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**File No: 39CD-16515 / SPA16-046  
Planner: L. Mottram**

<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: SIFTON PROPERTIES LIMITED 1170 RIVERBEND ROAD APPLICATION FOR VACANT LAND CONDOMINIUM PUBLIC PARTICIPATION MEETING ON MARCH 6, 2017</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 application of Sifton Properties Limited relating to the lands located at 1170 Riverbend Road:

- (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 1170 Riverbend Road; 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 1170 Riverbend Road.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**November 28, 2016** – Report to Planning and Environment Committee – Subdivision Special Provisions - Riverbend South Subdivision (Phase 1) and Riverbend Trib 'C' Facilities SWM Land (Facilities 'F' and 'G') – Sifton Properties Limited (File No. 39T-14505 / 39T-14503) (*Agenda Item # 4*)

**March 23, 2015** – Report to Planning and Environment Committee – Riverbend South Secondary Plan – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – Sifton Properties Limited (File No. 39T-14505 / OZ-8426) (*Agenda Item # 15*)

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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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 eight (8) vacant land units and a common element for the internal driveway and services, with access from Riverbend Road.

<b>RATIONALE</b>
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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 provision, and is being brought forward under separate

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report.

- 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.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> September 28, 2016	<b>Agent:</b> n/a
<b>REQUESTED ACTION:</b> Request for approval of a draft plan of vacant land condominium. The application proposes a residential plan of vacant land condominium creating 8 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. 97 metres (318 ft.)</li> <li>• <b>Depth</b> – Approx. 77 metres (253 ft.)</li> <li>• <b>Area</b> – 0.73 hectares (1.8 acres)</li> <li>• <b>Shape</b> – Irregular</li> </ul>

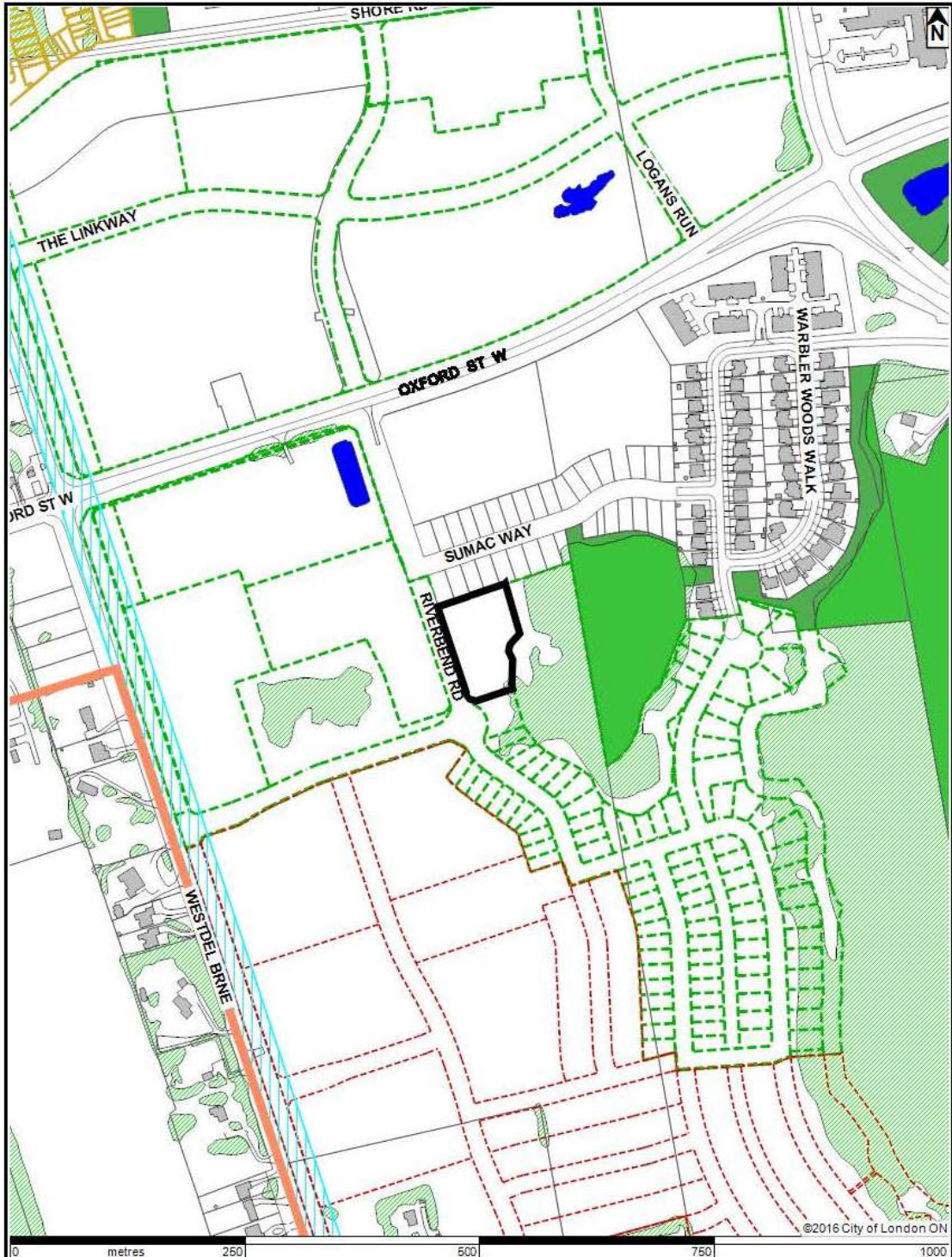
<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> – single detached residential</li> <li>• <b>South</b> – open space (future Neighbourhood Park)</li> <li>• <b>East</b> – open space (Hickory Woods)</li> <li>• <b>West</b> – future medium/high density residential</li> </ul>






