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File: 39CD-12504
Planner: Nancy McKee

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS DIRECTOR OF DEVELOPMENT & COMPLIANCE DIVISION AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: WASTELL DEVELOPMENTS INC. 493 SUNNINGDALE ROAD EAST PUBLIC PARTICIPATION MEETING ON MONDAY MAY 28, 2012 NOT BEFORE 4:15 PM

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Vacant Land Plan of Condominium application of Wastell Developments Inc. relating to the property located at 493 Sunningdale Road East:

- a) 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 493 Sunningdale Road East; and
- b) 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.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

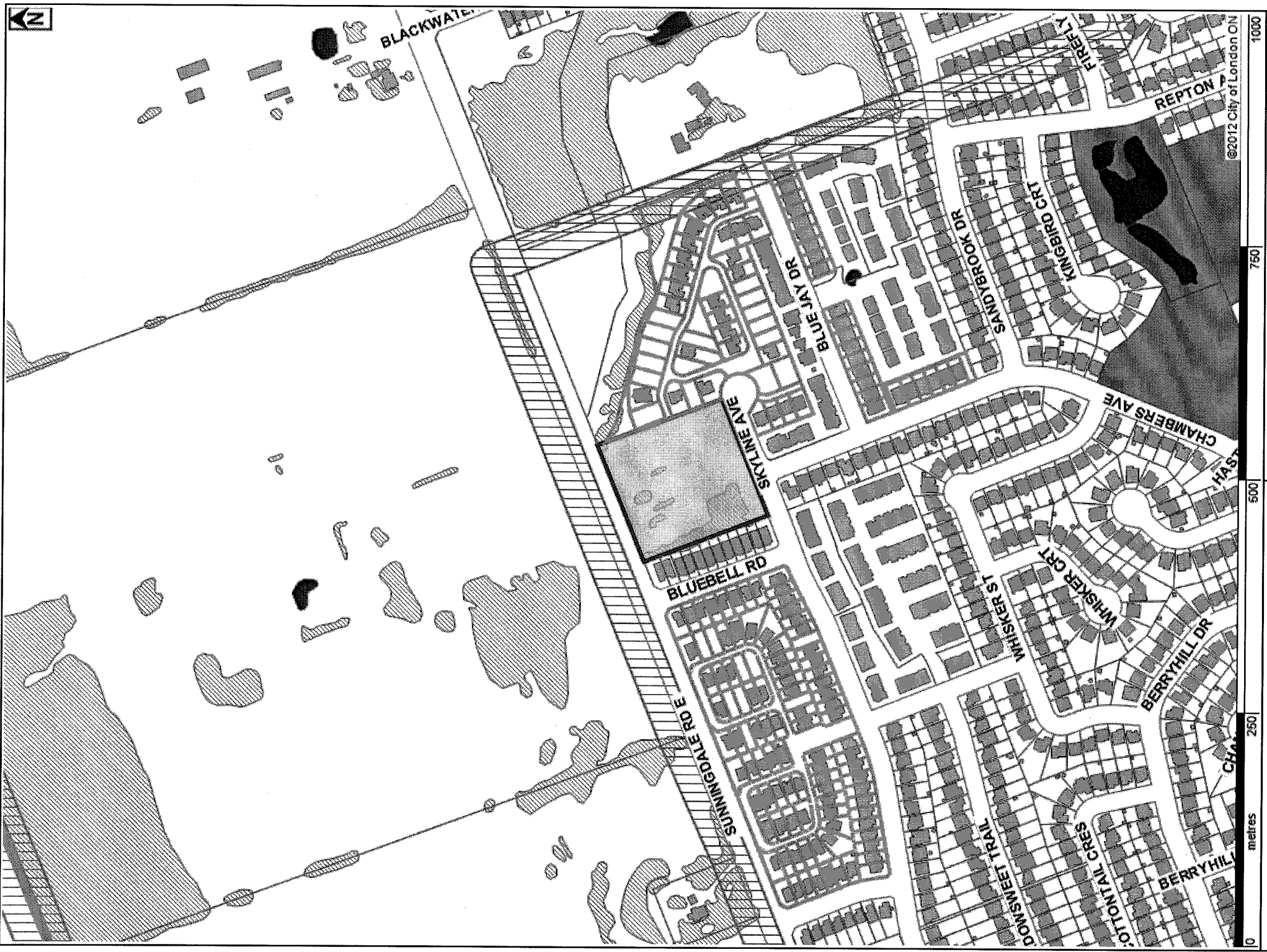
OZ-5512 – Uplands Community Plan OPA – Approved February, 1999
Z-6415 – Application to amend zoning to R5-3/R6-4 - Approved April, 2003

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this application is to register a plan of vacant land condominium at 493 Sunningdale Road East, consisting of 38 single detached cluster housing units, with the common element area to include a private stormwater management facility and a private roadway.

