

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: Draft Plan of Vacant Land Condominium and Zoning By-law
Amendment On The Submission By Graystone Custom
Homes Ltd. For 180 Villagewalk Boulevard

Public Participation Meeting on: June 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Graystone Custom Homes Ltd., relating to the property located at 180 Villagewalk Boulevard:

- (a) the 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 180 Villagewalk Boulevard;
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 180 Villagewalk Boulevard; and,
- (c) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

Executive Summary

Summary of Request

There are two requests by Graystone Custom Homes Ltd; the first to consider a proposed Draft Plan of Vacant Land Condominium, and the second is to hold the required site plan public meeting necessary to address the requirement of the h-5 holding provision on the property. The proposed Plan of Vacant Land Condominium is a public participation process and is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 12 residential townhouse units and common elements for internal driveways, walkways, and visitor parking; with access from Callaway Drive. The applicant's intent is to register the development as one Condominium Corporation. A subsequent removal of holding provision application and report will follow the public participation meeting.

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 the application for Draft Plan of Vacant Land Condominium or the Site Plan Approval application.

Rationale of Recommended Action

1. The proposed Vacant Land Condominium and Site Plan are consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;

- 2. The proposed Vacant Land Condominium and Site Plan conform to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan;
- 3. The proposed Vacant Land Condominium and Site Plan are in conformity with the policies of the Multi-Family, Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate form of residential development for the site;
- 4. The proposed Site Plan complies with the regulations of the Zoning By-law;
- 5. The site plan review has progressed to the stage where drawings are nearing acceptance and can be anticipated to be approved at next submission provided all comments from staff and any arising from this Site Plan public meeting are addressed; and,
- 6. A subsequent application to remove the holding provisions from the zoning will be brought forward under a separate report.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located north of Sunningdale Road West and west of Villagewalk Boulevard. The proposal consists of one multi-family, medium density residential block within a registered plan of subdivision (Block 95 Registered Plan No. 33M-633). The site is a through lot with frontage on both Villagewalk Boulevard and Callaway Drive, though the public road access will be from Callaway Drive only, with no direct vehicular access to Villagewalk Boulevard. The site has full access to municipal services and is located in an area which is planned for future growth.

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

- The London Plan Place Type – Main Street and Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h-5-h-99-h-100-R6-5(24)*R7(11)*OF(1) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 33.6m Villagewalk Boulevard and 42m Callaway Road
- Depth – Varies
- Area – 0.351
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Park – Villagewalk Commons
- East – future Business District Commercial uses
- South – Office
- West – Residential

1.5 Intensification (12 units)

- The 12 townhouse units are located outside of the Built-Area Boundary and Primary Transit Area

1.6 LOCATION MAP



2.0 Description of Proposal

2.1 Development Proposal

The effect of the application request is to create 12 Vacant Land Condominium units to be developed in the form of cluster townhomes in two blocks. Landscaped areas, sidewalks, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.