<b>OFFICIAL PLAN DESIGNATION:</b>
“Multi-family, Medium Density Residential”
<b>THE LONDON PLAN PLACE TYPE:</b>
“Neighbourhoods”
<b>EXISTING ZONING:</b>
Holding Residential R5/R6 (h•R5-6/R6-5)

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### Location Map

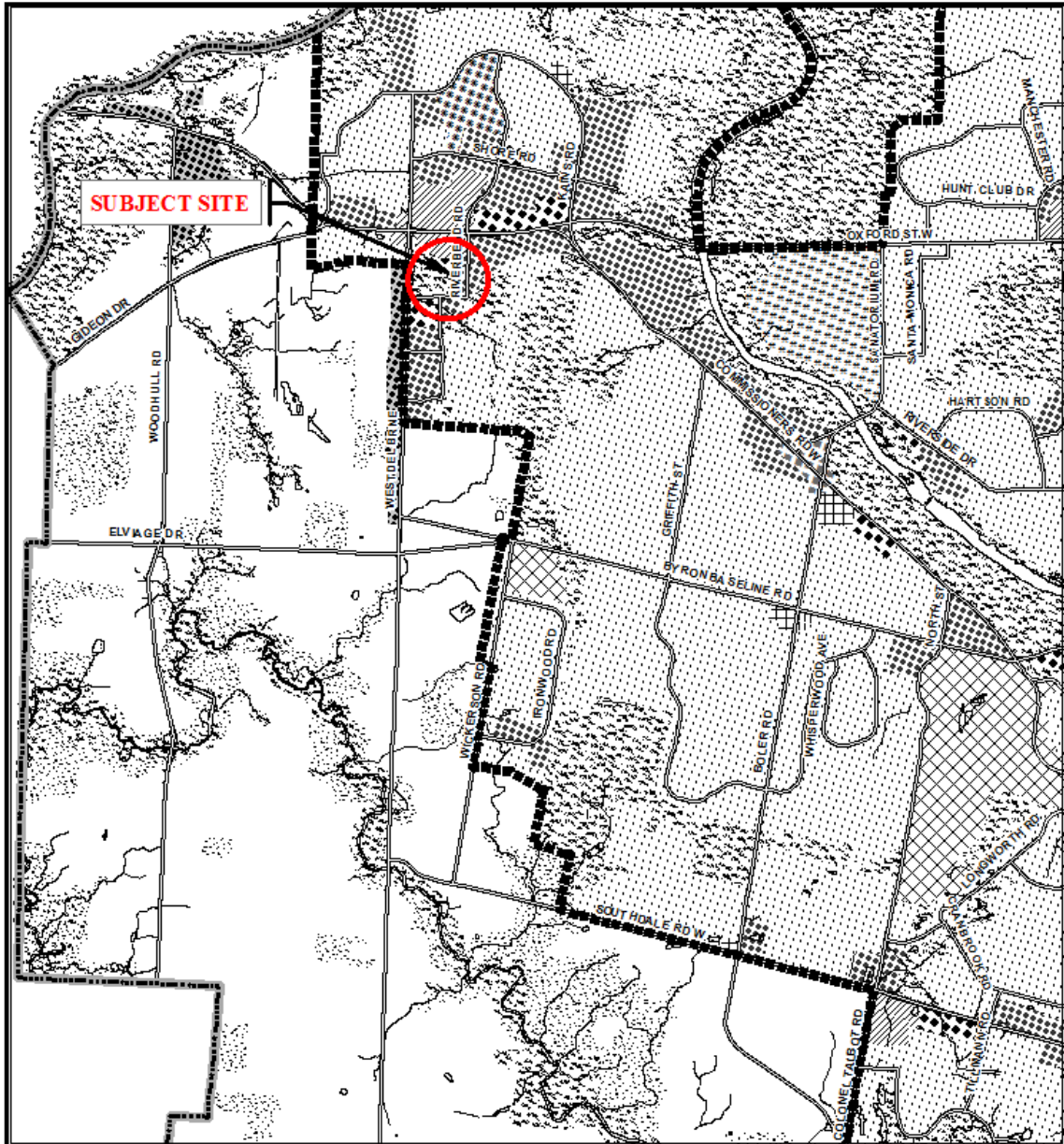


<p><b>LOCATION MAP</b></p> <p>Subject Site: 1170 Riverbend Road          Applicant: Sifton Properties Limited          File Number: 39CD-16515          Planner: L. Mottram          Created By: LM          Date: 2016-09-30          Scale: 1:5000</p> <p>Corporation of the City of London          Prepared By: Planning and Development</p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li> Subject Site</li> <li> Parks</li> <li> Assessment Parcels</li> <li> Buildings</li> <li> Address Numbers</li> </ul>
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Official Plan Map



