# **Report to Planning and Environment Committee**

To: Chair and Members

**Planning & Environment Committee** 

From: George Kotsifas, P. Eng.

Managing Director, Development & Compliance Services and

**Chief Building Official** 

Subject: Application By: 2584857 Ontario Inc.

1820 Canvas Way

**Draft Plan of Vacant Land Condominium (39CD-18513)** 

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 2584857 Ontario Inc. for Draft Plan of Vacant Land Condominium relating to the property located at 1820 Canvas Way.

# **Executive Summary**

### **Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended actions 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 43 single detached dwellings and 20 townhouse dwellings and a common element for private access driveway and services to be registered as one Condominium Corporation.

#### **Rationale of Recommended Action**

- The submitted draft plan of vacant land condominium is consistent with the 2014 Provincial Policy Statement and is in conformity with The London Plan and the '89 Official Plan.
- 2. The proposed development is compatible and in keeping with the character of the surrounding residential neighbourhood.
- 3. The submitted draft plan of vacant land condominium is in conformity with the City's Condominium Submission Review and Approval Guidelines and the regulations of the Residential R5 Special Provision/ Residential R6 Special Provision (R5-3 (14)/R6-5 (21)) Zone.

### **Analysis**

#### 1.0 Site at a Glance

#### 1.1 Property Description

The property is located on the northeast corner of Sunningdale Road East and Canvas Way. The block was created through registered plan 33M-643 (Block 104). The block is designated and zoned to permit cluster forms of residential dwellings and is currently vacant.

# 1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation Multi Family Medium Density Residential
- The London Plan Place Type Neighbourhoods
- Zoning Residential R5 Special Provision/ Residential R6 Special Provision (R5-3 (14)/R6-5 (21)) Zone

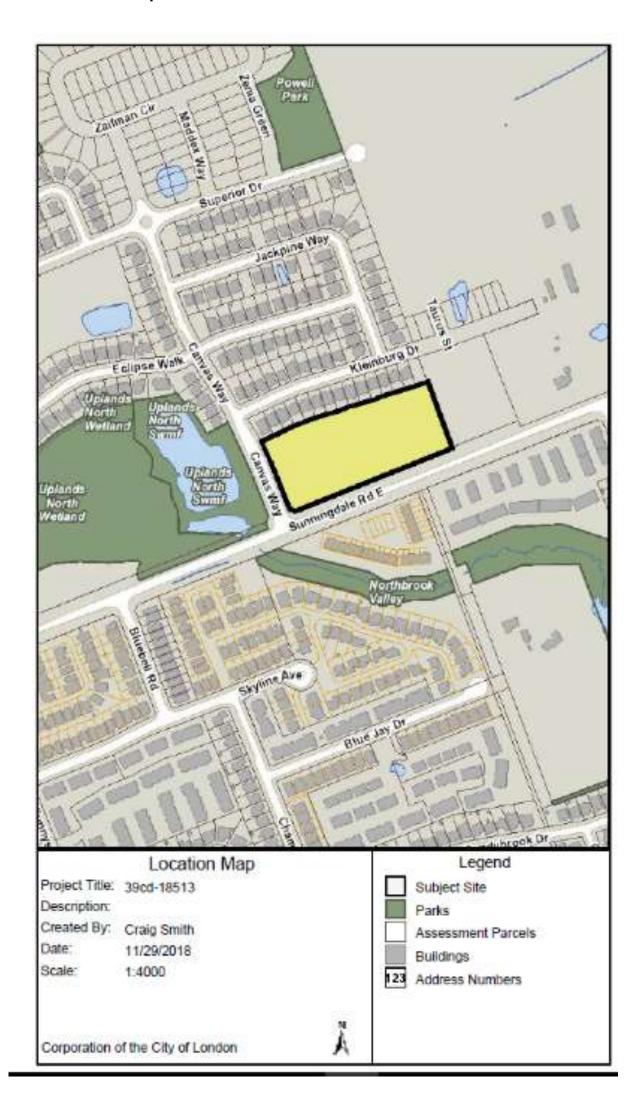
### 1.3 Site Characteristics

- Current Land Use vacant
- Frontage approx. 90 metres
- Depth approx. 225 metres
- Area approx. 2.0 hectares total area
- Shape rectangular

