

Report to Planning and Environment Committee

**To: Chair and Members
Planning & Environment Committee**

**From: G. Kotsifas, P.ENG
Managing Director, Development and Compliance
Services And Chief Building Official**

**Subject: Application By: Sifton Properties Limited
Request for Draft Plan of Subdivision Approval
1877 Sandy Somerville Lane
Meeting on September 24, 2018**

Recommendation

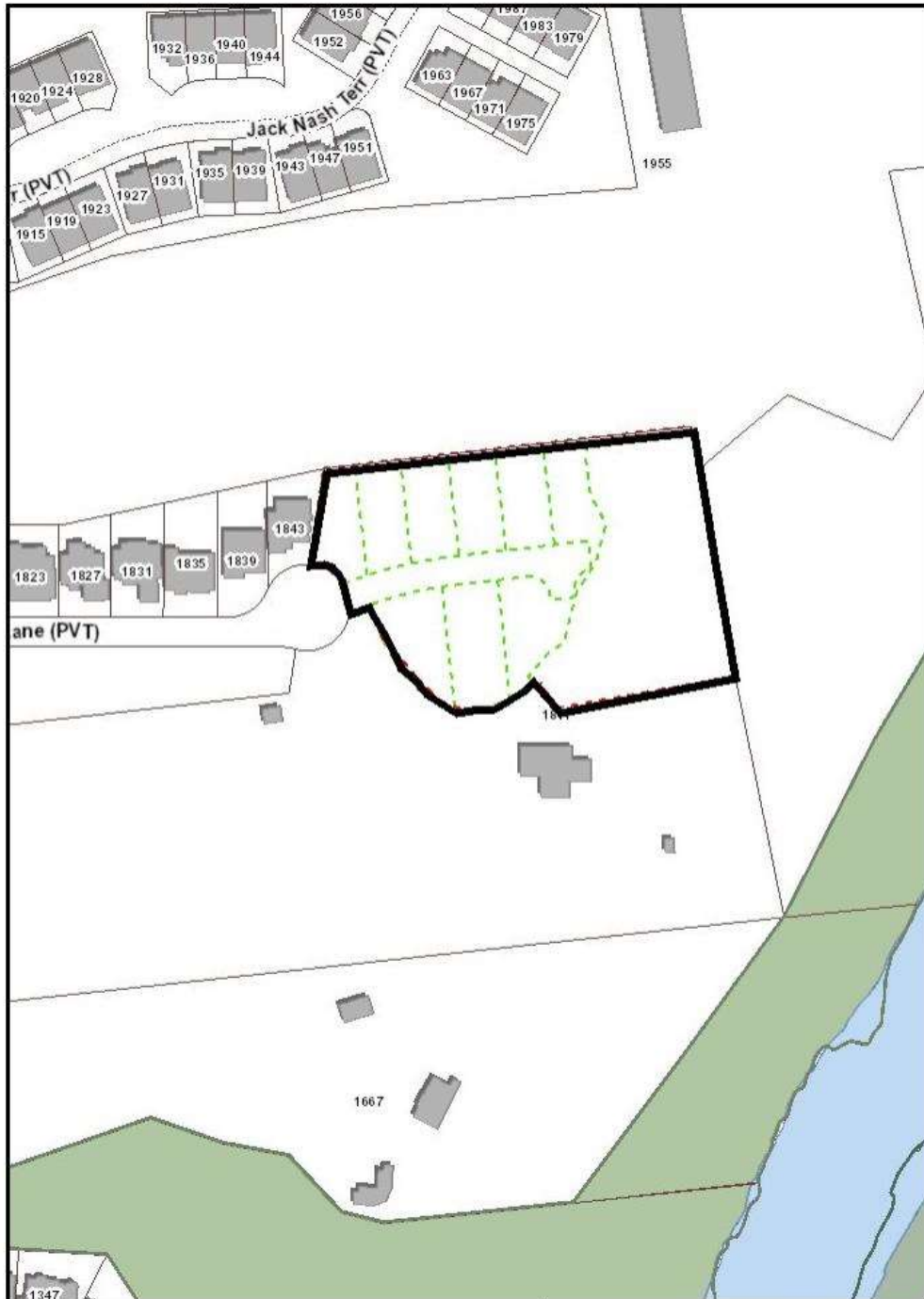
That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 1877 Sandy Somerville Lane:






- (a) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application by Sifton Properties for draft plan of subdivision relating to the property located at 1877 Sandy Somerville Lane;
- (b) The Approval Authority be advised that Council **SUPPORTS** issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-18503) as prepared by AGM Land Surveyors, certified by Jason Wilband, OLS, which shows one (1) residential block, **SUBJECT TO** the conditions contained in the attached **Appendix "39T-18503"**;