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

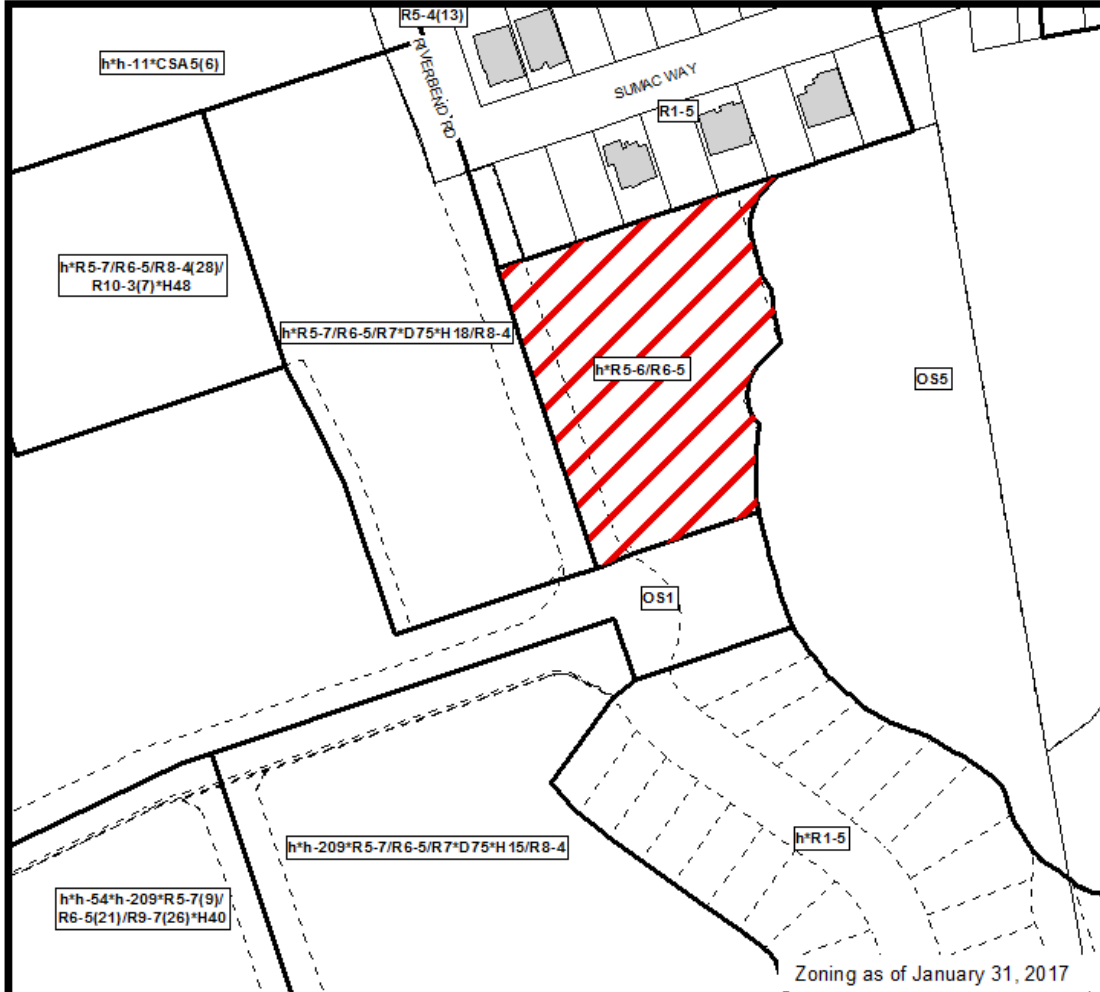
  

<p><b>CITY OF LONDON</b>                  Department of                  Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: 39CD-16515</p> <p>PLANNER: LM</p> <p>TECHNICIAN: JTS</p> <p>DATE: February 13, 2017</p>
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 Planner: L. Mottram

**Zoning Map**



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- |  |   |
|--|---|
| <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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**CITY OF LONDON**

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:  
 39CD-16515 LM

MAP PREPARED:  
 February 13, 2017 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

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**PLANNING HISTORY**

On May 6, 2015, the City of London Approval Authority granted approval to the draft plan of subdivision submitted by Sifton Properties Limited representing the first phase of their Riverbend South development. The draft plan consists of 90 single detached residential lots, 1 medium density residential block, 1 medium-high density residential block, 1 commercial block, 5 park blocks, 1 walkway block, 2 open space blocks served by a secondary collector road, 3 local streets, 2 road widening blocks, and the extension of Riverbend Road and Warbler Woods Walk. At its session held March 31, 2015, Municipal Council passed a resolution advising the Approval Authority that it supported issuing draft approval for the proposed plan of subdivision. Council also adopted the Riverbend South Secondary Plan, and amended the Official Plan and Zoning By-law to apply specific land use designations and zoning to the various lots and blocks within the plan.

A subdivision agreement is expected to be executed shortly, and the subdivision plan for Phase 1 is proceeding to final approval and registration. The current application for approval of a Vacant Land Condominium applies to a medium density residential block within the draft plan (Block 91) located on the east side of the future southerly extension of Riverbend Road.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