### 1.4 Surrounding Land Uses

- North residential single detached dwellings
- East vacant multifamily residential
- South multifamily residential
- West storm water management facility

# 1.5 Location Map

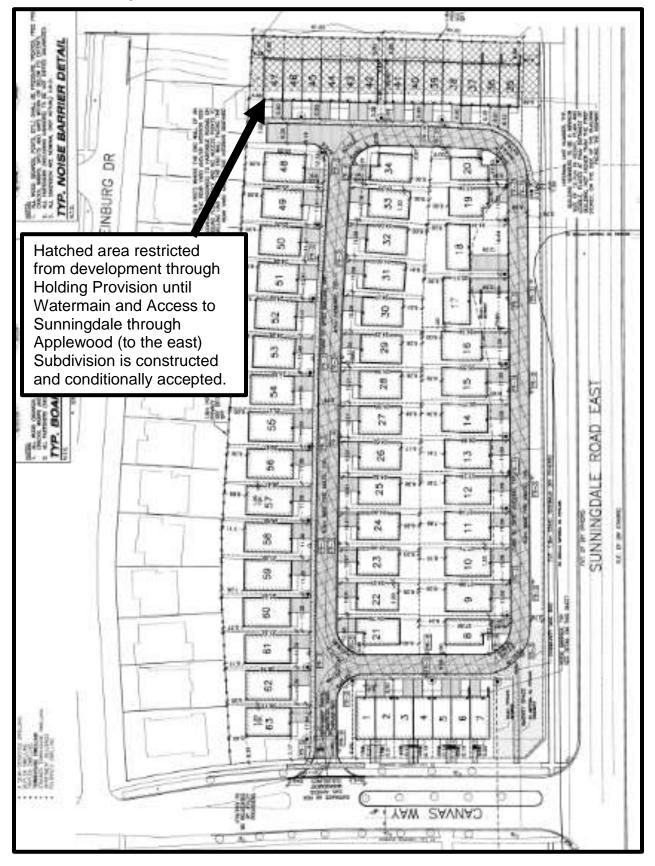


# 2.0 Description of Proposal

# 2.1 Development Proposal

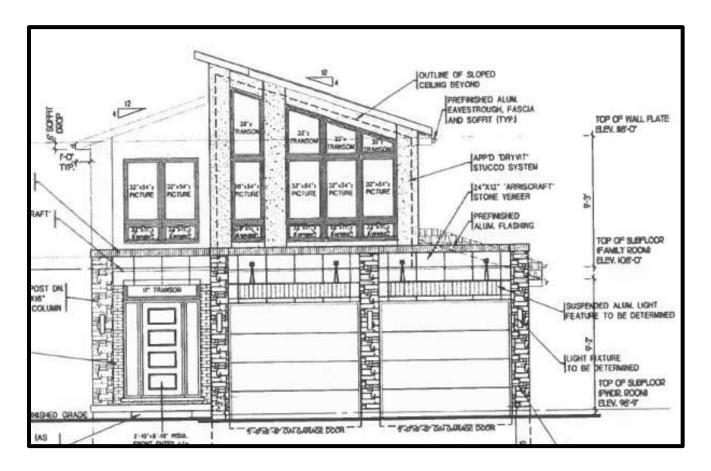
Proposal for a 43 single detached dwellings and 20 townhouse dwellings and a common element for private access driveway and services to be registered as one Condominium Corporation.

### 2.2 Proposed Draft Plan of Vacant Land Condominium



Approved Site Plan (SPA18-015) Showing Location of Easement for Temparay 2<sup>nd</sup> Access to the Subdvision.

# 2.3 A Proposed Single Detached Elevation.



Sample elevation showing architectural detail of a proposed building façade

# 3.0 Revelant Background

# 3.1 Planning History

The development block was created through the draft plan of subdivision application process (39T-05510). The block was designated and zoned to permit multi-family, medium density residential uses which includes cluster single detached dwellings and townhouses. The subdivision was registered on May 8, 2012. The lands are currently vacant.