RATIONALE

1. The submitted draft plan of vacant land condominium is in conformity with Official Plan Policies and the City's Condominium Submission Review and Approval Guidelines.
2. The draft plan of vacant land condominium can be accommodated on the subject lands and can be integrated with adjacent surrounding lands.
3. The draft plan of vacant land condominium is in conformity to the City of London Z.-1 Zoning By-law and consistent with the Provincial Policy Statement.








LOCATION MAP

Subject Site: 493 Sunningdale Road E
 Applicant: Ricor Engineering Limited
 File Number: 39CD-12504
 Planner: Nancy McKee
 Created By: Nancy McKee
 Date: 2012-03-19
 Scale: 1:5000

Corporation of the City of London
 Prepared By: Planning, Environmental

LEGEND

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



0 250 500 750 1000 metres

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BACKGROUND

Date Application Accepted: March 12, 2012	Agent: Rick Dykstra, Ricor Engineering
REQUESTED ACTION: application for Vacant Land Condominium and concurrent site plan to permit the development of 38 detached dwelling units.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - vacant • Frontage – 134.1 m (Skyline Avenue) • Depth – 141.1 m • Area – 1.89 ha • Shape - square

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – future residential • South – single detached dwellings • East – single detached dwellings (condominium), Powell Drain • West - single detached dwellings

OFFICIAL PLAN DESIGNATION: (refer to map on page 4)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to map on page 5)
<ul style="list-style-type: none"> • Residential R5/R6 (R5-3/R6-4), which permits various forms of cluster housing