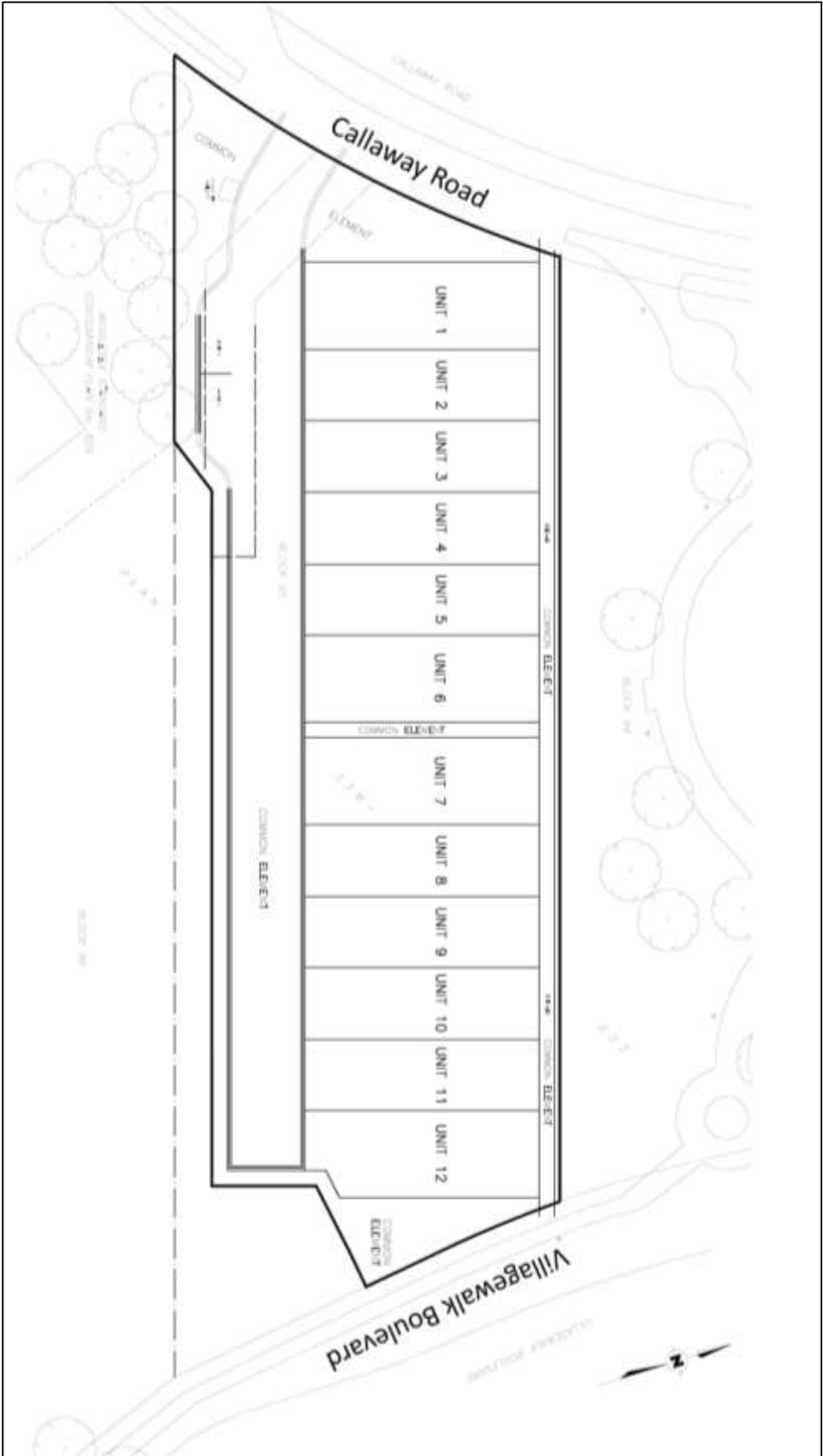


Figure 1: Proposed Vacant Land Condominium

An application for Site Plan Approval has been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are approaching acceptance by the City. A subsequent application for the removal of holding provisions will be required prior to development, which will describe how any issues raised by the public or Municipal Council have been addressed.