On February 6, 2018 an application for site plan approval was received by the City to develop 43 single detached dwellings and 20 townhouse dwellings accessed by a private driveway to Canvas Way. A Development Agreement was entered into and securities were received by the City on October 15, 2018.

# 3.2 Community Engagement (see more detail in Appendix C)

Three comments were received from the public noting the following concerns:

- Lack of extra parking spaces.
- Subdivision is at risk with only one access road. The "Superior to Adelaide" extension must be completed very soon.
- Access Location.
- Lights at Canvas Way and Sunningdale are needed.
- Dirt and noise.
- More green space and parks.
- Need for bus stops.
- Temporary sidewalks must be installed along both side of Sunningdale Road East.
- ETA for Sunningdale Road West widening and sidewalk installation.
- · Location and form of noise walls.

### 3.3 Policy Context (see more detail in Appendix B)

#### **Provincial Policy Statement, 2014**

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at, 1. Building Strong Healthy Communities, 2. Wise Use and Management of Resources, and 3. Protecting Public Health and Safety. As this development proposal represents a form of residential development, the PPS contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, where this can be accommodated taking into account existing building stock, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3).

#### The London Plan

The subject site is located within the Neighbourhoods Place Type in The London Plan. The London Plan, through the vision articulated in the Our City policies, places an emphasis on growing "inward and upward" to achieve a compact form of development, as well as encouraging and supporting growth within the existing built-up area of the city.

#### 1989 Official Plan

These lands are designated "Multi Family, Medium Density Residential" on Schedule 'A' of the 1989 Official Plan. This land use designation permits single detached, semi-detached, and duplex dwellings, townhouse and low rise apartments as the primary permitted uses up to a maximum density of 75 units per hectare. The proposal to develop this parcel with 43 single detached dwellings and 20 townhouse dwellings is permitted and will result in an overall density of 33 units per hectare which is within the density limits prescribed in the Multi Family, Medium Density Residential policies.

### 4.0 Key Issues and Considerations

### 4.1 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, such as:

- This proposal is consistent with the objectives and policies of The London Plan, Official Plan, and the Foxhollow Community Plan;
- Sewer and water services are available to service this site;
- The proposed development is in close proximity to a high school, community parks and open space;
- From a Placemaking perspective, the proposed development is oriented to Sunningdale Road West and Canvas Way 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 43 single detached dwellings and 20 new townhouse dwellings on vacant land condominium units (lots). The proposed satisfies the locational and compatibility criteria of the The London Plan and Official Plan as they abut an Arterial (Civic Boulevard) and Secondary Collector (Neighbourhood Collector) roads which requires cluster forms of residential uses. Based on the size of the proposed lots and building footprints it is anticipated that the design of these single detached dwellings and townhomes will not have a negative impact on the character of the surrounding neighbourhood;
- The subject land is 2.1 hectares in size. The draft plan of Vacant Land Condominium illustrates how these lands are to develop for townhouse dwellings. The size of units and proposed buildings meet the community demand for housing type, tenure and affordability with the existing development in the area; and,
- 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.

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 among others 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; and,
- drainage and stormwater management.

#### 4.2 **SERVICING**

#### Sanitary

The sanitary sewer available for the subject lands is the 300mm sanitary sewer located on Canvas Way.

### <u>Storm</u>

The stormwater sewer available for the subject lands is the 750mm stormwater sewer located on Canvas Way.

### <u>Water</u>

Water is available from the 300 mm diameter PVC watermain on Canvas Way.

#### 4.3 Public Circulation Comments

The following section provides information regarding the matters raised through public notice of the application:

### Extra parking spaces.

Through the site plan approval process (SPA18-015) all required parking has been provided in the draft plan of condominium.

<u>Subdivision is at risk with only one access road. The "Superior to Adelaide" extension</u> must be completed very soon.