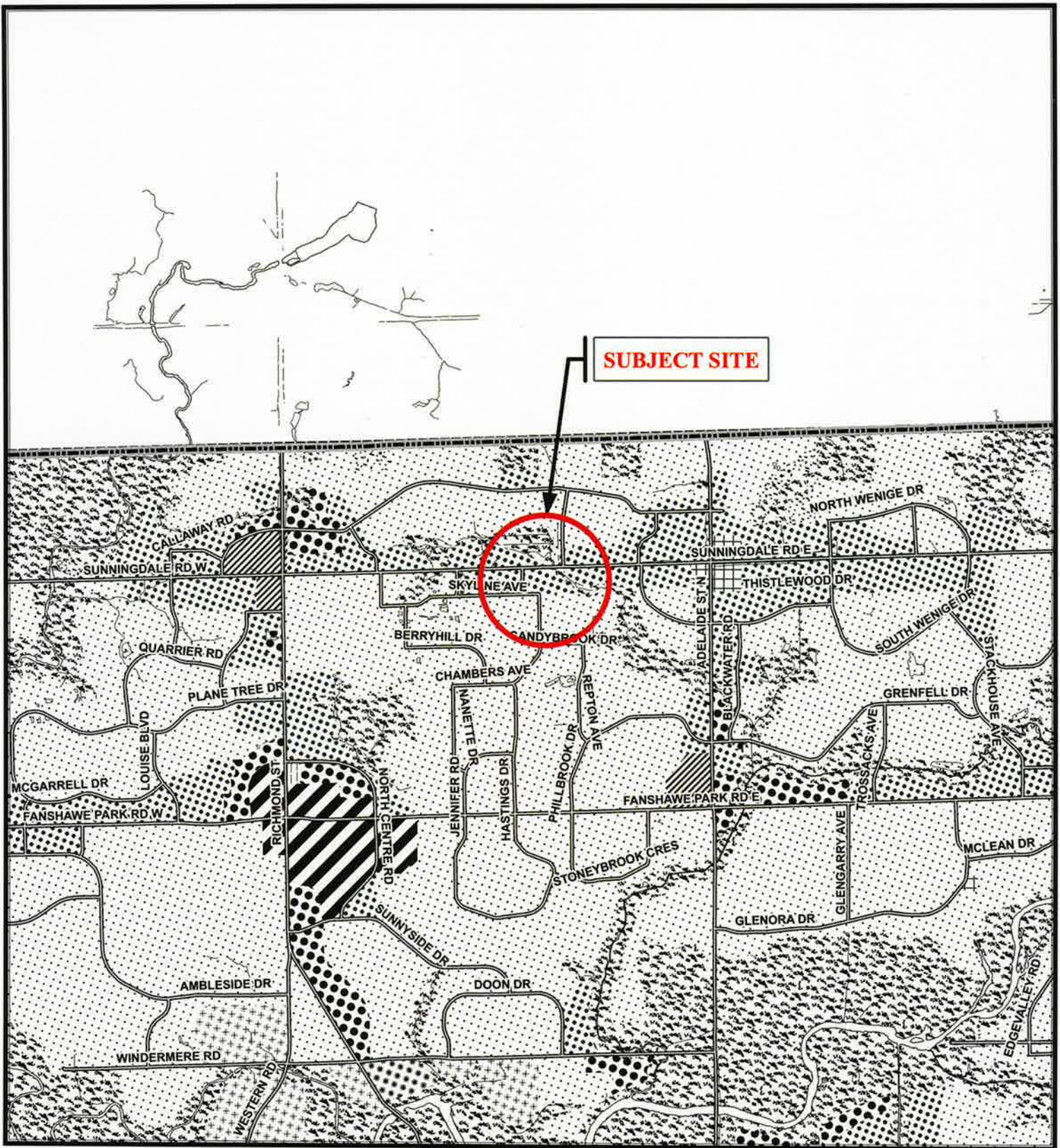
PLANNING HISTORY

The subject lands form part of the approved Uplands (South) Community Plan, which was adopted by Municipal Council in 1998. The companion Official Plan amendment was approved by the Ontario Municipal Board in 1999, which adopted the Uplands Community Plan Guideline document and designated these lands for Multi-Family, Medium Density Residential.

The subject site was surrounded by several plans of subdivision but was never part of one. An application to rezone the site to permit cluster housing (Z-6415) was approved by Council in April 2003. Another zoning by-law amendment application was received for the lands in May, 2006 (Z-7246) to add street townhouses as a permitted use on site; however this file was closed at the request of applicant after circulation, so no action was taken.

The site was previously occupied by a two storey single detached dwelling. A demolition permit was issued on October 19, 2011 to demolish the existing dwelling. A driveway to Sunningdale Road East still exists for the site; however, through the adjacent plans of subdivision, access for the property will be to the south on Skyline Avenue (see attached location map).

The applicant was granted a minor variance from the Committee of Adjustment on April 16, 2012 to permit 4 single detached dwellings (Units 1, 10 11 and 38) with a 1.2 m interior side yard setbacks whereas 6.0 m is required. As part of this process, it was noted that any trees are protected and replaced, if required, in accordance with the approved Site Plan.



Legend

- | | |
|--|-----------------------------------|
| Downtown Area | 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
 - LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: 39CD-12504

PLANNER: NM

TECHNICIAN: DT

DATE: May 11, 2012



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R5-3/R6-4, OS5

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

- 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

- 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

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

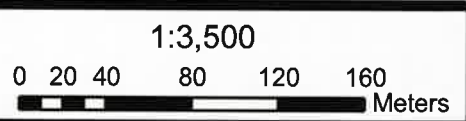
ZONING BY-LAW NO. Z-1

SCHEDULE A



FILE NO:
39CD-12504 NM

MAP PREPARED:
May 11, 2012 DT



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

PLEASE NOTE: the comments received and summarized below pertain primarily to the application of site plan.

Servicing-Related Comments

- A Municipal Class EA Study for Sunningdale Road East Widening is currently on going. The results of the EA will need to be incorporated into the final design for stormwater and road.

Transportation

- The existing access on Sunningdale Road East is to be closed and the boulevard restored.
- The site is to be graded in accordance with the ultimate profile of Sunningdale Road East. The Draft Sunningdale Road East EA shows Sunningdale Road East being raised approx 2.4 m +/- at its lowest point – approx the easterly limit of this site - and taper back over approx 80-100 m. This may require fill/grading on the northeast corner of this site.
- We do not support the SWM outlet into the ditch on Sunningdale Road East. When Sunningdale Road East is raised the outlet will no longer exist.

