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File No: 39CD-16513 / SPA16-052  
Planner: L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES and CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 2619 SHEFFIELD BOULEVARD APPLICATION FOR VACANT LAND CONDOMINIUM PUBLIC PARTICIPATION MEETING ON NOVEMBER 28, 2016

RECOMMENDATION
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That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the lands located at 2619 Sheffield Boulevard:

- (a) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 2619 Sheffield Boulevard; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 2619 Sheffield Boulevard.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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**October 3, 2016** – Report to Planning and Environment Committee – Victoria on the River Subdivision – Subdivision Special Provisions (Phase 3) – Sifton Properties Limited (File No. 39T-09502) (*Agenda Item #5*)

**March 29, 2016** – Report to Planning and Environment Committee – Victoria on the River Subdivision – Application for Revisions to Draft Plan of Subdivision and Zoning By-law Amendments – Sifton Properties Limited (File No. 39T-09502/Z-8528) (*Agenda Item #13*)

PURPOSE AND EFFECT OF RECOMMENDED ACTION
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The purpose and effect of this application is to consider a proposed Draft Plan of Vacant Land Condominium. The plan consists of thirty (30) vacant land units and a common element for the internal driveway and services, with access from Sheffield Boulevard.

RATIONALE
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- 1. The proposed draft plan of vacant land condominium conforms to the City's Official Plan and Condominium Submission Review and Approval Guidelines.
- 2. The proposed residential use is permitted under the Zoning By-law. A concurrent application has been made to remove the holding provisions, and is being brought forward under separate report.

3. Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium. The application for Site Plan Approval has advanced to the stage where a development agreement is being finalized and securities have been received by the City.