Executive Summary

1. The proposed draft plan is consistent with the Provincial Policy Statement which encourages appropriate residential intensification.
2. The proposed draft plan of subdivision provides for a form of residential development that is consistent with the Neighbourhood policies of The London Plan, and is compatible with the surrounding residential development.
3. The proposed draft plan of subdivision provides for a form of residential development that is consistent with the Multi Family, Medium Density Residential policies of the Official Plan, and is compatible with the surrounding residential development.
4. The proposed draft plan of subdivision provides for a form of residential development that is consistent with the Riverbend Area Plan.
5. The proposed development has access to existing municipal services.
6. The proposed draft plan of subdivision will permit a future part lot control application to create individual parcels for long term land leases.

Location Map



Location Map		Legend	
Project Title:	39t-18503		Subject Site
Description:			Parks
Created By:	Craig Smith		Assessment Parcels
Date:	8/17/2018		Buildings
Scale:	1:2000		Address Numbers

Corporation of the City of London

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Analysis

2.0 Description of Proposal

2.1 Development Proposal

The creation of a residential subdivision consisting of one (1) block for the purpose of a private cluster housing development, which will facilitate a new phase (10th) of the Riverbend Golf Community, in the form of long-term land leases.

3.0 Relevant Background

3.1 Planning History

The subject site forms part of the River Bend Community Plan which was initiated as a developer-led Community Planning process in November of 1996. On June 22nd, 1998, City Council adopted Official Plan Amendment No. 121 which implemented the River Bend Community Plan. The amendment was subsequently appealed to the Ontario Municipal Board by a number of landowners within the area. During the Pre-Hearing Conference of the appeals, Sifton Properties Limited announced that significant modifications were being proposed to Phase 1 of the development area, and at Sifton's request, the Board agreed to defer a hearing in order to allow time for consideration of the revised development proposal.

On February 11, 2000, Sifton Properties Limited submitted an application for Official Plan and Zoning By-law amendments, and subdivision approval for the revised Phase 1 development proposal. The applications sought approval for a Low Density Residential designation with a special provision to also permit an apartment building in the interior of the area, to a maximum overall density of 30 units per hectare (12 units per acre). The development concept included a private residential/golf course community, with a controlled entrance at Kains Road.

At the May 1, 2000, City Council meeting, Council resolved to advise the Ontario Municipal Board (OMB) that they supported the modifications to Official Plan Amendment No. 121 that would permit the revised land use concept being proposed by Sifton. The OMB met on May 8, 2000 and issued a partial Decision/Order on June 7, 2000, which modified OPA 121 in a manner consistent with Council's position.

On October 16, 2000, Municipal Council approved a Zoning By-law amendment and recommended approval of the Draft Plan of Subdivision application for the River Bend Phase 1 area. The Zoning Amendment applied a Residential R6 Special Provision (R6-5(7)) Zone to the residential block portion of the subdivision draft plan which comprises an area of 43 hectares (106 acres). The Special Provision R6-5(7) Zone permits cluster housing in the form of single-detached, semi-detached, duplex, triplex, townhouse, stacked townhouse and apartment buildings. The maximum overall density is 30 units per hectare (12 units per acre). The board decision designated and zoned the Kains Wood Environmental Significant Area Open Space which includes a 10 metre buffer.

3.2 Department/ Agency Comments

Environmental Ecological Planning Advisory Committee

Environmental and Ecological Planning Advisory Committee (EEPAC) recommends that fencing, without gates, be included in the draft plan of subdivision to protect the adjacent Environmentally Significant Area.

Note: *This issue will be addressed through the Site Plan Approval process.*

PARKS AND OPEN SPACE

The required parkland dedication will be satisfied through a cash-in-lieu payment as a condition of Site Plan control at the time of building permit.

Development Finance, Finance and Corporate Services

There are no eligible Development Charge claims associated with this development

Upper Thames River Conservation Authority

The UTRCA has no objections to this application.

3.3 Community Engagement

More information and detail about public feedback and zoning is available in Appendix B.

No comments were received during the public circulation process.

