept site plan).

Is the Proposed Application Appropriate?

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 address all development issues. The site will not negatively impact any natural heritage or be affected by man-made hazards, and is located close to amenities and public open space. Based on our review, the proposed plan with appropriate conditions is consistent with the 2014 Provincial Policy Statement.

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. 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. The proposed vacant land condominium is townhouse form of development with a maximum density of 40 units per hectare. The proposed form of development will fit in with the character of the area

The Foxhollow Community 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 accessed by the creation of a local driveway off of Tokala Trail. A portion of the site, Block 99 was identified through the Area Plan as a possible school site. A holding provision will remain on Block 99 that requires the block to be made available for a school site if required. The proposed zoning will allow the block to be consolidated and developed for residential uses on the balance of the lands if the block is not required for a school site.

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 with the abutting land uses and is consistent with the Official Plan and Foxhollow Community Plan.

Zoning By-law

The proposed zoning by-law amendment is to remove the Residential R6 (R6-1) Zone. The Residential R6 (R6-1) zone permits cluster single detached dwellings. The proposed zoning by-law amendment would establish a Residential R5 (R5-7) Zone to permit cluster townhouse dwelling units with maximum density of 60 units per hectare.

Compatibility

The lands were designated Multi Family Medium Density Residential through the Foxhollow Community Plan process. The Foxhollow Community Plan states that through the site plan process the development shall be integrated with surrounding uses. The proposed townhouse development will have units located along Tokala Trail. These units will be street oriented with front door access and driveways onto Tokala Trail. The proposed townhouse units will be compatible with the size of housing in the immediate area.

Ability of Site to Accommodate Development

The subject land is 2 hectares in size. The draft plan of vacant land condominium illustrates how these lands are to develop for cluster townhouse dwellings. The site is of sufficient size to

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allow for the development of 48 townhouse units with on-site parking and common outdoor space.

Vacant Land in the Area

This parcel is within the Foxhollow Community Plan Area. This parcel of land is located on the north side of Tokala Trail and is designated Multi Family Medium Density Residential. The vacant lands located to the east are designated for Multi Family Medium Density uses and the vacant land to the south is designated New Format Regional Commercial Node.

Building Size and Siting

The proposed development will include 48 townhouse dwellings in a cluster housing form. The Foxhollow Community Plan states that through the site plan process development functions and integrates with the surrounding streets and buildings. The proposed townhouse development proposes units oriented to Tokala Trail that will provide for an active street frontage and will integrate the development with the surrounding streets.

The size of townhouses within this development will be regulated by the R5-7 Zoning regulations which includes a maximum height of 12 metres, lot coverage of 45% and minimum landscaped open space of 30%. The proposed development has a lot coverage of 22% and 46% landscaped open space. The applicant has proposed a maximum density of 24 units per hectare. The proposed location, size and form of the development is compatible with surrounding land uses and in keeping with the multi-family medium density residential policies of the Official Plan. The requested zoning is appropriate and represents sound land use planning.

Site Access

This development will be accessed by the creation of a local driveway off of Tokala Trail and will have direct driveway accesses to the units that are located on Tokala Trail.

Proposed Holding Provisions

To ensure the orderly development of lands the following holding provisions are included in the proposed zoning amendment.

h - Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

h-71 Purpose: To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol

h-100 Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: A maximum of 80 residential units

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h-108 Purpose: To ensure that this parcel is developed in conjunction with abutting lands, to the satisfaction City of London, prior to removal of the "h-108" symbol

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 Foxhollow Community Plan.
- Sewer and water services are available to service this site.
- The proposed development is in close proximity to a high school, community parks and open space.
- From a Placemaking perspective, the proposed development is oriented to Tokala Trail which creates a sense of place by providing an active street frontage. The proposed development meets the intent of the Placemaking principles.
- The applicant is proposing to construct 48 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 a primary collector road which serves as a transition into the existing low density residential neighbourhood to the north. 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 the surrounding neighbourhood.
- The subject land is 2 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.

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; and
- drainage and stormwater management.

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SERVICING

Sanitary

The sanitary sewer available for the subject lands is the 375mm sanitary sewer located just north of the northerly limit of the subject lands.

Storm

The Owner will be required to submit a servicing report prepared by a Professional Engineer, licensed in the province of Ontario, for the subject site. The report is to be in accordance with City of London and MOECC standards and guidelines, all to the satisfaction of the City Engineer. The report shall take into account any drawings, reports, and previously prepared development agreements and will be provided prior to site plan approval.

Transportation

A Traffic Management Study will be required to be submitted by the applicant and accepted by the City through the Site Plan Approval process.

Water

Water is available from the 300 mm diameter PVC watermain on Tokala Trail.

The London Plan

The City of London Municipal Council adopted The London Plan on June 23, 2016. The London Plan is a comprehensive revision and update of the City’s current Official Plan.

The London Plan is currently being reviewed by the Province. The proposed Zoning By-law amendment and Plan of Vacant Land Condominium have been reviewed with regard to the London Plan. The proposed development is consistent with the London Plan as it:

- is located within a “Neighbourhood” Place Type and accessed from a “Neighbourhood Collector” road, which permits the form of development that is proposed;
- is oriented to Tokala Trail providing an attractive and active streetscape;
- provides a diversity of housing choice; and
- has access to daily goods and services that are located to the south within easy walking distance.

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 development. The applicant’s proposal for a townhouse development in this area is appropriate. Overall, this application represents good planning and is appropriate.