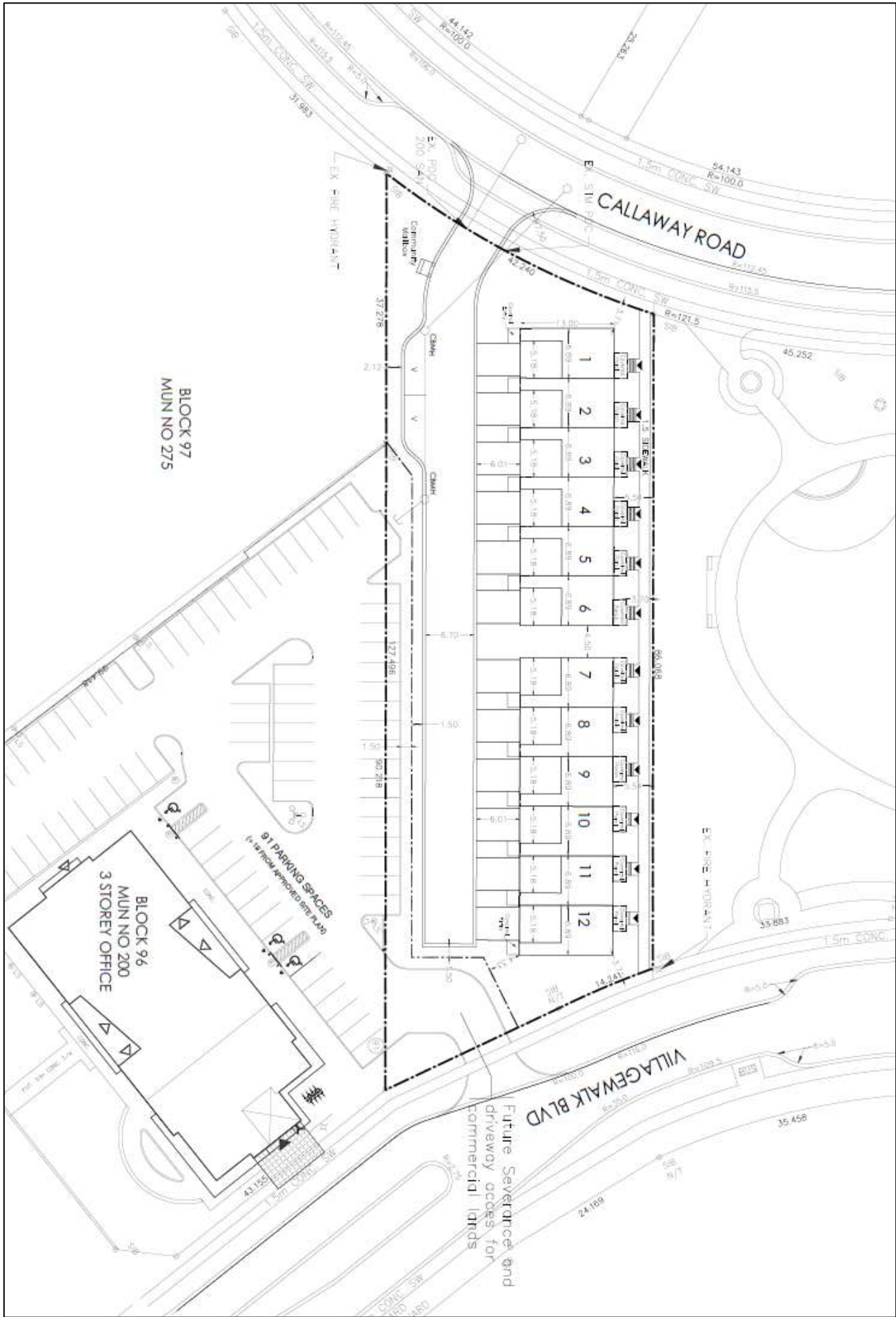


Figure 2: Proposed Site Plan

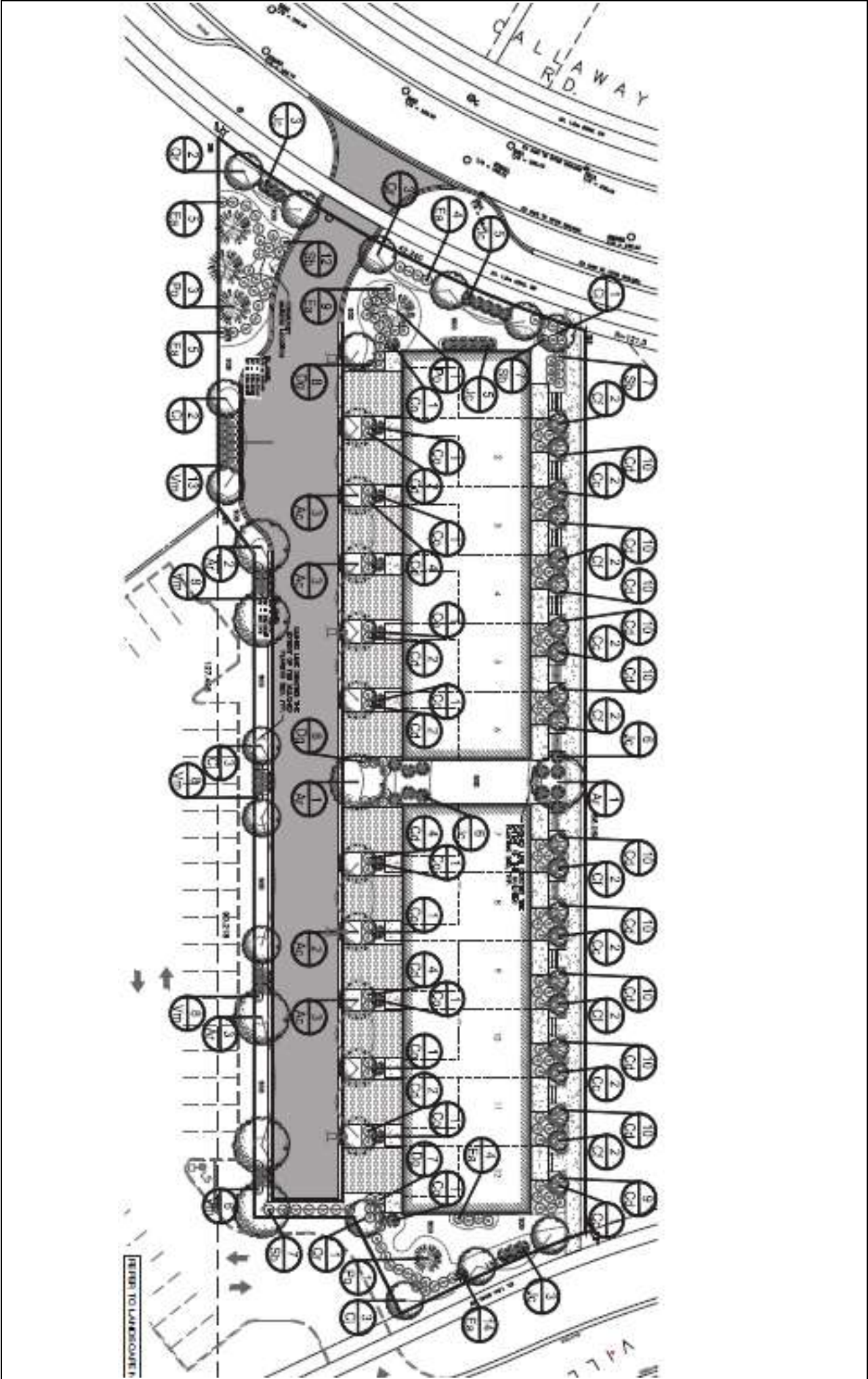


Figure 3: Proposed Landscape Plan



Figure 4: Proposed Elevation

3.0 Relevant Background

3.1 Planning History

The subject site is part of the Sunningdale North Area Plan which was adopted by City Council in 2006. The site was part of a larger draft plan of Subdivision and Zoning By-law Amendment application (39T-04513/Z-6842) for the lands at the northwest corner of Sunningdale Road and Richmond Street. The draft plan of subdivision was approved with conditions in 2008 and the subject site was zoned holding Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (h-5*h-99*h-100*R6-5(24)*R7(11)*OF(1)) to permit a variety of residential dwelling types and professional offices. The zoning applied at the time included holding provisions that required: a public site plan, that the Upper Richmond Village Urban Design Guidelines were implemented, and that water-looping requirements were satisfied. The subdivision was registered in September, 2011 as Plan 33M-633.

The site was subject to a Zoning By-law Amendment application in 2013, which also included properties at 200 and 275 Calloway Road and 200 Villagewalk Boulevard (Z-8130). This Zoning By-law Amendment pertained to the Special Provisions for the Residential R6 Zone, and deleted the minimum/maximum density requirement of 35 units per hectare and replaced it with a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. The maximum permitted height was also increased from 12 metres to 15 metres. The Zoning By-law Amendment was adopted by City Council in 2013, which only pertained to the Residential R6 Special Provision (R6-5(24)) Zone permissions for the subject site. The Residential R7 Special Provision (R7(11)) and Office Special Provision (OF(1)) Zone permissions remained unchanged.

A consent application (B.050/17) was submitted in 2017 for 180 and 200 Villagewalk Boulevard to sever approximately 489m² from 180 Villagewalk Boulevard to convey to 200 Villagewalk Boulevard for the purposes of future office uses in order to accommodate additional parking and change the vehicular access location for 200 Villagewalk Boulevard. In 2018, a Zoning By-law Amendment Application (Z-8867) was submitted to support the severance which included re-zoning a portion of 180 Villagewalk Boulevard to support the consent. The consent was subsequently approved, following the Zoning of the lands coming into full force and effect.

