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**File No: 39CD-17504 / SPA17-013**  
**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 2603 HOLBROOK DRIVE APPLICATION FOR VACANT LAND CONDOMINIUM PUBLIC PARTICIPATION MEETING ON AUGUST 28, 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 2603 Holbrook Drive:

- (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 2603 Holbrook Drive; 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 2603 Holbrook Drive.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**November 28, 2016** – Report to Planning and Environment Committee – 2619 Sheffield Boulevard (Block 51 Plan 33M-707) - Application for Vacant Land Condominium - Sifton Properties Limited (File No. 39CD-16513) (*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 twenty-eight (28) vacant land units and a common element for amenity areas, walkways, internal driveway and services, with access from Holbrook Drive.

<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 provisions, and is being brought forward under separate report.

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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.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> May 30, 2017	<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 28 residential units, and a common element for the access driveway, site services, and amenity area.	

<b>SITE CHARACTERISTICS:</b> <ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – vacant</li> <li>• <b>Frontage</b> – Approx. 113 metres (371 ft.)</li> <li>• <b>Depth</b> – Approx. 63 metres (207 ft.)</li> <li>• <b>Area</b> – 0.654 hectares (1.6 acres)</li> <li>• <b>Shape</b> – Irregular</li> </ul>
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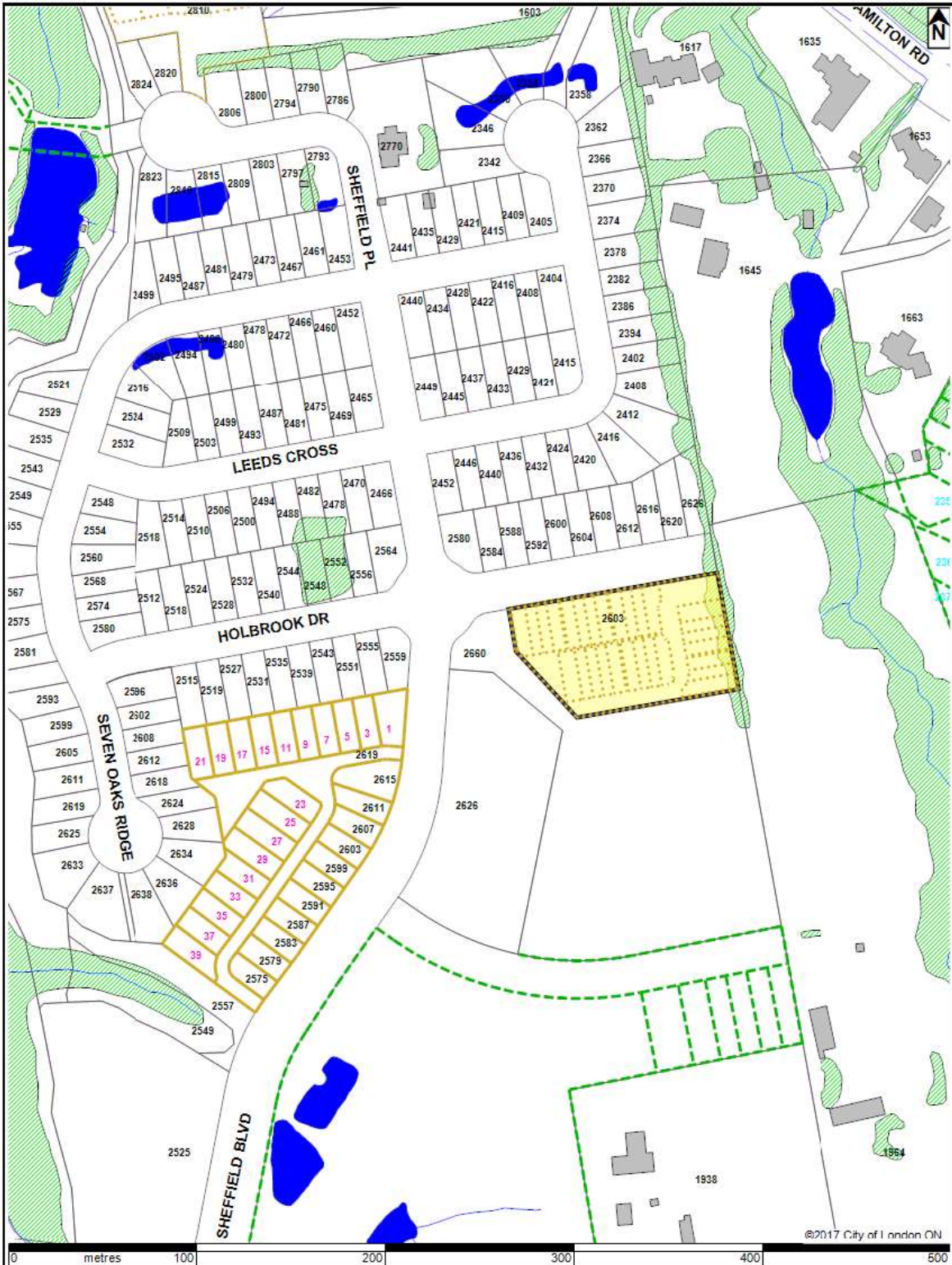
<b>SURROUNDING LAND USES:</b> <ul style="list-style-type: none"> <li>• <b>North</b> – single detached residential lots</li> <li>• <b>South</b> – open space / park block</li> <li>• <b>East</b> – vacant future development lands</li> <li>• <b>West</b> – open space/ park block</li> </ul>
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<b>OFFICIAL PLAN DESIGNATION:</b> “Multi-family, Medium Density Residential”
<b>EXISTING ZONING:</b> Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-4 (17)