An existing temporary watermain and emergency access is located at the easterly limit of the subject land that provides water looping and secondary access for the Powell Farm Subdivision, Plan 33M-643. The existing h. holding provision will remain on this temporary watermain and secondary access easement and will not be removed prior to an acceptable alternative being provided to the satisfaction of the City Engineer.

#### **Access Location**

An emergency access and watermain easement exists on the east side of the proposed development. This easement provides two accesses and water looping for the existing subdivision (including this block). No development over this easement will be permitted until such as a second access is provided that connects Kleinburg Drive to Blackwater Drive and ultimately to Sunningdale Road to the east. Sunningdale Road is a Civic Boulevard and access location onto Civic Boulevards are intended to be limited. When the lands to the east and west develop and additional accesses and water looping will be provided through these lands and the existing easement will not be required and will be closed.

#### Lights at Canvas Way and Sunningdale Road West are needed

By email dated January 11, 2019 the City of London Transportation Planning and Design division provided the following: The construction of traffic signals are subject to the traffic signal warrant being met, at this time the volumes on Sunningdale Road and Canvas Way do not trigger the need for traffic signals at this time. The intersection is being monitored for possible future signalisation. The emergency access located east of Canvas Way will remain until such time as a second public access is available.

#### Dirt and noise

A Development Agreement has been entered into with the City. Section 13 of the agreement requires that: The Owner shall employ measures during the course of Development (including any demolition) so that debris, dirt or other rubbish or refuse is not deposited on any street by vehicles delivering materials to or removing materials from the Land or, if unavoidably deposited on any street is removed as soon as practicable and the street restored to a clean condition.

Construction noise is regulated by the City of London's Sound By-law PW-12.

Through the Development Agreement and City's Sound By-law PW-12, noise and dust issues will be mitigated.

### More green space and parks

Through the subdivision process (39T-05510) the property owner dedicated 5% of the development lands as parks and open space. No further dedication is required.

#### Need for bus stops

Through the subdivision process (39T-05510) the London Transit Commission was circulated. Future bus stops were identified during that process.

Temporary sidewalks must be installed along both side of Sunningdale Road East. The applicant is not responsible for the cost and installation of temporary sidewalks. The City of London Transportation Planning & Design division has been notified of the concern. Sidewalks will be installed during the Sunningdale Road East widening process.

#### ETA for Sunningdale Road East Widening

By email dated January 11, 2015 the City of London Transportation Planning and Design division provided the following: Sunningdale Road has been identified for widening in the draft 2019 Development Charges study for 2027; sidewalks and other infrastructure would be constructed at this time.

# Will There be Noise Walls along Sunningdale Road East

Noise walls are only required on units 6, 7, 35, 36, 37. The required noise barriers are 1.8m in height and will be made of wood and are intended to protect the amenity areas of the units. Units 1 to 7 front onto Canvas Way and no noise walls or fencing is permitted along Canvas Way.

### 5.0 Conclusion

The recommended application for Approval of Vacant Land Condominium is considered appropriate and conforms to The London Plan and the 1989 Official Plan, and is consistent with the Provincial Policy Statement. The proposal will permit development that is appropriate for the subject lands, and compatible with the surrounding land use pattern.

| Prepared and Recommended by:  |                                      |
|---|--------------------------------------|
|   | C. Smith, MCIP, RPP                  |
|   | Senior Planner, Development Planning |
| Reviewed by:  |                                      |
|   |                                      |
|   | Lou Pompilii, MPA, RPP               |
|   | Manager, Development Planning        |
| Concurred in by:  |                                      |
|   |                                      |
|   |                                      |
|   | Paul Yeoman, RPP, PLE                |
| Submitted by  | Director, Development Services       |
| Submitted by:   |                                      |
|   |                                      |
|   | George Kotsifas, P. Eng.             |
|   | Managing Director, Development and   |
|   | Compliance Services and Chief        |
|   | Building Official                    |
| Note: The eninione contained berein are offered by a narrow or narrows qualified to |                                      |

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.

February 11, 2019 CS/

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# **Appendix A – Public Engagement**

# **Community Engagement**

**Public liaison:** On November 5, 2018, Notice of Application was sent to 129 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 8, 2018. A "Planning Application" sign was also posted on the site.