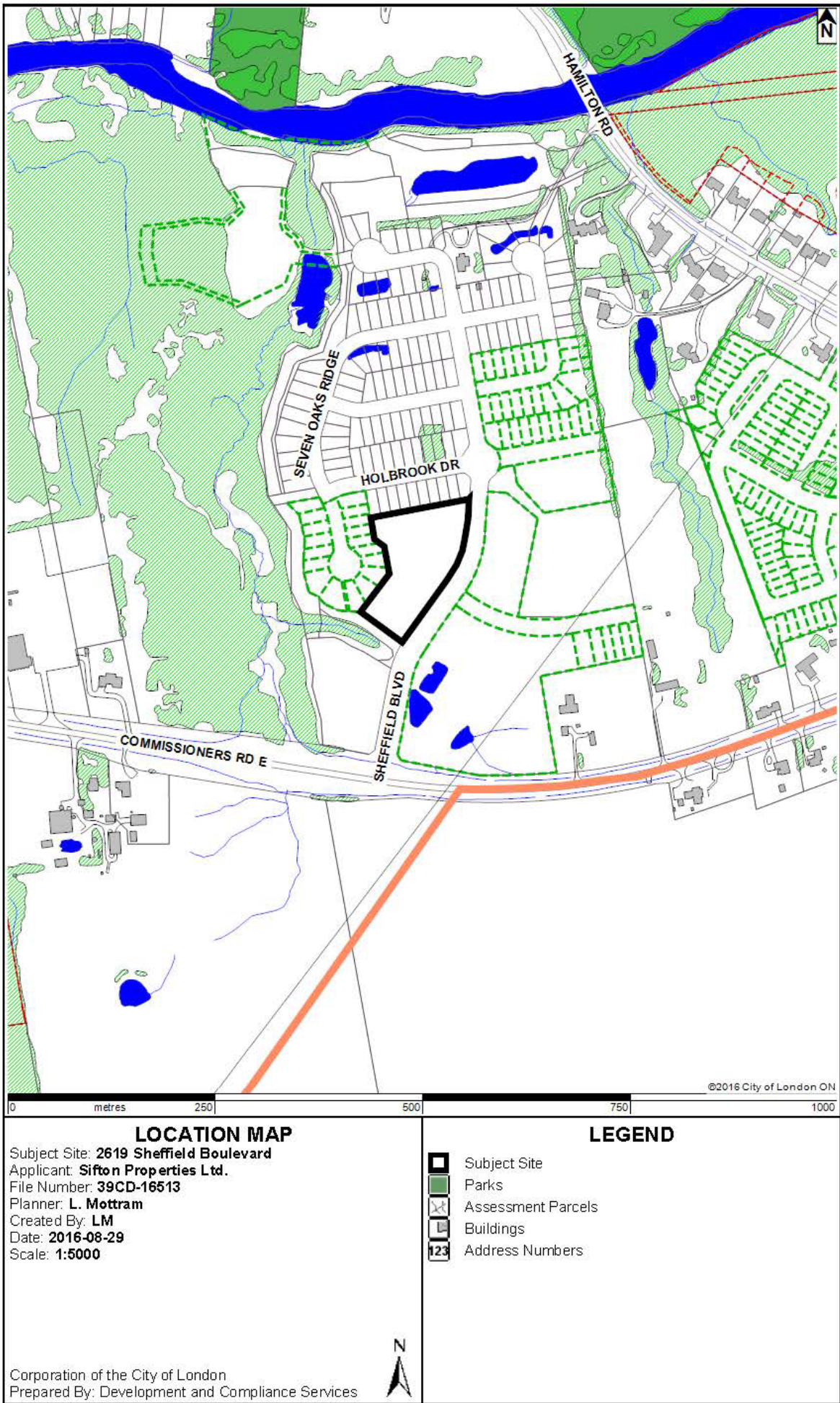
BACKGROUND

Date Application Accepted: August 18, 2016	Agent: n/a
<b>REQUESTED ACTION:</b> Request for approval of a draft plan of vacant land condominium on the subject land. The application proposes a residential plan of vacant land condominium creating 30 residential units, and a common element for the access driveway, visitor parking, and site services.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"><li>• <b>Current Land Use</b> – vacant</li><li>• <b>Frontage</b> – Approx. 193 metres (633 ft.)</li><li>• <b>Depth</b> – Approx. 62 metres (203 ft.)</li><li>• <b>Area</b> – 1.28 hectares (3.16 acres)</li><li>• <b>Shape</b> – Irregular</li></ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"><li>• <b>North</b> – single detached residential lots</li><li>• <b>South</b> – open space and future multi-use pathway</li><li>• <b>East</b> – vacant future development lands</li><li>• <b>West</b> – vacant future development lands</li></ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to map on page 4)
“Multi-family, Medium Density Residential”
<b>EXISTING ZONING:</b> (refer to map on page 5)
Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2 (4)



