

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: G. Kotsifas, P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Sifton Properties Limited
2626 Sheffield Boulevard
Draft Plan of Vacant Land Condominium

Public Participation Meeting on: February 19, 2019

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application of Sifton Properties Limited for approval of a Draft Plan of Vacant Land Condominium relating to the property located at 2626 Sheffield Boulevard.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to an application for Draft Plan of Vacant Land Condominium consisting of 44 multiple-attached, townhouse dwelling units.

Rationale of Recommended Action

1. The Draft Plan of Vacant Land Condominium application is consistent with the Provincial Policy Statement.
2. The submitted draft plan of vacant land condominium is in conformity with The London Plan and the 1989 Official Plan
3. The proposed residential use is also permitted under the Zoning By-law. Application for Site Plan Approval has also been reviewed and has advanced to the drawing acceptance stage.
4. The proposed development is compatible and in keeping with the character of the surrounding residential neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The site consists of a multi-family development block within a registered plan of subdivision (Block 50, Registered Plan No. 33M-707). The development will be fully serviced and have public road access to Sheffield Boulevard and the future Kettering Street.

1.2 Current Planning Information (see more detail in Appendix B)

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Multi-family, Medium Density Residential
- Zoning – Residential R5/R6/R7/R8 Special Provision (R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17))

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 60 metres
- Depth – approx.135 metres
- Area – 0.793 hectares
- Shape – irregular

1.4 Surrounding Land Uses

- North – neighbourhood park
- East – neighbourhood park
- South – vacant land for future development
- West – residential cluster detached housing

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

Proposed 44 unit vacant land condominium development consisting of 2-storey and 3-storey attached townhouse dwellings.

2.2 Proposed Draft Plan of Vacant Land Condominium



3.0 Revelant Background

3.1 Planning History

On November 8, 2016 the Approval Authority for the City of London granted Final Approval for the third phase of the Victoria on the River subdivision consisting of 48 single detached lots, three (3) medium density residential blocks and one (1) 0.3 m reserve block, served by a primary collector road (Sheffield Boulevard), and the extension of Seven Oaks Ridge, Holbrook Drive and Leeds Crossing. The plan was subsequently registered on November 16, 2016 as Plan 33M-707.

The subject Block 50 in Plan 33M-707 is the third medium density residential block within the subdivision to be developed as a vacant land condominium. On December 18, 2018, Municipal Council approved an amendment to remove the holding provisions from the zoning on the block.

An application for Site Plan Approval was submitted by Sifton Properties Limited and has also been processed and approved for development of 44 cluster townhouse dwelling units.

3.2 Community Engagement (see more detail in Appendix A)

There were no comments/concerns received from the community.

3.4 Policy Context (See more detail in Appendix B)

Provincial Policy Statement, 2014

The proposal must be consistent with the Provincial Policy Statement (PPS) and land use planning policies and must consider:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and
3. Protecting Public Health and Safety.

The London Plan

The site is located within the Neighbourhoods Place Type in The London Plan. The policies of this Place Type, as well as the Our Strategy, City Building and Design, and Our Tools policies, have been applied in the review of this application.

1989 Official Plan

The site is designated Multi-family, Medium Density Residential on Land Use Schedule A of the Official Plan.

As further described in Appendix B, Staff are of the opinion that the condominium draft plan is consistent with the PPS, The London Plan, and the 1989 Official Plan.

Z.-1 Zoning By-law

The zoning of this block is Residential R5/R6/R7/R8 Special Provision (R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17)) which permits a range of uses, such as single detached cluster housing, attached townhouses, stacked townhouses, low-rise apartment buildings, senior citizens apartment buildings, and continuum of care facilities; with a special provision for a front and exterior side yard depth of 4.5 metres minimum.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Site design and orientation in relation to the adjacent streets and neighbourhood park.

The proposed condominium development consists of 44 townhouse dwellings arranged in clusters of units attached side-by-side, as well as several units attached back-to-back. The site plan demonstrates front facades of dwelling units with strong street-orientation to the abutting streets (Sheffield Boulevard and the future Kettering Street). As part of the site plan review process, the plans and building elevations were also reviewed for

compliance with the City’s Placemaking Guidelines and with the Old Victoria Area Plan Design Guidelines, and have been accepted as part of that review. Due to topography and site grading/drainage challenges, a retaining wall along a portion of the easterly property boundary adjacent a neighbourhood park will be required, and as a consequence, three blocks of units are shown backing onto the public park. However, the site continues to achieve a reasonable level of orientation and exposure to the public realm as active rear yard spaces will provide ‘eyes on the park’ and help to activate the park space.

More information and detail is available in Appendix A and B of this report.

5.0 Conclusion

The application for Approval of Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan and the 1989 Official Plan. The proposed vacant land condominium in the form of cluster townhouses also complies with the City’s Z.-1 Zoning By-law.