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

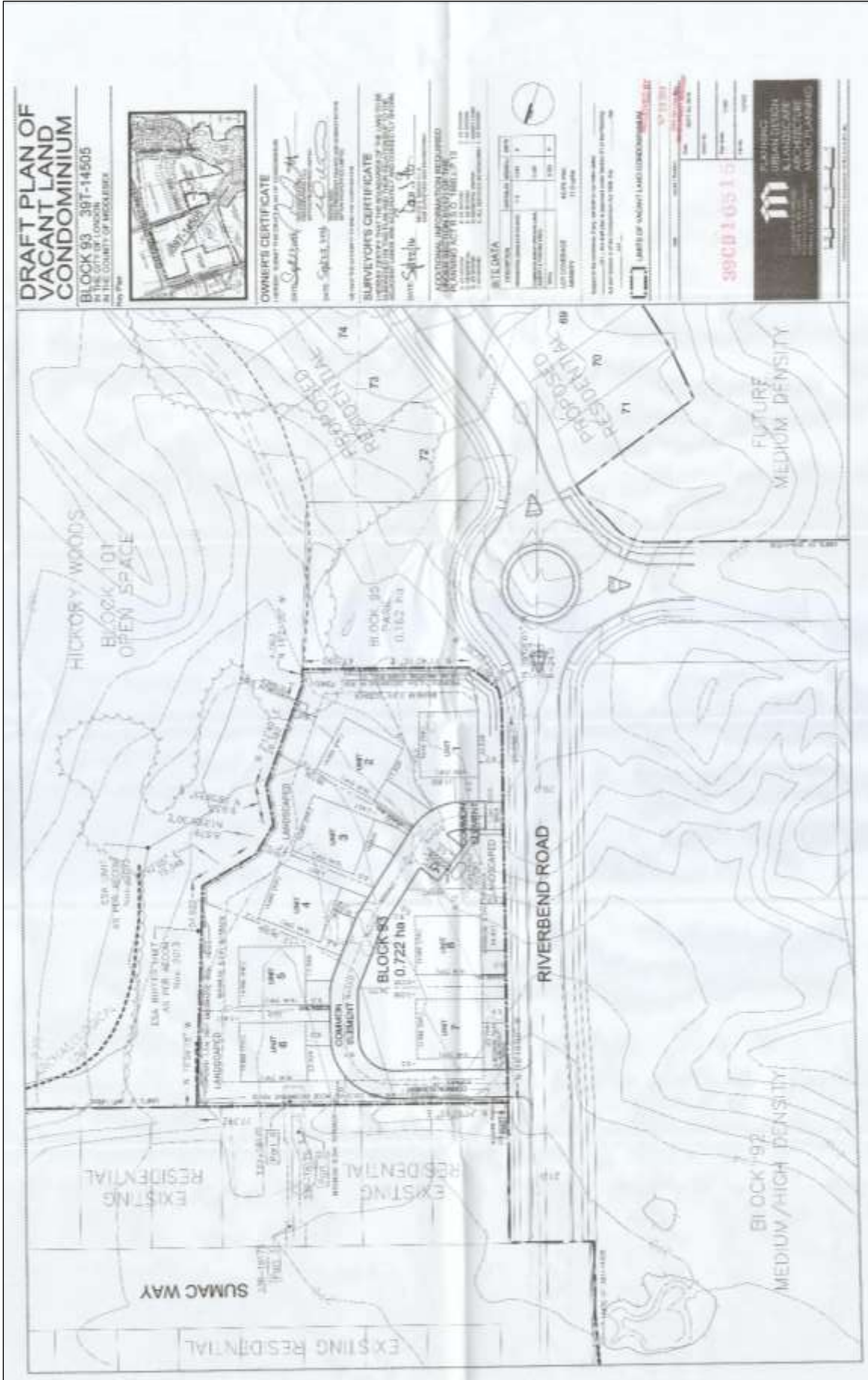
The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. The UTRCA reports no objections to this application.

<b>PUBLIC LIAISON:</b>	On October 3, 2016, a Notice of Application for approval of Draft Plan of Vacant Land Condominium was sent to 17 surrounding property owners within 120 metres of the site. Notice was published in "The Londoner" on October 13, 2016.	1 reply received
<b>Nature of Liaison:</b> see "Requested Action" section.		
<b>Responses:</b> Concern about access driveway proximity to adjacent rear yards, car headlights, impact on privacy, and type of privacy fencing proposed. Expressed support for a treed fence line to create a buffer between the properties, and would encourage trees, brush and/or hedging be planted to help sustain a private setting.		