NOTE: revised servicing drawings have been received showing a storm outlet to the Powell Drain.

Parks Planning & Design

- Parkland dedication has not been collected for the subject lands. 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.
- Given the proximity to the Powell Drain, the applicant should apply appropriate erosion control measures to protect the natural heritage feature from sedimentation during all phases of construction.
- A small portion of the property contains a 30 metre buffer to the Powell Drain. An appropriate landscape plan shall be prepared and reviewed by the City's Ecologist to ensure consistency with appropriate vegetation adjacent to this significant natural resource.
- The Urban Forestry Section notes that there are a number of City boulevard trees planted in 2009 on the south-westerly edge of the site and a plan showing their locations and those impacted by the design proposal will be required. The trees described above and a proposal to replace those marked for removal may be included in the landscape plan.

Community Planning and Urban Design

- Special attention should be paid to units facing Sunningdale Road East and those at corners and view termini - recommended wraparound porches be included as prominent design elements.
- Note that units facing Sunningdale Road East should present their "fronts" to the street, not their "sides".
- Some elevations show front facades dominated by garages. Note that front porches are to be the prominent design features on front facades, not garages, and the applicant is encouraged to explore options that ensure this.

London Transit Commission (LTC)

- Purchasers/Tenants are advised that units 11-15 and 34-38 will not have direct Paratransit service within the Condominium Development as the Paratransit vehicle is not able to access the unit in a safe manner consistent with the London Transit Commission's policies

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File: 39CD-12504
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and procedures and the City of London Site Plan Control Area By-law Section 6.8.1(a) and (d).

Upper Thames River Conservation Authority (UTRCA)

- As part of the application the applicant has provided information that confirms the slope is stable.
- The UTRCA has no objections.
- A Section 287 permit will be required for this development.

Canada Post

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

PUBLIC LIAISON:	On March 20, 2012, 200 notices were sent to residents within 120 metres of the subject site. Living in the City Notice was published on March 24, 2012.	One reply received.
Nature of Liaison: The purpose and effect of this application is to permit the development of 38 single detached cluster housing units within a plan of condominium. Consideration of a Vacant Land Plan of Condominium with 38 units, with one (1) stormwater management block, all served by one (1) common element road. <i>*For the lands under consideration, an application for Site Plan (SP12-006645) has also been received for this site.</i>		
Responses: traffic concerns at Skyline and Chambers.		

ANALYSIS

Subject sites

The subject site is located on the south side Sunningdale Road East, between Adelaide St North and Richmond Street. The site is located east of Bluebell Road. There are no structures on the site currently. The site slopes downwards from Sunningdale Road East. There is currently a municipal drain that runs along the frontage of this property.