Responses: 3 written replies were received (see attached below).

**Nature of Liaison:** Consideration of an application for approval of a proposed Draft Plan of Vacant Land Condominium consisting of 43 single detached cluster dwellings and 20 townhouse cluster dwellings and a common element for private access driveway and services to be registered as one Condominium Corporation.

### Response to Notice of Application and Publication in "The Londoner"

Dear Craig and Maureen,

As a homeowner within 120m of the said proposal, and as requested by you as subsequent city developer and ward counsellor, I would like to make the following comments.

Overall, my largest concern is the traffic fit and flow subsequent to the new population increase from this development. Until the final Sunningdale Road corridor solution is built, will the extra 63 units be able to fit into the current neighbourhood access and egress, without more Sunningdale or Canvas Way traffic and safety issues?

Also, there is extreme pressure right now to have Canvas Way lights immediately become available at Sunningdale for the whole Uplands North population. An extra 60 units, along with the final Uplands North phase completion, will need these lights installed at least by the end of this projects completion.

Some corollary issues that need to be addressed for this increased density include:

- I do not see extra parking spaces being made available within the cluster complex. Along with extremely narrow lot widths, it is not acceptable to assume Canvas Way can handle any extra parking on it before or after this development. Canvas Way is the only current entrance to the subdivision so it is not acceptable to have no parking within the site for extra resident cars, guests, service vehicles, etc.
- It appears that there will be no extra access to Uplands North once this site is finished, Currently, there is an emergency vehicle access road around 100m north of Canvas Way, If that is filled in, and until Superior Road is extended to Adelaide (a must), the subdivision is at risk with only one access road. The "Superior to Adelaide" extension must be done very soon. And a set of lights at Canvas Way and Sunningdale is needed even sooner!
- No resident is seeking the continued dirt and noise issues from trucks and
  construction access. While inevitable, a bond is maybe needed by the developer
  to ensure Canvas Road is cleaned at least weekly. This street cleaning was not
  regularly done on the fall 2018 initial site preparation with earth movers and it
  was a constant irritation to neighbouring homeowners. Increased construction
  vehicle access to this new project will surely need traffic lights as well for turning
  into and leaving the project onto Sunningdale..
- I trust that the city is planning more green space and parks in lieu of this development and the final phase of Uplands North being close to complete. The current new park at Superior Road east has already become too small for the higher densities that live in the subdivision. Does adjacent land development file 39T-0950/Z-8818 address this? And more trees could be planted in the Uplands

- North Swmf and Wetland, along the road, to help accommodate this extra traffic noise and volume.
- The LTC will soon want to have bus stops in the subdivision, off of Sunningdale, Do these condo's, close to Sunningdale, allow for a close bus stop? Ideally, any new stop close to this entrance, would not hinder Canvas Way traffic or safety concerns. Perhaps, Canvas Way should be widened at the entrance to allow for this potential busing stop issue.
- Even if Sunningdale is not widened until well into the 2020's, temporary sidewalks must be installed along both side of it for the safety of all pedestrians in Uplands North including these new residents. Sunningdale is now too busy with higher traffic speeds and too many blind spots (hills) along this subdivision to not insist of such installation. New growth (residential and commercial) east of this area to Adelaide, on both sides, make this imperative to have a well planned community and before being over-built. A huge safety issue at present.

Thank you for your communication and request for input. I would appreciate your response to these comments and I hope to be included in further communications in this regard.

Sincerely,

Brian Fones 1883 Canvas Way London, ON N5X 0J8

Hello Craig,

My family and I reside in Uplands North and we recently saw the application for the new condominium plan for the entrance of our subdivision.

I would like to formally recommend that a traffic entrance / exit for this phase be considered onto Sunningdale, east of the current entrance, at the top of the hill. This would alleviate the traffic at the current (and only) entrance / exit to the subdivision. (Photo example attached).

Trying to get in and out of the subdivision around 8 am and 5 pm is extremely busy, and this additional volume will seriously impact an already overburdened traffic flow.

