

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 the 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 an established residential area which was contemplated for intensification through previous public engagement. There are no natural heritage features present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the site plan process. The proposed Draft Plan of Vacant Land Condominium and Site Plan Application are found to be consistent with the Provincial Policy Statement.

The London Plan

The subject lands are within the "Neighbourhoods" Place Type in The London Plan, which includes policies that are presently under appeal. The range of uses permitted include 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 dwelling units conforms with the in force policies of The London Plan.

The City Building and Our Tools Policies in The London Plan have been applied where in force, and consideration given to the how the proposed Draft Plan of Vacant Land Condominium and Site Plan Control Application contributes to achieving those policy objectives, including the following specific policies:

Official Plan

The subject lands are designated "Low Density Residential" on Schedule 'A' of the City's Official Plan. The primary permitted uses allow low rise forms of development. The proposal to develop this parcel with 15 residential cluster dwellings units will result in an overall density which is within the density limits in the designation.

The proposed Draft Plan of Vacant Land Condominium represents a cluster housing form of development consisting of single detached dwellings which are in compliance with the use, density and height regulations in the Zoning by-law. The existing homes abutting the subject lands consist of single family homes. The proposed dwellings are consistent and will not interfere with the pattern of development in the area. The freehold lots along Finsbury Crescent and Wychwood Park (not subject to this application) surround the proposed development, further enforcing that development will not interfere with the surrounding pattern of development.

Based on Staff's review, the proposed use, form and intensity of low form of housing proposed within the draft plan of subdivision conformed to the City's Official Plan policies.

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 Official Plan.
- Sewer and water services will be provided in accordance a 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 housing. 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 by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, Subdivision Agreement and Site Plan Approval process.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. In order to ensure that this Vacant Land Condominium development functions properly, the following issues, at a minimum, will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- 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 structures in the common elements.

Z.-1 Zoning By-law

The on the subject lands is holding Special Provision Residential R6 (h-5*R6-3(8)). The existing zoning permits cluster single detached dwellings and cluster townhouse dwellings within the portion zoned R6-3(8); single detached dwellings in the portion zoned R1-5(13); and, open space uses in the portion zoned OS1.

Regulations for the R6-3(8) zone variation included

- i) Lot Area (Minimum): 1 ha. (2.47 ac)
- ii) Lot Frontage (Minimum): 14 metres (45.9 feet)
- iv) Interior side and rear yard depth (abutting a Residential R1-8 Zone) Variation (Minimum): 10 metres (32.8 feet)
- v) Interior side and rear yard depth (abutting a Residential R1-5 Zone Variation (Minimum): 4.5 metres (14.8 feet)
- vi) Interior side and rear yard depth (abutting a Open Space (OS1) Zone

Variation (Maximum): 2.0 metres (6.6 feet)

- i) Landscaped Open Space (Minimum): 50%
- viii) Lot Coverage (%) (Maximum): 25%
- ix) Height (m) (Maximum): 2 storeys, or 9 metres whichever is less with no half storeys being permitted for basements
- x) Density (Maximum): 25 units per hectare
- xi) The front face and primary entrance of dwellings abutting an Open Space (OS1) zone shall be oriented towards the Open Space (OS1) Zone
- xii) No part of any required interior side yard or rear yard shall be used for any purpose other than landscaped open space

The proposed site plan and vacant land condominium conforms with the regulations of the Z.-1 Zoning By-law.

The holding provision (h-5) specifically requires a public site plan review process for the portion of the lands zoned R6-3(8), be undertaken prior to the removal of the holding provision. The purpose of this report is to address the requirement of the h-5 holding provision.