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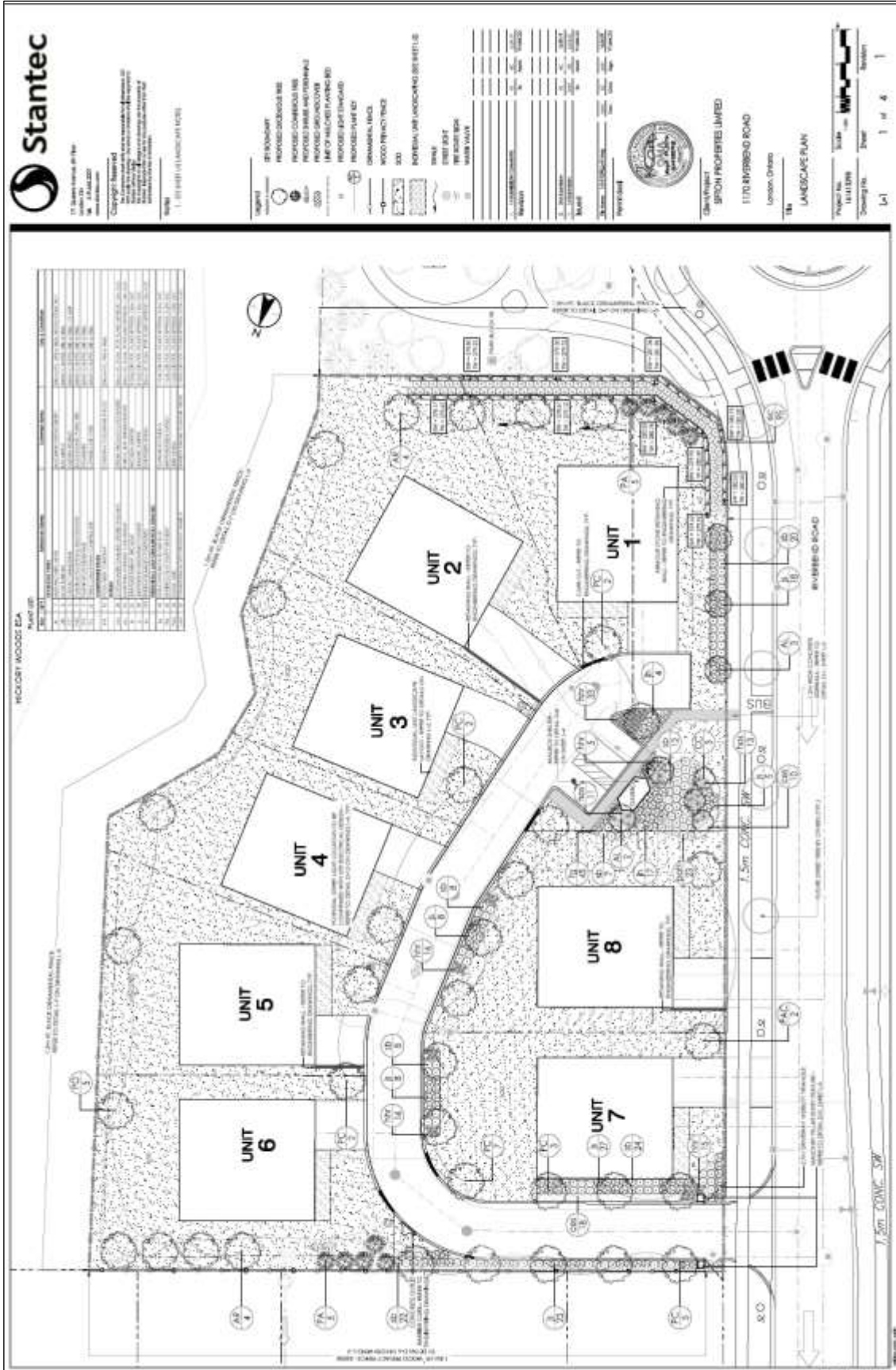
Proposed Draft Plan of Vacant Land Condominium





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Site Plan





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**ANALYSIS**

The effect of the registration of the draft plan of condominium would be to create 8 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. Two units will have frontage and access directly to Riverbend Road. The remaining six units will be served by an access driveway and visitor parking located internally and within the common element which will be maintained by the condominium corporation.

Applications for Site Plan Approval and Removal of Holding Provision have been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan package includes detailed site servicing, grading, landscaping, and building elevation plans. The ultimate plan will consist of 8 cluster single detached dwelling units in a condominium form.