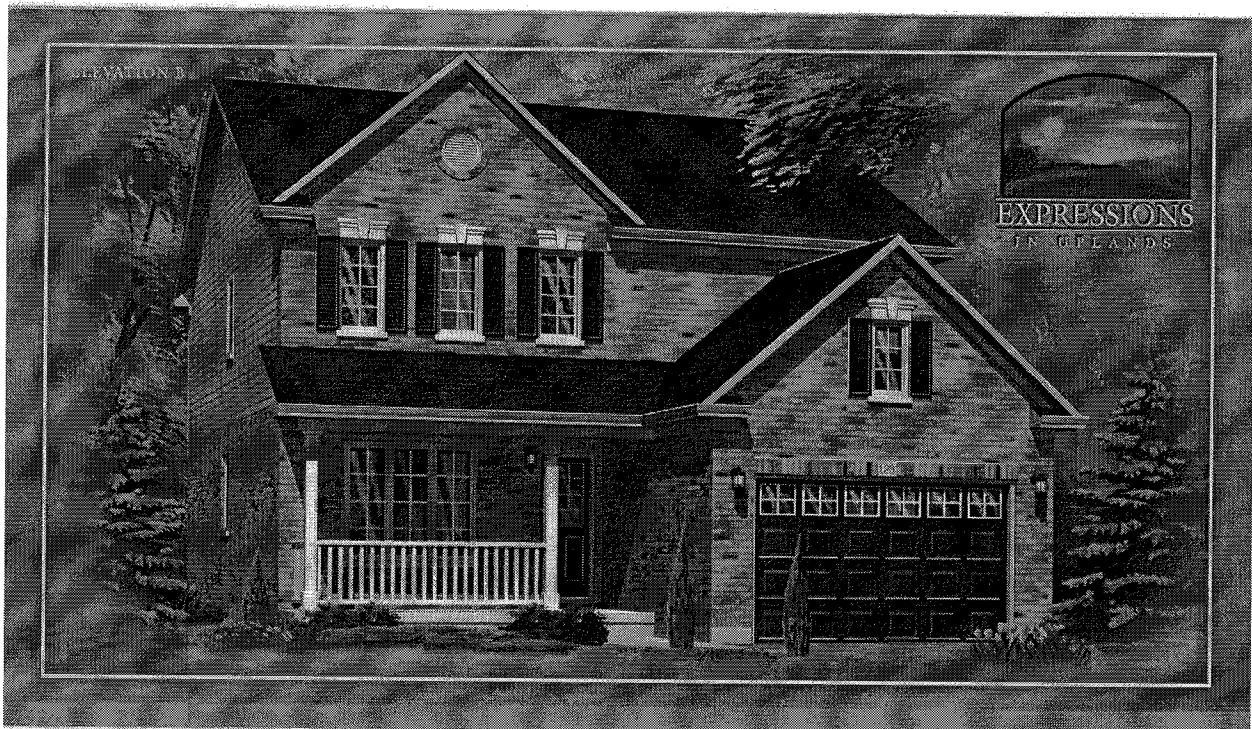
What is the nature of the application?

The applicant, Wastell Developments Inc., has applied for an application for a vacant land condominium, and a site plan application to permit 38 single detached cluster housing units. Common element components include one private stormwater management facility, and the private roadway. Access to the development will be via Skyline Avenue. The proposed site plan and several proposed elevations are shown below.



Selection of Elevations – 493 Sunningdale

THE IMAGINE • 1783 SQUARE FEET



THE TRANQUILITY • 2175 SQUARE FEET



THE ESSENCE • 1893 SQUARE FEET

Agenda Item #	Page #

File: 39CD-12504
Planner: Nancy McKee

Is the proposed application appropriate?

a) Provincial Policy Statement (PPS)

This application has been reviewed for consistency with the entire 2005 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 assist in providing housing on full municipal services without the need for costly expansions. The site plan, development agreement and conditions will identify noise mitigation measures and contain a mechanism to ensure their long-term maintenance. Development of the lands by way of a vacant land plan of condominium minimizes the amount of land needed for road purposes and promotes a compact form of development. The site will not negatively impact any natural heritage or man-made hazards, and is located close to amenities and public open space. Road widening along the entire frontage (Sunningdale Road East) will allow for installation of infrastructure when warranted. Based on the review of the Provincial Policy Statement, approval of the proposed plan with associated conditions would be consistent with the 2005 Provincial Policy Statement.

b) Official Plan Policies and Uplands (South) Community Plan

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 (uph). Areas designated Multi-Family, Medium Density Residential are intended to 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. These areas may also be developed for single-detached, semi-detached and duplex dwellings. Although its location along an arterial road would normally result in increased density, and townhouse dwellings are a preferred use within the Multi-Family, Medium Density designation, it should be noted that single detached dwellings are a permitted use in this designation, this type of development will fit in with the character of the existing area and there are no minimum density policies which are applicable to this site.

The Uplands (South) 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 serviced by the creation of a local driveway off of Skyline Avenue, and will not have direct vehicular access from the arterial road. Pedestrian linkages to the arterial through the internal road network will meet the Community Plan's objective of strong pedestrian connectivity and will allow easy access to transit. Servicing capacity has been established as per the servicing studies submitted. The site is adjacent to the Powell Drain which will remain as the primary natural feature in this area, and a private storm water management pond will be incorporated into the development to control water quantity. The Community Plan projected a significant amount of lands to be developed as medium density housing; however this plan does not quite achieve the density as envisioned through the Area Plan. The proposed site, although not achieving the optimal density, does offer a variety of homes ranging from 1500 to 2500 square feet, which provide for greater housing choice and affordability. Overall, this proposed Vacant Land Plan of Condominium meets the Official Plan guidelines for the Uplands (South) Community Plan.