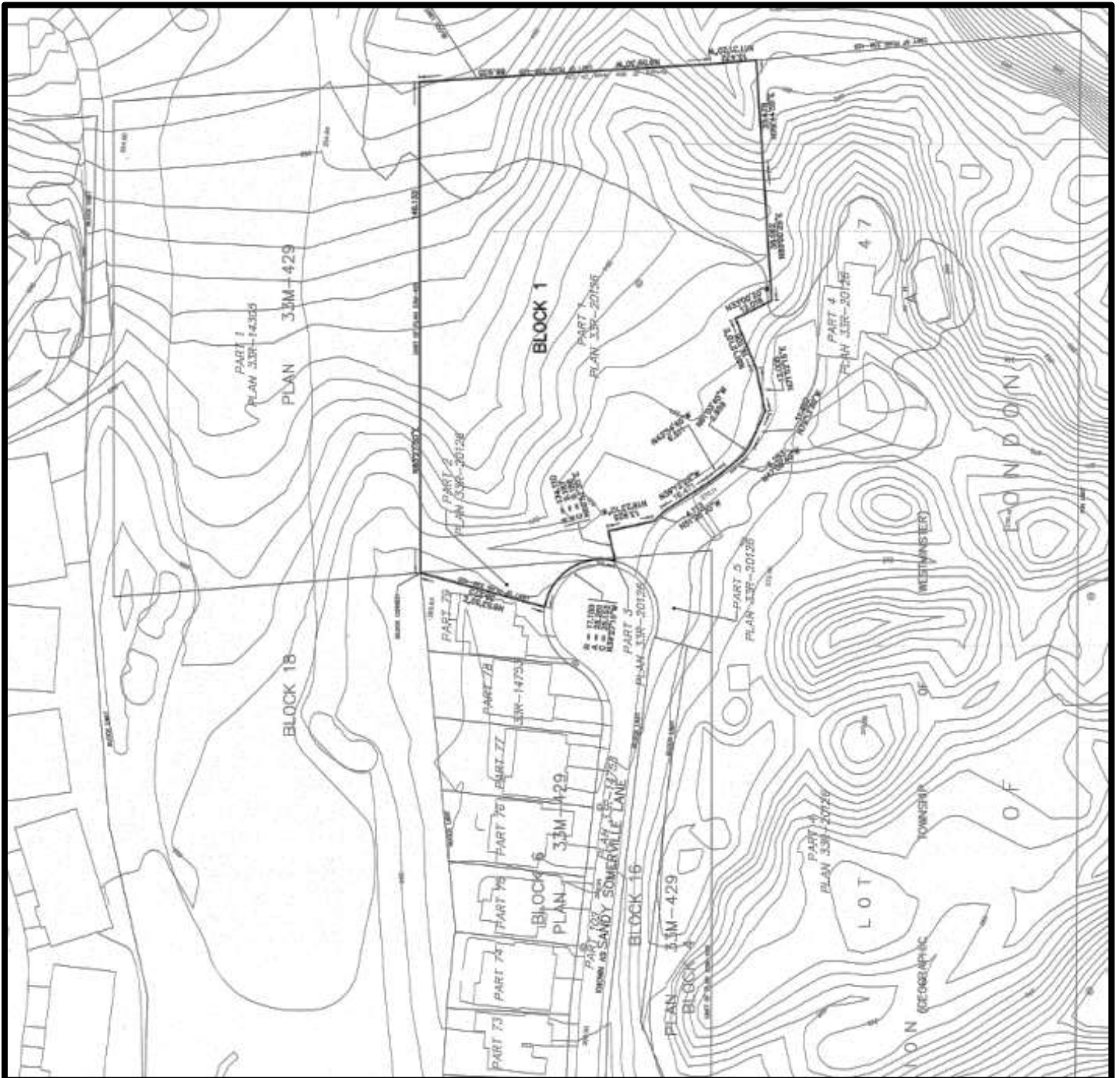
4.0 Key Issues

Requested Application

The application by Sifton Properties Limited is for a one (1) block draft plan of subdivision that is 1.4 ha in size on lands located at 1877 Sandy Somerville Lane. The proposed single block subdivision would permit the development of nine (9) single detached dwellings. The registered plan of subdivision will allow for a future part-lot control application to permit the creation of individual units (lots) that will be subject to long term land leases.

The subject lands are located on the north side of Kains Road in the Riverbend subdivision. The block is proposed to be accessed by Sandy Somerville Lane, a private street within Sifton's Riverbend Golf community. An existing private-lane way on the site provides access to the existing single detached dwelling (not part of this cluster development) located at 1877 Sandy Somerville Lane. Through the Site Plan Approval process, a right-of-way easement is required to be registered on the lands to ensure access from 1877 Sandy Somerville Lane will be permitted via a private right-of-way through the Riverbend Golf community to Kains Road.

Proposed Draft Subdivision Plan



Part Lot Control

Part Lot Control Exemption applications are alternative forms of land division to Plans of Subdivision and Consents. The Part-Lot Control Exemption By-law will be in place for a fixed three (3) year period of time, after which the By-law will expire and the Part-Lot Control provisions of the *Planning Act* come back into effect.