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File: 39CD-16509/Z-8644
Planner: C. Smith

PREPARED and RECOMMENDED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN 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

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Agenda Item #	Page #

File: 39CD-16509/Z-8644
Planner: C. Smith

Bibliography of Information and Materials

Request for Approval:

City of London Condominium Application Form, completed by Montieth Brown Planning Consultants, June 15, 2016.
Draft Plan of Vacant Land Condominium, June 6, 2016.
Site Plan Pre consultation completed by Montieth Brown Planning Consultants, March 2016.
Elevations, Foxwood Development (London) Inc.

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-16509/Z-8644 unless otherwise stated

Reports submitted with Application:

Planning Justification Report- Monteith Brown Planning Consultants June 2016
Urban Design Brief- Monteith Brown Planning Consultants June 2016

Agenda Item #	Page #

File: 39CD-16509/Z-8644
Planner: C. Smith

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 at 2870 and 2900 Tokala Trail.

WHEREAS Foxwood Developments (London) Inc. have applied to rezone an area of land located at 2870 and 2900 Tokala Trail, 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 2870 and 2900 Tokala Trail, as shown on the attached map, from Holding Residential R6 (h.*h-71*h-100*R6-1) Zone and a Holding Residential R6/ Neighbourhood Facility (h.*h-71*h-100*h-108*R6-1/NF1) Zone to a Holding Residential R5 (h.*h-71*h-100*R5-7) Zone and a Holding Residential R5/ Neighbourhood Facility (h.*h-71*h-100*h-108*R5-7/NF1) Zone.

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 Section 34 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.

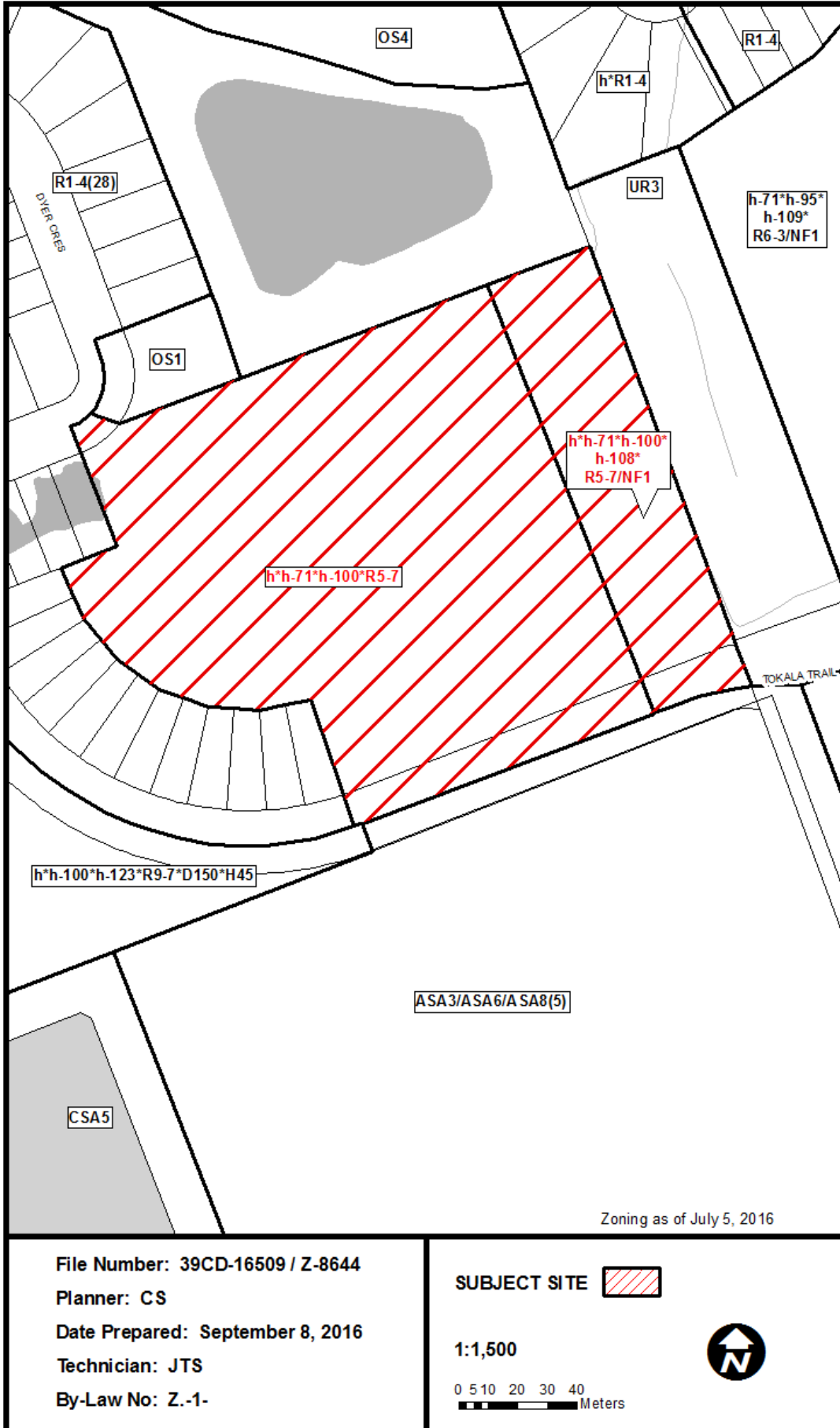
PASSED in Open Council on September 27 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk


First Reading - September 27, 2016
Second Reading - September 27, 2016
Third Reading - September 27, 2016

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




Zoning as of July 5, 2016

File Number: 39CD-16509 / Z-8644
 Planner: CS
 Date Prepared: September 8, 2016
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE 

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 Meters



Geobase