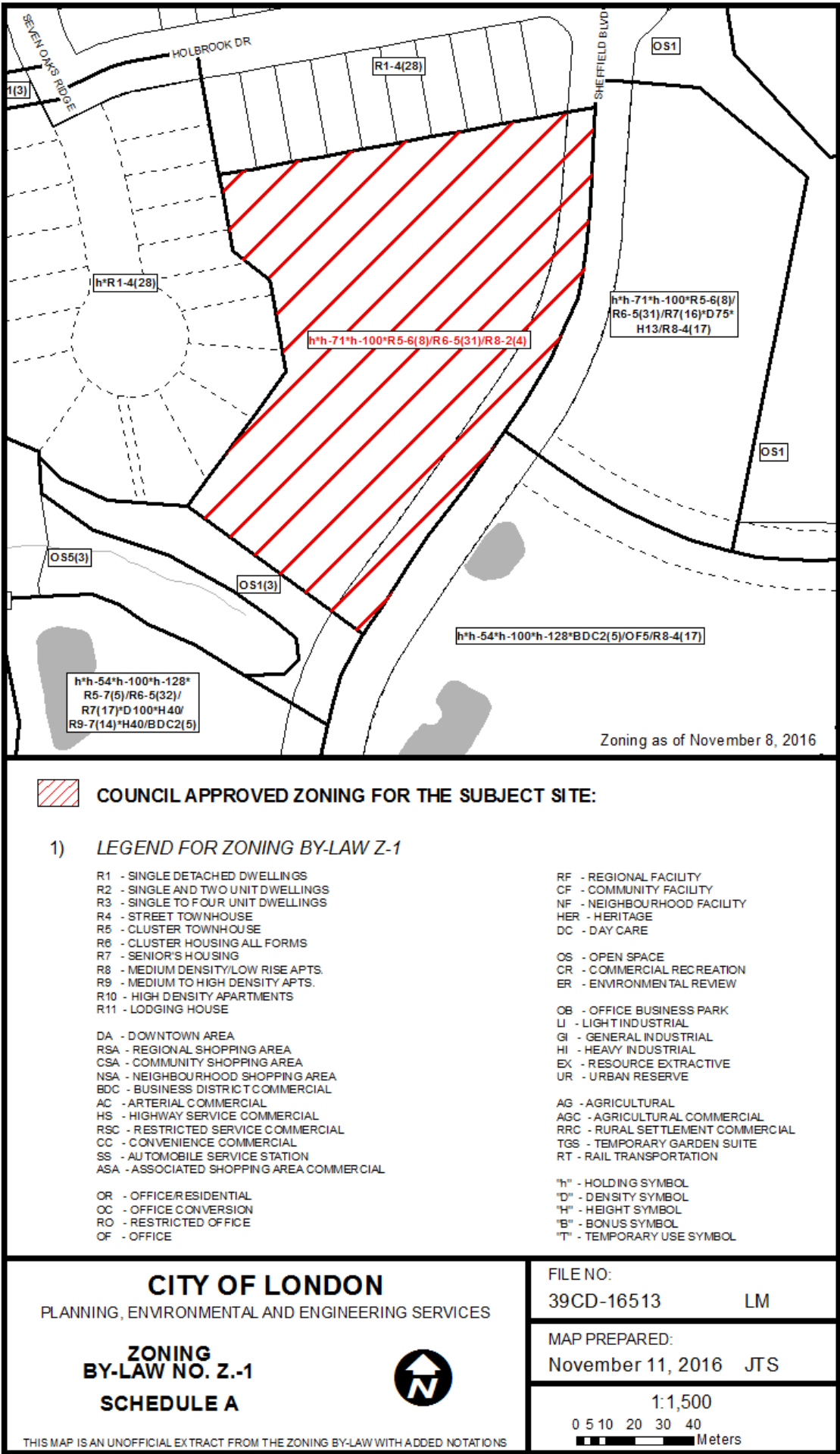
Location Map





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Zoning Map



PLANNING HISTORY

On January 19, 2012, the City of London Approval Authority granted approval to the draft plan of subdivision submitted by Sifton Properties Limited, as red-line amended, consisting of 133 single family lots, one (1) multi-family, high density residential block, four (4) multi-family, medium density residential blocks, two (2) multi-family, low density residential blocks, one (1) commercial/office/mixed use block, seven (7) park blocks, seven (7) open space blocks, one (1) stormwater management facility block, and nine (9) reserve, easement and road widening blocks, served by a primary collector road extending north from Commissioners Rd. East, and four (4) internal local streets. At its session held April 4, 2011, Municipal Council passed a resolution to advise the Approval Authority that it supported the Approval Authority issuing draft approval for the proposed plan of subdivision. Council also supported approval being given based on a five (5) year lapse date.

Revisions to the Draft Plan, including technical amendments required as a result of the final design of the stormwater management pond and outlets, were considered at a public participation meeting on September 10, 2013. Draft approval was granted on December 10, 2013 for the revised plan of subdivision consisting of 152 single detached lots as well as several blocks for high, medium and low density residential development, stormwater management and open space uses, and one (1) commercial/office/mixed-use block. A subsequent request for a revised Draft Plan of Subdivision Approval was made on September 16, 2015. The Public Meeting of the Planning and Environment Committee was held on March 29, 2016. Draft Plan Approval was granted by the Approval Authority on April 13, 2016.

Two residential phases have so far been registered. Phase 1, which consists of 59 single detached residential lots, one (1) multi-family block and several park/open space blocks, was registered as Plan 33M-672 on July 31<sup>st</sup>, 2014. Phase 2, which consists of 60 single detached residential lots and a neighbourhood park block, was registered as Plan 33M-688 on November 19, 2015.

The current application for approval of a Vacant Land Condominium applies to a block (Block 51) within the third phase to be registered. The City of London Approval Authority issued Final Approval for this phase on November 8, 2016.

SIGNIFICANT DEPARMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority (UTRCA)

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. The UTRCA reports no objections to this application and recommends that the applicant contact their Land Use Regulations Officer regarding Section 28 permit requirements.

<b>PUBLIC LIAISON:</b>	On August 29, 2016, a Notice of Application for approval of Draft Plan of Vacant Land Condominium was sent to two (2) surrounding property owners within 120 metres of the site. Notice was published in “The Londoner” on September 8, 2016.	No replies received
<b>Nature of Liaison:</b> see “Requested Action” section.		
<b>Responses:</b> There were no responses to the public liaison notice.		