Section 50 of the *Planning Act* grants the City the authority to pass a By-law to exempt lands within a Plan of Subdivision from the Part Lot Control provisions in the Act. This process is used to lift Part Lot Control restrictions from lands within registered plans of subdivision to create parcels for sale or lease.

Sifton has used Part-Lot Control to create the individual residential units within the Riverbend subdivision. The Riverbend subdivision is a planned long term land leased golf community development. The previous nine (9) phases of the Riverbend subdivision have registered Development Agreements with the City. Part-Lot Control was granted by Council to create the individual units (lots) that are currently leased for a period not less than twenty-one (21) years or greater than ninety-nine (99) years. This proposed single block subdivision is to permit the 10th phase of the Riverbend subdivision.

Site Plan (SPC16-132)

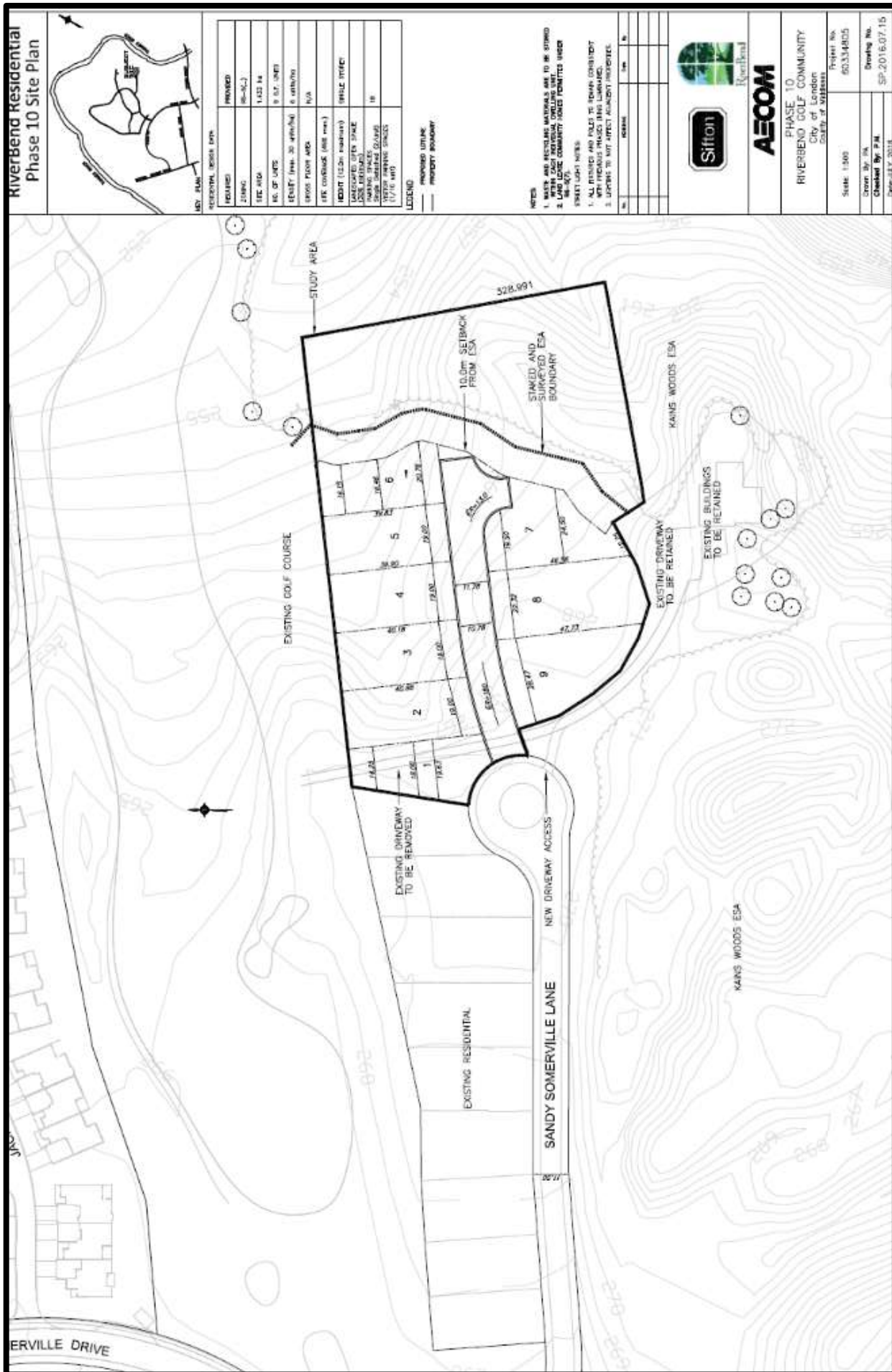
On August 8, 2016, an application for Site Plan Consultation was submitted. On September 10, 2016, the City provided comments following the review of the 1st submission of the site plan drawings.