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 planned development form established through previous applications to the east and west of this site and is consistent with the Official Plan and Uplands (South) Community Plan.

c) Zoning By-law

The applicant is proposing to develop based on the existing R5-3/R6-4 Zoning. The existing zoning allows for a maximum density of 35 units per hectare on the site, which would permit up

Agenda Item #	Page #

File: 39CD-12504

Planner: Nancy McKee

to 66 units on the site. The current proposal of 38 units only achieves 20 units per hectare. The existing zoning and proposed draft plan of condominium respects the above policies, and both are in conformity to the Official Plan.

d) 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.

- This proposal is consistent with the objectives and policies of the Official Plan, the Multi-Family, Medium Density Residential Designation, and the Uplands (South) Community Plan.
- The site can be readily serviced by sewer and water.
- The proposed development is approximately 500 metres from Jack Chambers Elementary school, and Virginia Park. Waste collection will occur on site via the individual units. Stormwater will be addressed through an onsite pond (further discussion on the pond is included later on in the report).
- A noise study was provided as part of this application, and several localized noise attenuation barriers will be constructed to protect the outdoor amenity area for units which flank Sunningdale Road East. Warning clauses will also be registered on title for the development.
- The draft condominium is designed such that traffic will not access the arterial directly, but rather be directed through the internal streets such as Skyline Avenue and Bluebell Road. The proposed plan is designed to be integrated with adjacent lands.
- From a Placemaking perspective, the proposed development is on a small parcel of land within a much larger area that includes excellent visibility to the Uplands (South) Community. The proposal is oriented to Sunningdale Road East which creates a sense of place by providing a visual focal point into the neighbourhood along the window street frontage and avoids the need for noise berms and extensive noise walls. It allows for multiple views into the neighbourhood. The relatively small size of the condominium allows for easy access for the homeowners of the development to Sunningdale Road East, and direct access to transit, and commercial uses to the west and east. The internal road pattern allows for residents of the development to easily access to the internal road system and to the Neighbourhood Park and school. Overall, this development meets the intent of the Placemaking principles.
- Through the site plan process staff have requested trees to be located within the front yard of every other unit. Based on the size of development there is a requirement for 41 street trees to be planted. The applicant has indicated this will interfere with servicing for the site by locating the trees in the front yard. As part of any draft plan, the design of the condominium needs to consider the potential implications for street tree locations. Additional drawings will be required which delineate where street trees can be accommodated on the individual lots, as well as a tree preservation report to detail which trees will be kept and which trees will be removed. The landscape plan will be reviewed and will form part of the development agreement.
- The applicant is proposing to construct 38 new single detached dwellings on vacant land condominium units (lots) which range in size from approximately 735 m² – 864 m². The existing homes in the area and immediately surrounding this development are of a comparable size to the proposed units. Based on the size of the proposed lots and building footprints it is anticipated that the design of these homes will not have a negative impact on the character of this neighbourhood.
- The subject land is 1.89 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for cluster single detached dwellings. As mentioned previously, the size of units and proposed buildings is comparable with 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.

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File: 39CD-12504

Planner: Nancy McKee

The City may require applicants to satisfy reasonable conditions prior to final approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. The applicant will be required to meet conditions of draft plan approval within a specified time period, failing which, draft plan approval will lapse.

In order to ensure that this vacant land condominium development functions properly, the following issues will be addressed through conditions of draft approval:

- completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- installation of fire route signs prior to registration;
- confirmation of addressing information;
- payment of outstanding taxes or local improvement charges, if any;
- provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- ensuring that 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 to mitigate any privacy issues;
- relocation of the existing municipal sidewalk;
- design and orientation of Unit 26, 28, 29, and 31;
- tree preservation and street trees;
- drainage and stormwater management; and
- noise attenuation.

A concurrent public site plan process and final development agreement will ensure the following urban design considerations are addressed:

- Units facing Sunningdale Road East and those located at view termini (at corners) are recommended to include design elements such as wraparound porches or other elements that will avoid blank walls facing Sunningdale Road East.
- Some elevations show front facades dominated by garages. The applicant is encouraged to explore options that ensure the front facades are not dominated by garages.