**Official Plan**

The parcel is designated “Multi-family, Medium Density Residential” which permits primarily 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. This designation also permits 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, one and two storey dwellings at an approximate density of 12 units per hectare. It’s compatible with the form, scale, and housing types existing and planned for the immediate area; and has good neighbourhood connectivity and building orientation to the public street. Based on our review, the proposed use, form and intensity conforms to the Official Plan and the principles and policies of the Riverbend South Secondary Plan.

**The London Plan**

With respect to *The London Plan*, 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. Riverbend Road between Oxford Street West and a planned future roundabout located just south of the subject site, is identified as a “Neighbourhood Connector” on Map 3 - Street Classifications. The proposal is found to be in keeping with intent of the *The London Plan*.

**Zoning By-law**

The zoning is currently Holding Residential R5/R6 (h•R5-6/R6-5). Subject to the removal of the “h” provision, the zoning would permit 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.

The application for Site Plan Approval has reached an advanced stage where securities have now been received by the City. 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.

**Response to Public Comments**

Concern was expressed by a neighbouring property owner on Sumac Way about the proposed location for the access driveway in proximity to adjacent rear yards, car headlights at night, potential impact on privacy, and the type of privacy fencing proposed. In order to protect the rear yard amenity area and privacy of the adjacent homes on Sumac Way, substantial screening has been incorporated in the site plan and landscape plan. This includes a continuous planting strip consisting of juniper shrubs, spruce trees and other deciduous trees along the north side of the access driveway, in addition to a proposed 1.8 metre high solid wood decorative privacy fence

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along the entire northerly property boundary. Out of a total of eight vacant condominium units, six units and three visitor parking spaces are to be served by the internal access driveway. Two units will have frontage on and driveway access directly from Riverbend Road. Internal traffic volumes are expected to be relatively low and, together with the proposed landscape screening and fencing, will have minimal impact on the privacy of neighbouring residents.

**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 Riverbend South Secondary Plan, and represents new development within an approved plan of subdivision.
- Sewer and water services will be available to service this site in accordance with the terms of the subdivision agreement.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The proposed development is oriented to Riverbend Road which creates a sense of place by providing an active street frontage, and meets the intent of the Placemaking principles.
- The applicant is proposing to construct 8 new cluster detached dwellings on vacant land condominium units (lots). The proposal satisfies locational and compatibility criteria of the Official Plan as it abuts a primary collector road. It also serves as a good neighbourhood transition between a natural wooded area to be maintained as open space to the east, a small neighbourhood park to the south, existing single detached homes on Sumac Way to the north, and future medium/high density residential to the west.
- The subject parcel is 0.73 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for cluster dwellings. This development parcel is part of a larger planned community that is anticipated to provide for a full range of housing sizes, types, 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;
- 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.
- That purchasers of units/homes within this development are provided with an education package which explains the stewardship of natural areas, the value of existing tree cover and the protection and utilization of the grading and drainage pattern.

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**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 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.

<b>CONCLUSION</b>
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Based on our review, the proposed vacant land condominium is appropriate and compatible with the surrounding 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.

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

February 28, 2017  
GK/TG/AM/LM/lm

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**File No: 39CD-16515 / SPA16-046**  
**Planner: L. Mottram**

**Responses to Public Liaison Letter and Publication in “The Londoner”**

**Telephone**

None

**Written**

Nathan Stout  
1881 Sumac Way  
- Concern about access driveway proximity to adjacent rear yards, car headlights, impact on privacy, and type of privacy fencing proposed. Expressed support for a treed fence line to create a buffer between the properties, and would encourage trees, brush and/or hedging be planted to help sustain a private setting.

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Planner: L. Mottram**

### **Bibliography**

#### **Request for Approval:**

City of London Condominium Application Form, completed by Sifton Properties Limited, dated September 26, 2016

Draft Plan of Condominium prepared by MHBC Planning, dated September 22, 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

*City of London, The London Plan*, as adopted by Municipal Council June 23, 2016

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 – Riverbend South Phase 1 - Sifton Properties Limited - File No. 39T-14505 / OZ-8426

#### **Correspondence: (located in City of London File No. 39CD-16515 unless otherwise stated)**

Various hard copy and e-mail correspondences