Thank you for the consideration.

Kristin and Kevin Ladd

Hi Craig,

Is it still possible to provide comments or questions for 1820 Canvas Way.

See below.

Who is the home builder for this condominium?

Are there no additional parking spaces for guests? Condo streets are usually narrow with no street parking due to fire route.

How tall is the noise barrier wall and what is the proposed material and design?

Will the Canvas Way median be shortened to allow condo entry?

Will units 1-7 have a privacy fence, barrier wall and/or sufficient landscaping / shrubs to avoid being fully visible from Canvas Way street view.

What's the eta for Sunningdale Rd widening to 4 lanes + sidewalk

Thanks, Kenny

# **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:

# The London Plan

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 and Zoning By-law Amendment contributes to achieving those policy objectives, including the following specific policies:

### **Our Strategy**

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

1. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.

This proposal represents a development which contributes to broader strategic objectives of building a mixed-use compact City of London. It is compatible with the scale and the form of housing in the surrounding area, and a good fit within the context of the existing neighbourhood.

#### **City Building and Design Policies**

199\_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood's character and demonstrate how the proposal has been designed to fit within that context. The Our Tools chapter and the Residential Intensification policies in the Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.

Based on the Site Plan Approval process (SPA18-015), this proposal represents development which satisfies the City Building and Design, Our Tools and Residential Intensification policies of the London Plan.

# **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 identify, diversity of housing choices and affordability, safe and convenient alternatives for mobility, and close proximty to employment and recreational opportunities.

#### **Our Tools**

Evaluation Criteria for Planning and Development Applications

1578\_ 6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- a. Traffic and access management.
- b. Noise.
- c. Parking on streets or adjacent properties.
- d. Emissions generated by the use such as odour, dust, or other airborne emissions.
- e. Lighting.
- f. Garbage generated by the use.
- g. Loss of privacy.
- h. Shadowing.
- i. Visual impact.
- j. Loss of views.
- k. Loss of trees and canopy cover.
- I. Impact on cultural heritage resources.
- m. Impact on natural heritage features and areas.
- n. Impact on natural resources.

The above list is not exhaustive.

- Canvas Way is classified as a Neighbourhood Connector carrying on average 10,000 vehicle trips per day, and under the 15,000 vehicles per day capacity. The proposed development is not expected to contribute significantly to traffic volumes, and the site plan approval will ensure safe vehicular access.
- All required parking will be provided on-site.
- The proposed development is not expected to generate excessive noise and emissions.
- On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties.
- Individual units will have 2-car garages which should be large enough for storage of domestic garbage.
- Perimeter fencing and landscape planting buffers will be incorporated for screening and privacy.
- The proposed 2-storey dwellings is expected to result in minimal loss of sunlight or shadowing on adjacent properties.
- The topography falls gradually from east to west and there will not be any loss of natural view corridors or vistas.
- There are no natural heritage features, and no concerns for cultural heritage or natural resources.

# Official Plan

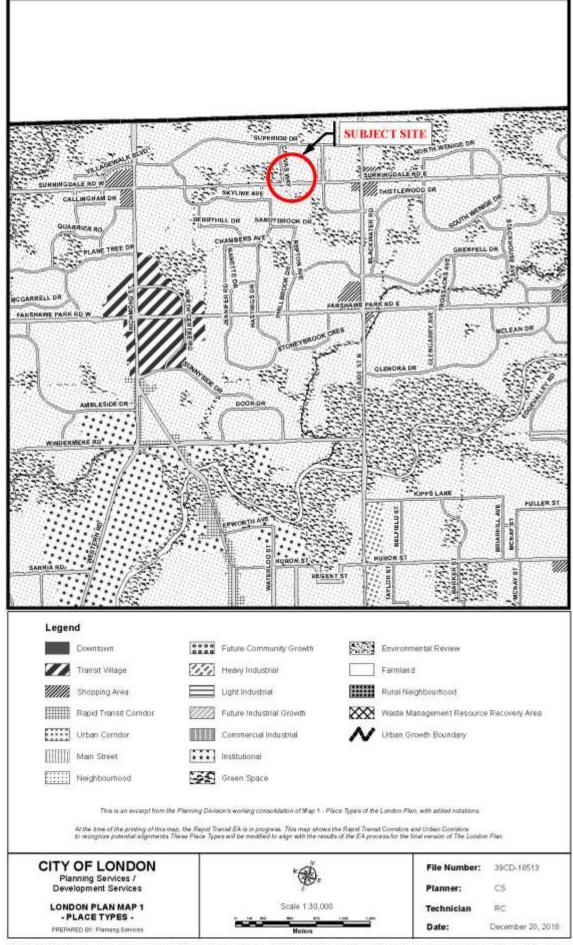
These lands are designated "Medium Density Residential" on Schedule 'A' of the City's Official Plan. This land use designation permits single detached, semi-detached, and duplex dwellings as the primary permitted uses up to a maximum density of 30 units per hectare. The proposal to develop this parcel with 43 single detached dwelling and 20 townhouse units is a permitted and will result in an overall density of 33 units per hectare which is within the density limits prescribed in the Medium Density Residential policies.