Sunningdale Road East final and interim grades and Stormwater Management

The City is currently undertaking an Environmental Assessment (EA) for roadworks associated with Sunningdale Road East. The draft Sunningdale Road East EA shows the arterial being raised approx 2.4 m at its lowest point, which will require fill/grading on the northeast corner of this site. The north-east corner of the site is currently showing the location of the proposed stormwater management pond, with an outlet to the existing ditch which runs parallel to Sunningdale Road East. Through the ultimate grading and works associated with Sunningdale Road, the ditch will be removed. A temporary easement shall be provided by the applicant in favour of the City to enter their lands in the future to finish the final grading to match the ultimate profile of Sunningdale Road. The applicant has recently submitted alternative drawings that show flows being directed to the Powell Drain. This will be reviewed through the process.

Also as part of future works, the Stormwater Unit has indicated that the City will be reconstructing that existing drain and possibly redesignating it as a municipal watercourse. It is anticipated that the new outlet for the drain will be constructed sometime this year. The City and the developer will need to coordinate the timing of these projects. The applicant will therefore be required to provide servicing drawings that address the interim and ultimate stormwater for the site. Additional securities will need to be taken as well, and these final numbers will be provided by the applicant, to be included in the draft conditions.

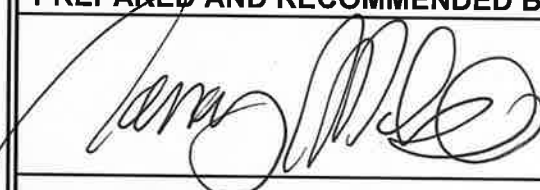
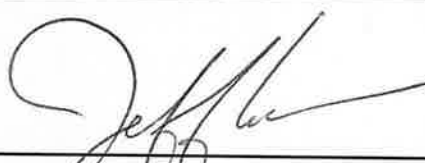

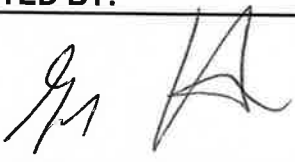
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CONCLUSION

Based on all of the above analysis, the proposed Vacant Land Condominium represents an infill opportunity that is an efficient use of land and encourages compact urban form. The Provincial Policy Statement and the City's Official Plan encourage this form of redevelopment. The applicant's proposal to allow for cluster single detached dwellings in this area is appropriate and allows for a development which is of comparable size and scale as existing dwellings in this area. Overall, this application represents good planning and is appropriate.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
	
NANCY MCKEE, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	JEFF LEUNISSEN, MCIP, RPP MANAGER OF DEVELOPMENT PLANNING DEVELOPMENT SERVICES
CONCURRED BY:	SUBMITTED BY:
	
JENNIE A. RAMSAY, P.ENG. MANAGER, DEVELOPMENT SERVICES DEVELOPMENT & COMPLIANCE DIVISION	GEORGE KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL DEVELOPMENT & COMPLIANCE DIVISION

May 15, 2012
 NM/Y:\Shared\Sub&Spec\CONDO\2012\39CD-12504 - 493 Sunningdale Rd E (NM)\report 493
 Sunningdale.docx
 "Attach"

Agenda Item # Page #

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Responses to Public Liaison Letter and Publication in "Living in the City"

Telephone

Written

Robert & Dianne Bell
502 Blue Jay Drive

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Bibliography of Information and Materials

Request for Approval:

City of London Condominium Application Form, completed by Ricor Engineering, March 9, 2012.
Draft Plan of Vacant Land Condominium, March, 2012.
Site Plan Approval Application, completed by Ricor Engineering, March 9, 2012.
Site Plan, Servicing Plan, and Common Elements Landscape Plan, Ricor Engineering, March 6, 2012.
Elevations, Wastell Developments.

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, March 1, 2005.
City of London, Site Plan Control Area By-Law, September 19, 23011, as amended.
City of London, Condominium Submission, Review and Approval Guidelines, March 2003.

Correspondence:

*all located in City of London File No. 39CD-12504 or SP12-006645 unless otherwise stated

Reports submitted with Application:

Geotechnical Report, exp, March 5, 2012.
Noise Assessment Report, Stantec, January 24, 2012
Stormwater Management Report, Stantec, March, 2012.