A Development Agreement and security will be entered into through the Site Plan Approval process and will address all requirements for development such as:

- completion of site works;
- installation of fire route signs;
- confirmation of addressing information;
- provision of servicing easements for the City of London, utility providers (such as London Hydro, Union Gas, Bell, etc.), and access to 458 Kains Road;
- appropriate fencing; and,
- drainage and stormwater management.

The proposed draft plan of subdivision is to create one (1) registered block that can be further divided through an application for Part-Lot Control. The intent of Part-Lot Control is to allow Sifton Properties Ltd. to enter into long term lease agreements. All conditions for this development will be included in the Development Agreement through the Site Plan Approval process. As all City requirements for development will be dealt with through the Site Plan process, no conditions for development are required for this draft plan of subdivision. The proposed draft plan of subdivision will allow for the plan of subdivision to be registered without the need for a subdivision agreement.

Proposed Site Plan



Provincial Policy Statement (2014)

The recommended Draft Plan is consistent with the PPS 2014, summarized as follows:

1. Building Strong Healthy Communities

The recommended draft plan is consistent with objectives of Section 1.1.1 by creating healthy, liveable, and safe communities sustained by promoting efficient development patterns, and compact and cost effective development. The proposed plan is also consistent with policies to promote economic development and efficient use of existing municipal infrastructure.

2. Wise Use and Management of Resources

Natural heritage studies were previously prepared as part of the Riverbend Community Plan for the area in which the subject lands are located. The lands were identified in the community plan and the City's Official Plan for Multi Family, Medium Density Residential uses. The boundary of the Kains Woods ESA was also delineated and mapped in the Community Plan and Official Plan. The boundary was further delineated and determined in 2006. Recommendations for protecting natural heritage features include a 10 metre buffer from the ESA boundary. Archaeological studies were also completed at the time of the preparation of the community plan. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources.

3. Protecting Public Health and Safety

The recommended Draft Plan of Subdivision does not pose any public health and safety concerns, and there are no known human-made hazards.

Planning Act - Section 51(24)

Planning staff have reviewed the requirements under Section 2 of the and regard has been given to matters of provincial interest. Municipal water is available to service this development. Municipal services are adequately provided, including sewage, water, garbage collection, roads and transportation infrastructure. The proposed draft plan is located in a municipality which actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities. There is access to nearby parks and recreational facilities, fitness facilities, medical facilities, and emergency and protective services. There is adequate provision for a full range of housing. There is adequate provision of employment areas throughout the City and in close proximity to this site. The proposed draft plan implements the land use policies in accordance with the City's Official Plan, The London Plan and the Riverbend Area Plan.

The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services are normally addressed in the conditions of draft plan. These issues will be addressed through the Site Plan Approval process. No lands will be taken for public parks or highway dedication. Parkland dedication will be addressed through cash-in-lieu provisions.

Based on planning staff's review of the criteria in the *Planning Act* under Section 51(24), the proposed draft plan has regard for the health, safety, convenience, accessibility for persons with disabilities, and welfare of the present and future inhabitants of the municipality.

The London Plan

The London Plan place type for 1877 Sandy Somerville Lane is 'Neighbourhood' with

frontage onto a Neighbourhood Connector (Kains Road). The permitted uses for this site range from single detached dwellings to stacked townhouses. The proposed residential uses and scale of development are generally consistent with the intended function of the Neighbourhood Place Type.

Official Plan Policies

The subject lands are designated Multi-Family, Medium Density Residential (MDR) which permits multiple-unit residential developments having a low-rise profile, with a maximum density of 75 units per hectare. Areas designated Multi-Family, Medium Density Residential include multiple-attached dwellings, such as row houses or cluster houses. These areas may also include single-detached, semi-detached and duplex dwellings. The proposed long term leased single detached dwellings and townhouse form is in conformity with the Multi Family, Medium Density designation and consistent with the overall character of the area

Given the location of the site and the manner in which it is to be developed, the current application for draft plan of subdivision approval will provide for the integration of this site with the abutting land uses and is consistent with the Official Plan and the Riverbend Community Plan.

Zoning By-law

The existing Residential R6 Special Provision (R6-5 (7)) Zone and Holding Residential R6 Special Provision (h*R6-5 (22)) Zone permits cluster single detached dwellings and townhouse dwellings and permits a form of residential development that is consistent with the abutting Riverbend subdivision. The limit of the Kains Woods ESA was established through the OMB process in May 2000. The lands identified as ESA and the established 10m buffer are designed Open Space and are zoned Open Space (OS5).