Prepared & Recommended by:	Larry Mottram, MCIP, RPP Senior Planner, Development Planning
Reviewed by:	Lou Pompilii, MPA, 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
Note: 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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

Appendix A – Public Engagement

Community Engagement

Public liaison: On January 15, 2019, a combined Notice of Application and Notice of Public Meeting was sent to 85 property owners in the surrounding area. Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 31, 2019. A “Planning Application” sign was also posted on the site.

Responses: No replies were received.

Nature of Liaison: Consideration of a Draft Plan of Vacant Land Condominium consisting of 44 multiple-attached dwelling units and common element for internal driveway, services, and common amenity area to be registered as one Condominium Corporation.

Agency/Departmental Comments:

No significant comments were received.

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

The proposed development achieves objectives for efficient development and land use patterns. It represents new development taking place within the City’s urban growth area, and within an area of the City that is currently building out. 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. The subject lands are within a registered plan of subdivision and are designated and intended over the long term for medium density residential uses. There are no natural heritage features present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision approval process. The proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, 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. The proposed Draft Plan of Vacant Land Condominium in the form of cluster townhouse dwellings conforms with the Place Type policies.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 - Build a Mixed-Use Compact City

5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

7. Build quality public spaces and pedestrian environments that support walking.

Key Direction #7 - Building strong, healthy and attractive neighbourhoods for everyone

- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that is supportive of walking; help to create a safe, healthy and connected community; and is in keeping with the character of the surrounding neighbourhood.

City Building and Design Policies

252_ The site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area.

254_ Site layout, and the corresponding building design, should respond to the topography of a site.

256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.

*259_ * Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.*

The proposed condominium development consists of 44 townhouse dwellings arranged in clusters of units attached side-by-side, as well as back-to-back. The site plan demonstrates front facades of dwelling units with strong street-orientation to the abutting streets (Sheffield Boulevard and future Kettering Street). As part of the site plan review process, the plans and building elevations were also reviewed for compliance with the City's Placemaking Guidelines and with the Old Victoria Area Plan Design Guidelines, and have been accepted as part of the Site Plan Approval process. Due to topography and site grading challenges, a retaining wall along a portion of the easterly property boundary adjacent a neighbourhood park is required, and as a consequence three blocks of units are shown backing onto the public park. However, the site still continues to achieve a reasonable level of exposure, particularly along its northerly property boundary.

** Policy subject to LPAT Appeal PL170100 - August 27, 2018*

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

*916_ * In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:*

- 1. A strong neighbourhood character, sense of place and identity.*
- 2. Attractive streetscapes, buildings, and public spaces.*
- 3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*
- 4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*
- 5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.*
- 6. Easy access to daily goods and services within walking distance.*
- 7. Employment opportunities close to where we live.*

8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identity, building-orientation that contributes to an attractive streetscape, diversity of housing choices and affordability, safe and convenient alternatives for mobility, and close proximity to employment and recreational opportunities.

** Policy subject to LPAT Appeal PL170100 - August 27, 2018*

Our Tools

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

- 1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.*
- 2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.*
- 3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.*
- 4. Only one dwelling will be permitted per unit.*
- 5. At the time of registration, structures cannot cross unit boundaries.*
- 6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.*

1989 Official Plan

The subject lands are designated Multi-family, Medium Density Residential on Schedule A of the City's Official Plan. The primary permitted uses include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. The proposal to develop this parcel with 44 residential townhouse dwellings will result in an overall density of approximately 55 units per hectare which is within the density limits in the Multi-family, Medium Density Residential designation. The proposed vacant land condominium represents a cluster housing form of development in compliance with the policies for use, form and scale as contemplated by the Official Plan.

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 London Plan and the 1989 Official Plan.
- Sewer and water services will be provided in accordance with an approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster townhouses. Building elevation plans have been reviewed as part of site plan submission. The 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 through the accepted engineering and servicing drawings included in the approved Site Plan and Development Agreement.

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:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element 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.
- The development of the site under Draft Plan of Vacant Land Condominium shall comply with all final approved site plan conditions and approved engineering drawings. Any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- 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 facilities and structures in the common elements.

Z.-1 Zoning By-law

The zoning of this block is Residential R5/R6/R7/R8 Special Provision (R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17)) which permits such uses as single detached cluster housing, attached townhouses, stacked townhouses, low-rise apartment buildings, senior citizens apartment buildings, and continuum of care facilities; with a special provision for a reduced front yard setback of 4.5 metres (minimum) to permit buildings to be located closer to the street in accordance with the City's Placemaking Guidelines. A minor variance was granted by the Committee of Adjustment on September 10, 2018 to permit a density of 56 units per hectare, whereas 50 units per hectare is the maximum permitted for townhouses and stacked townhouses under the R5-6(8) Zone (File No. A.108/18). The proposed vacant land condominium complies with the Zoning By-law.