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**Location Map**



<p align="center"><b>LOCATION MAP</b></p> <p>Subject Site: <b>2603 Holbrook Drive</b>                  Applicant: <b>SIFTON PROPERTIES LIMITED</b>                  File Number: <b>H-8772</b>                  Planner: <b>LM</b>                  Created By: <b>Im</b>                  Date: <b>2017-07-28</b>                  Scale: <b>1:2500</b></p>	<p align="center"><b>LEGEND</b></p> <table border="0"> <tr> <td style="padding-right: 5px;"></td> <td>Subject Site</td> </tr> <tr> <td style="padding-right: 5px;"></td> <td>Parks</td> </tr> <tr> <td style="padding-right: 5px;"></td> <td>Assessment Parcels</td> </tr> <tr> <td style="padding-right: 5px;"></td> <td>Buildings</td> </tr> <tr> <td style="padding-right: 5px;"></td> <td>Address Numbers</td> </tr> </table>		Subject Site		Parks		Assessment Parcels		Buildings		Address Numbers
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<p>Corporation of the City of London                  Prepared By: Planning and Development</p>											

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**PLANNING HISTORY**

On March 27, 2017 the Approval Authority for the City of London granted Final Approval of a draft plan of Vacant Land Condominium application submitted by Sifton Properties Limited for 2619 Sheffield Boulevard (File No. 39CD-16513). This parcel represented a multi-family, medium density residential block located within Phase 3 of the Victoria on the River subdivision (Block 51 Plan 33M-707). That condominium approval consisted of thirty (30) single detached residential units and common element for internal driveway and services, with access from Sheffield Boulevard. The current application for Approval of Draft Plan of Vacant Land Condominium applies to another multi-family block (Block 49) also located within Phase 3 of the Victoria on the River subdivision.

**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 has no objections to this application.

<b>PUBLIC LIAISON:</b>	On May 31, 2017, a Notice of Application for approval of Draft Plan of Vacant Land Condominium was sent to eleven (11) surrounding property owners within 120 metres of the site. Notice was published in "The Londoner" on June 15, 2017.	No replies received
<b>Nature of Liaison:</b> see "Requested Action" section.		
<b>Responses:</b> There were no responses to the public liaison notices.		

**ANALYSIS**

The effect of the application request is create 28 Vacant Land Condominium units to be developed in the form of cluster townhomes. Landscaped amenity areas, walkways, internal driveway and services will be located within a 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 submission, including servicing, grading, landscaping, and building elevation plans, have been accepted by the City and the Development Agreement is in the process of being finalized.



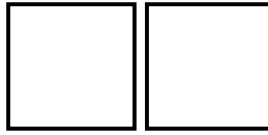
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**Site Plan**





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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 attached, two (2) storey townhouse dwellings at an approximate density of 45 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 Staff’s 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.

**Zoning By-law**

The zoning is Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-4(17) Zone. Subject to removal of the holding provisions, this zone variation permits a broad range of residential dwelling types including 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 75 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 been 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 the development of residential uses from fenced enclaves which turn their back on the remainder of the community.

This site was designed with several units fronting the public street with driveway access directly from Holbrook Drive. There is also strong site and building orientation to the adjacent neighbourhood park which will include a 1.5 metre wide paved pathway connection, as well as a lack of fencing or physical barrier. Instead enhanced landscape plantings and property boundary monuments as per City of London standards (SPO-4.7) are proposed to demarcate the boundary between private property and the public park. A 1.5 metre high chain link fence is proposed along the easterly property boundary. The application for Site Plan Approval has reached an advanced stage in the review process. The building orientation plan has been accepted and incorporated into the site plan and development agreement.

The zoning will be reviewed again for compliance as building permits are issued for dwelling units. The proposed use is permitted by the Zoning By-law and cluster townhouses 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.



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- From a Placemaking perspective, the proposed development is oriented to Holbrook Drive 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 28 new cluster dwellings on Vacant Land Condominium units (lots). The proposed units satisfy the locational and compatibility criteria of the Official Plan, and serve as a transition into the existing low density residential neighbourhood to the north.
- The draft plan of Vacant Land Condominium illustrates how these lands are to develop for cluster housing. The proposed size and style of 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, amenity areas, 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 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.

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<b>CONCLUSION</b>
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In the opinion of Staff, 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.

<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES</b>	<b>LOU POMPILII, MPA, RPP MANAGER, DEVELOPMENT PLANNING SERVICES</b>
<b>CONCURRED IN BY:</b>	<b>SUBMITTED BY:</b>
<b>PAUL YEOMAN, RPP, PLE DIRECTOR, DEVELOPMENT SERVICES</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

August 21, 2017  
 GK/TG/AM/LM/lm  
 "Attach."

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**File No: 39CD-17504 / SPA17-013  
Planner: L. Mottram**

## **Bibliography**

### **Request for Approval:**

City of London Condominium Application Form, completed by Sifton Properties Limited, dated May 25, 2017

Draft Plan of Condominium prepared by AGM, dated May 19, 2017

### **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-17504 unless otherwise stated)**

Various hard copy and e-mail correspondences