### Z.-1 Zoning By-law

The zoning is currently Residential R5 Special Provision/ Residential R6 Special Provision (R5-3 (14)/R6-5 (21)) Zone which permits single detached dwellings and townhouse development. Through the Site Plan Approval Process (SPA18-015) the proposed development conforms to all regulations of the zone.

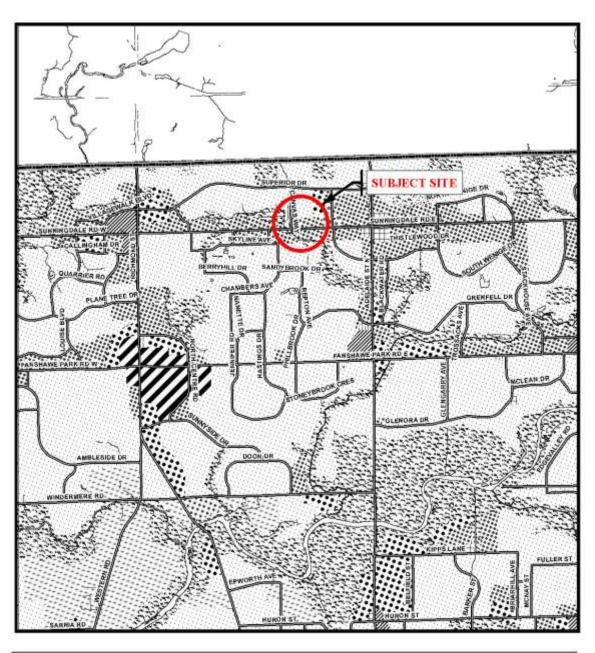
# Appendix C – Relevant Background

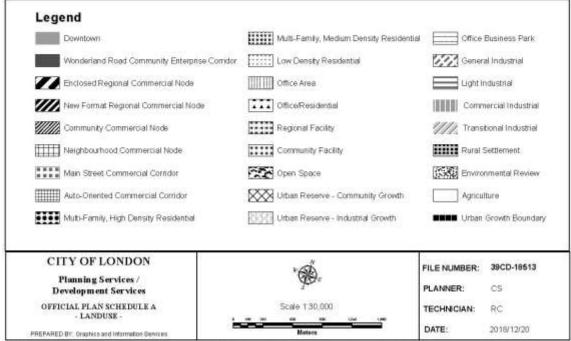
# **London Plan Map Excerpt**



Project Location: E-Planning@rojects/p\_officialplan/workconsol/0/excepts\_LondonPlan/10.3.1 Versions/enxds/39CD\_18513-EXCERPT\_Map1\_PlaceTypes\_bilw\_8x14\_Arc10.3.1 mxd

# Official Plan Map Excerpt





PROJECT LOCATION: explanning/projects/p\_officialgramworkconsult/Descents/mxd\_templates/scheduleA\_bisw\_bx14\_with\_SWAP.mxd

# **Zoning By-law Map Excerpt**