Servicing

Sanitary

The developer will be required to connect into the 350mm sanitary sewer on Kains Road.

Storm

The proposed development will be required to provide for its storm water management through the implementation of permanent private system on-site (PPS) controls which will outlet to the storm drain on Kains Road.

Water

Water servicing for the subject site is to be serviced via the 400mm PVC watermain on Kains Rd.

Transportation

A private drive with connection to Kains Road and Sandy Somerville Lane will be utilized to provide access to the future residents in this development

All servicing issues will be addressed in greater detail through the Site Plan Application process.

5.0 Conclusion

Approval of the draft plan of subdivision is consistent with Provincial Policy, the City of London Official Plan, The London Plan and Zoning By-law. The recommended Draft Plan and conditions of draft approval will ensure a compatible form of development with the existing neighbourhood. Overall, the draft plan of subdivision represents good land use planning and is an appropriate form of development.

Prepared and Recommended by:	C. Smith MCIP, RPP Senior Planner, Development Planning
Reviewed by:	Lou Pompili, MCIP, RPP Manager, Development Planning
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CS/

Conditions of Draft Approval

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-16507 ARE AS FOLLOWS:

- | NO. | CONDITIONS |
|------------|---|
| 1) | This draft approval applies to the draft plan as submitted by Sifton Properties Limited. (File No. 39T-16507), prepared by AGM Land Surveyors, certified by Jason Wilband, OLS, (Drawing 8-L-5191, dated June 21, 2018) which shows one (1) residential block. |
| 2) | This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority. |
| 3) | Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program. |
| 4) | Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges. |
| 5) | Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City. |

Appendix B – Relevant Background

Community Engagement

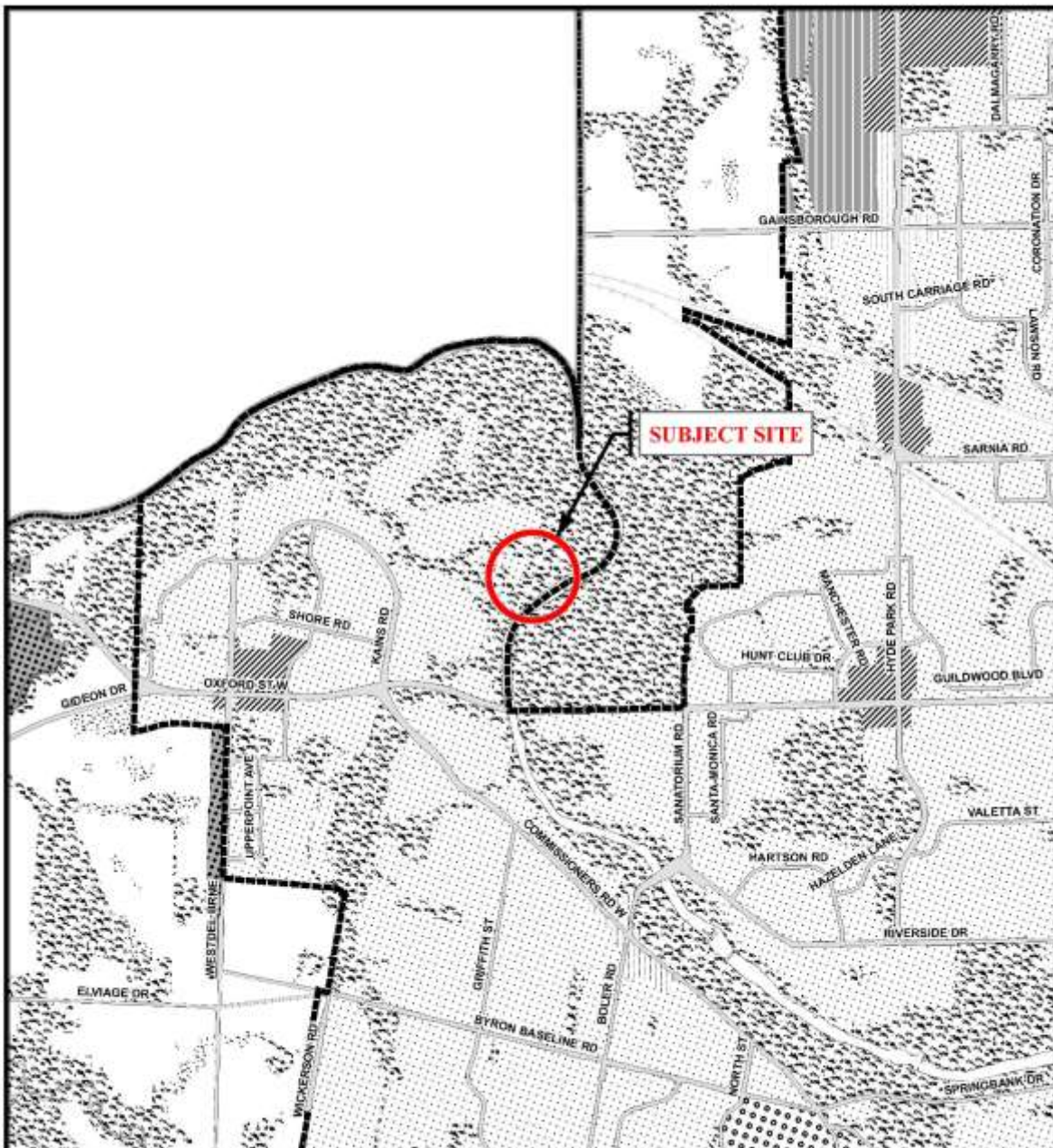
Public liaison: On July 31, 2018 Notice of Application was sent to all property owners within 120m of the subject property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 9, 2018.