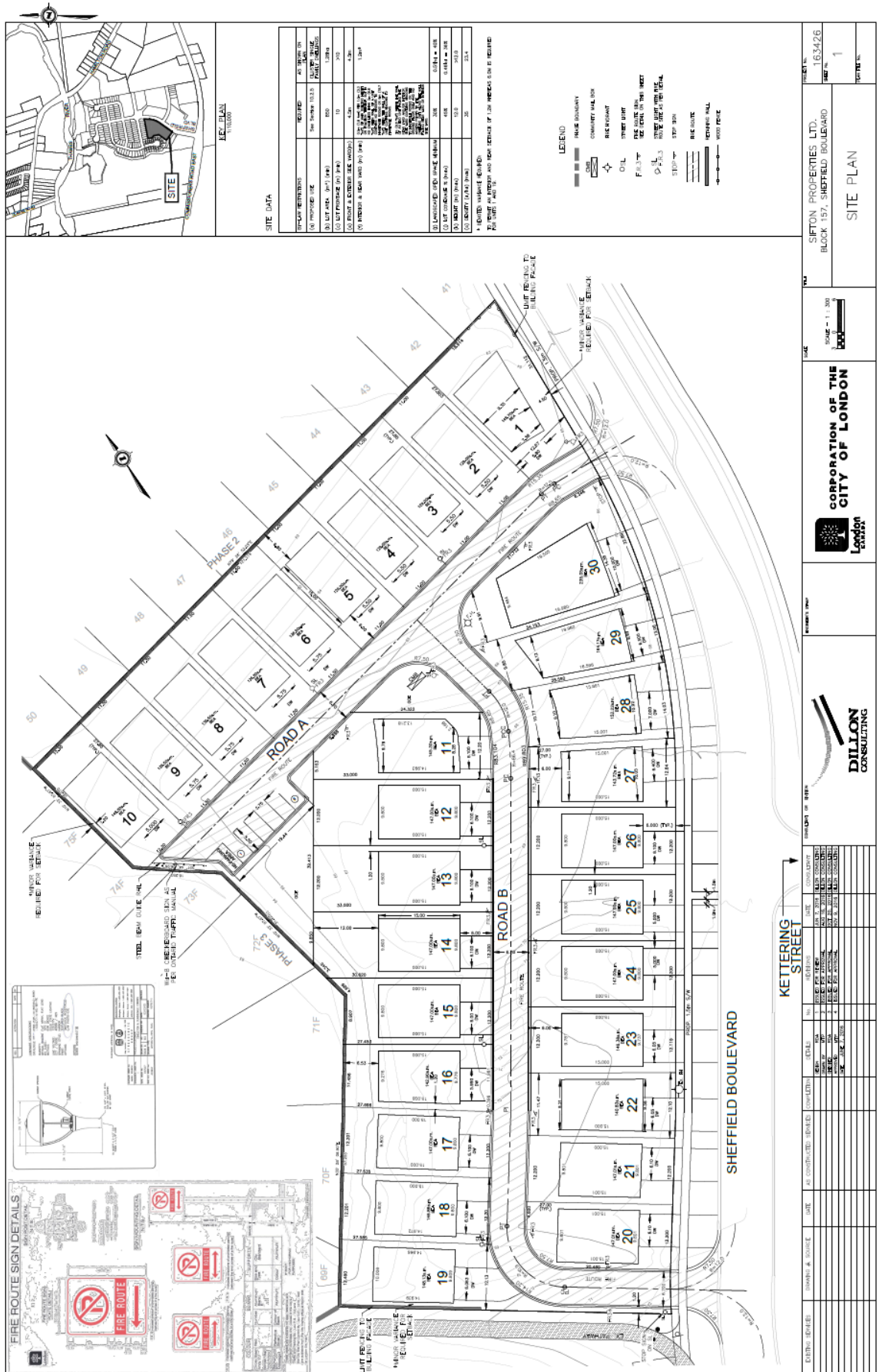






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## Site Plan





ANALYSIS

The effect of the registration of the draft plan of condominium would be to create 30 vacant land condominium 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 internal access driveway, visitor parking and a few remnant areas of landscaped open space (as shown on the draft plan) will be located within the common element to be maintained and managed by the condominium corporation.

Applications for Site Plan Approval and removal of holding provisions have been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan is currently under review including site servicing, grading, landscaping, and building elevation plans. The ultimate plan will consist of 30 cluster single detached dwelling units in a condominium form.

**Official Plan**

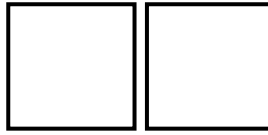
The subject lands are designated “Multi-family, Medium Density Residential” on Schedule ‘A’ of the City’s Official Plan. The primary permitted uses include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. Under Section 3.3.1 of the Official Plan, areas designated Multi-family, Medium Density Residential may be developed for single detached, semi-detached, and duplex dwellings. The proposed draft plan of vacant land condominium represents a cluster housing form of development consisting of detached, two (2) storey dwellings at an approximate density of 24 units per hectare. It is compatible with the form, scale, and housing types existing and planned for the immediate area, and will have good neighbourhood connectivity and building orientation to the public street. Based on our review, the proposed use, form and intensity conform to the City’s Official Plan policies.

With respect to *The London Plan*, which has been adopted by City Council but is not yet in force and effect, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, and townhouse dwellings, and small-scale community facilities. Sheffield Boulevard between Holbrook Drive and Commissioners Road East is identified as a “Neighbourhood Connector” on Map 3 - Street Classifications.

**Zoning By-law**

The zoning is Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4). The zoning permits townhouses and stacked townhouses up to a maximum density of 50 units per hectare and maximum height of 12 metres; various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; and apartment buildings, lodging house class 2, and stacked townhouses up to a maximum density of 50 units per hectare and maximum height of 13 metres. The special provision that applies to the zone variation is to permit a minimum front and exterior side yard depth of 4.5 metres.

An application has also be submitted to remove the holding provisions from the zoning. The draft by-law is being brought forward under a separate report. It’s worth mentioning that the h-71 Holding Provision requires the owner to prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets. The intent of this provision when it was introduced in the zoning by-law a number of years ago was to discourage residential development away from fenced enclaves which turn their back on the remainder of the community. Alternative designs of this type also provide increased opportunities to design for pedestrian access to the road network and public transit system via the public road system. The application for Site Plan Approval has reached an advanced stage where securities have now been received by the City, and the building orientation plan has been approved and incorporated into the site plan and development agreement.



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The zoning will be reviewed again for compliance as building permits are issued for individual dwelling units. The proposed use is permitted by the zoning by-law and cluster detached housing in the form of vacant land condominium represents a good use for the site.

### **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 Old Victoria Area Plan, and represents new development within an approved plan of subdivision.
- Sewer and water services are available to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- From a Placemaking perspective, the proposed development is oriented to Sheffield Boulevard 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 30 new cluster detached dwellings on vacant land condominium units (lots). The proposed units 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.
- The subject land is 1.28 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for cluster dwellings. The size of units and proposed dwellings are anticipated to meet the community demand for housing type, tenure and affordability.
- 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 applicant's 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 at a minimum 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.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- 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.

### **Provincial Policy Statement 2014**

The proposed use achieves objectives for efficient development and land use patterns. It represents new development taking place within the City's urban growth area, adjacent to the existing built up area of the City. It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and maintains appropriate levels of public health and safety. These lands are within an approved plan of subdivision and are designated and intended over the long

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term for medium density residential uses. Natural Heritage and Environmental Impact Studies were prepared as part of the initial planning and approval process for this subdivision. Recommendations for protecting natural heritage features have been implemented including specific measures to enhance significant natural heritage resources through re-naturalization and restoration/compensation programs. Provincial concerns for archaeological resource assessment and cultural heritage were satisfied as part of the subdivision approval process. The proposed draft plan of vacant land condominium application as recommended by staff is found to be consistent with the Provincial Policy Statement.

CONCLUSION

Based on our review, the proposed vacant land condominium is appropriate and compatible with the surrounding residential land uses, and conforms to the City’s Official Plan, Zoning By-law, and Condominium Submission, Review and Approval Guidelines. The application has also been reviewed for consistency with the Provincial Policy Statement and the Planning Act requirements.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWLEY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES AND PLANNING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

November 21, 2016  
GK/TG/AM/LM/lm  
"Attach."



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**File No: 39CD-16513 / SPA16-052**  
**Planner: L. Mottram**

## **Bibliography**

### **Request for Approval:**

City of London Condominium Application Form, completed by Sifton Properties Limited, dated August 16, 2016

Draft Plan of Condominium prepared by AGM, dated August 11, 2016 (Revised October 20, 2016)

### **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, *Planning Act, R.S.O. 1990, CHAPTER P. 13*, as amended

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

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

City of London Development Services – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - Victoria on the River Subdivision - Sifton Properties Limited File No. 39T-09502 / OZ-7692 / Z-8528

### **Correspondence: (located in City of London File No. 39CD-16513 unless otherwise stated)**

Various hard copy and e-mail correspondences