Nature of Liaison: Consideration of a draft plan of subdivision consisting of one (1) residential development block. The proposed residential development consists of 9 single detached dwelling served by an internal private access road.

Responses: none.

Additional Maps

London Plan Place Types



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



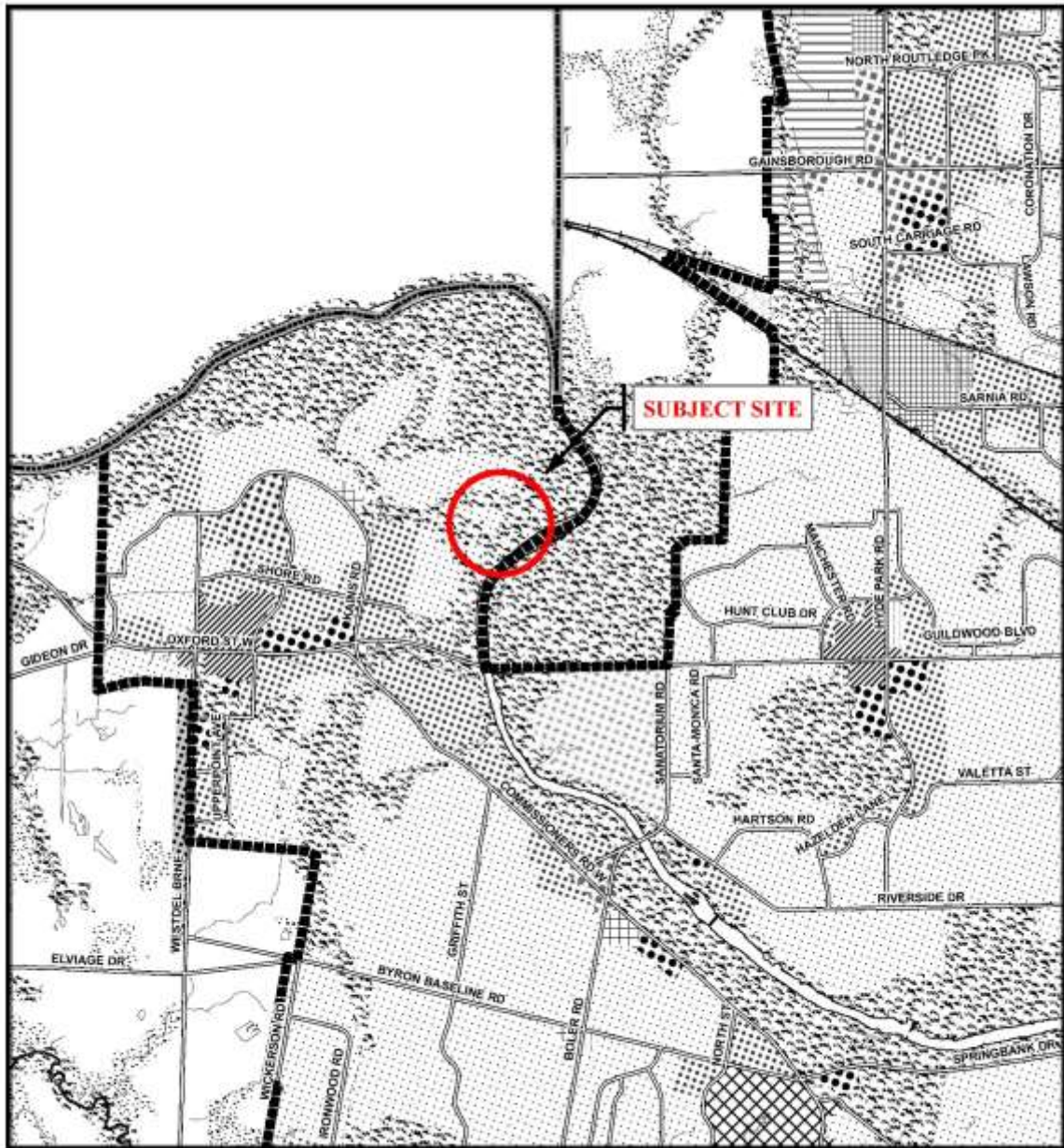
File Number: 39T-18503

Planner: CS

Technician: RC

Date: August 16, 2018

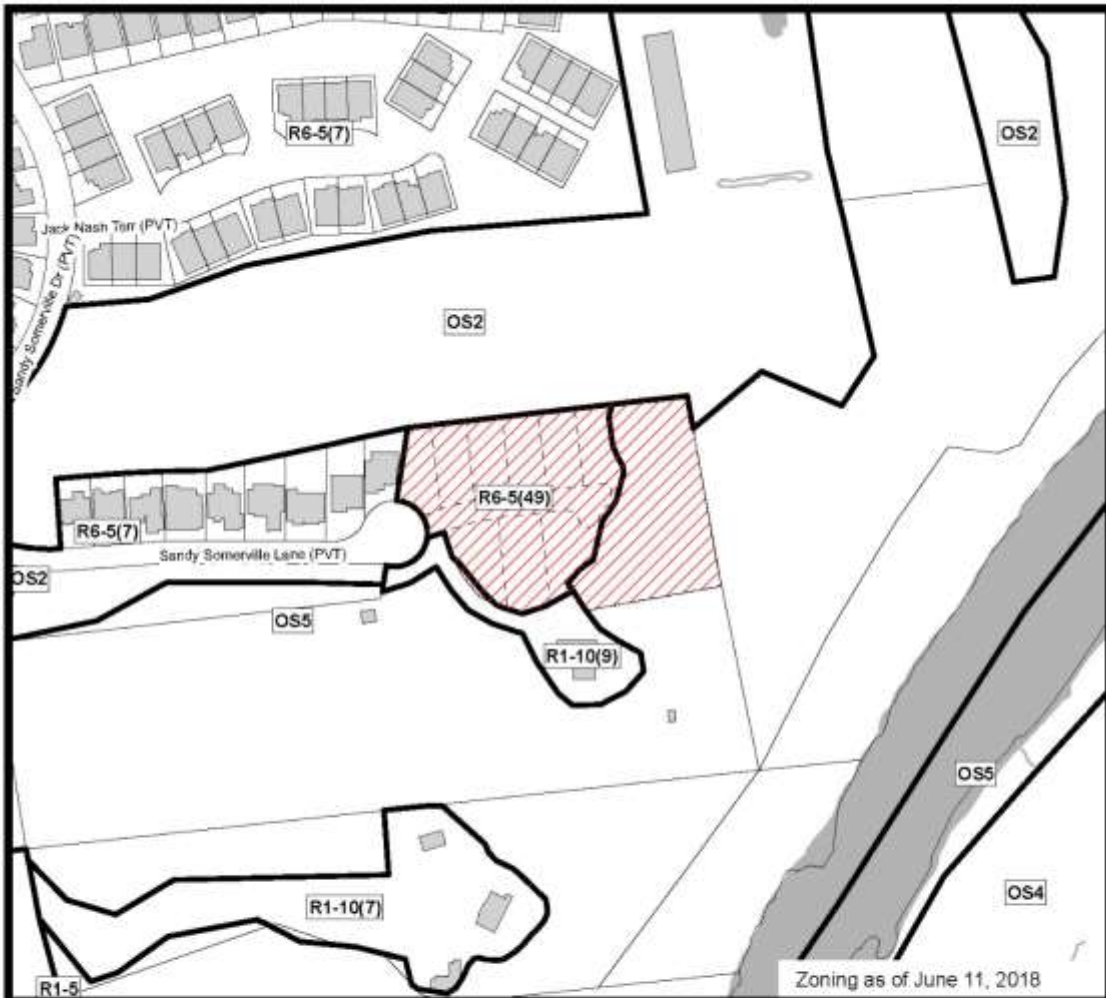
Official Plan Excerpt



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>CITY OF LONDON Planning Services / Development Services 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: 39T-18503 PLANNER: CS TECHNICIAN: RC DATE: 2018/16/08</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolidated\excerpt\lmsd_templates\scheduleA_b&w_6x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
39T-18503 CS

MAP PREPARED:
2018/08/16 RC

1:3,000
0 15 30 60 90 120
Meters