3.2 Community Engagement (see more detail in Appendix A)

At the time of preparation of this report no responses were received from the public in response to the Notice of Application and The Londoner Notice.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

3.3 Policy Context

Provincial Policy Statement (PPS), 2014

The PPS encourages intensification and redevelopment where it can be accommodated, which takes into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The proposal will develop a vacant site that has full access to municipal services within a planned neighbourhood. Land use within settlement areas shall be based on densities which efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities that are planned or available and support active transportation (1.1.3.2.a) & 1.4.3.d)). The proposal efficiently utilizes public services within a developing residential neighbourhood. 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 the potential for archaeological resource assessment and cultural heritage has been addressed through the subdivision approval process. The proposed Draft Plan of Vacant Land Condominium is consistent with the Provincial Policy Statement.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

These lands are within the “Main Street” and “Neighbourhoods” Place Types. Townhouse dwellings up to 2.5 storeys in height are permitted on all Neighbourhood Streets under the Neighbourhoods Place Type policies of The London Plan. The proposed townhouse development includes 12 units proposed in two blocks with access from Callaway Road.

The City Building and Our Tools policies have also been applied in the review of this application. City Design policies regarding the site layout are supportive of the proposed development as the units abut park space to the north which provides an attractive and defined edge along the park, as well as passive surveillance from the residential dwellings with features such as proposed porches to the north (288*). The proposed development promotes connectivity and safe pedestrian movement in the neighbourhood with a sidewalk provided along the north side of the block connecting Villagewalk Boulevard to Callaway Drive (255*).

In the Our Tools section of The London Plan, Vacant Land Condominiums are considered based on the following (1709):

1. *The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium;*

The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed townhouse units conform to the Official Plan and The London Plan policies, and have access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There is a park directly abutting the site to the north, and employment areas, community facilities and services are located in proximate distance in the

surrounding neighbourhood. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability. 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.

2. *The applicant may be required to provide site development concepts and meet design requirement consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium;*

The draft plan of Vacant Land Condominium is being concurrently considered with an active Site Plan Application. The various requirements of the Site Plan Control By-law will be considered and implemented through a Development Agreement for the lands.

3. *Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported;*

The proposed townhouses units do not result in unit boundaries below or above other units.

4. *Only one dwelling will be permitted per unit;*

There is only one dwelling unit proposed per townhouse unit.

5. *At the time of registration, structures cannot cross unit boundaries;*

A signed Development Agreement will be required prior to the final approval of the Vacant Land Condominium that will confirm both the location of structures and 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.*

The proposed townhouse development is to be developed as one 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 12 residential townhouse dwellings will result in an overall density of 34 units per hectare which is within the density limits in the Multi-family, Medium Density Residential designation. The surrounding area includes recently development and future development lands which are compatible land uses. Based on Staff's review, the proposed use, form and intensity of medium density forms of housing proposed within the draft plan of subdivision conformed to the City's London Plan and Official Plan policies.

Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. 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 may be required as 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;
- Confirmation of addressing information and door point numbers;
- 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.);
- The maintenance of any stormwater servicing works including on-site works;
- 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; and,
- 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 existing zoning is a holding Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (h-5*h-99*h-100*R6-5(24)*R7(11)*OF(1)) Zone which permits a range of dwelling types, including detached and attached forms of housing such as cluster single detached dwellings, townhouses and stacked townhouses, as well as offices uses. As noted earlier, an application to remove the holding provisions will be brought forward under a separate report. The proposed vacant land condominium and proposed site plan are consistent with the Zoning By-law.

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

5.0 Conclusion

The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, and in conformity with The London Plan, the 1989 Official Plan, and the Condominium Submission, Review and Approval Guidelines. The proposed residential townhouse use is appropriate for the site and permitted under the existing zoning. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium. The proposed Site Plan and elevations will result in an appropriate development that is compatible with the area and complies with the Site Plan Control By-law.

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Recommended by:	<div>Paul Yeoman, RPP, PLE</div> <div>Director, Development Services</div>
Submitted by:	<div>George Kotsifas, P.ENG</div> <div>Managing Director, Development and Compliance Services and Chief building Official</div>
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.	

May 27, 2019

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- cc: Lou Pompilii, Manager, Development Planning
- cc: Michael Pease, Manager, Development Planning
- cc: Matt Feldberg, Manager, Development Services
- cc: Ismail Abusheheda, Manager, Development Engineering
- cc: Heather McNeely, Manager, Development Services

Appendix A – Community Engagement

Public liaison: On April 10, 2019 Notice of Application was sent to 226 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 11, 2019. Two “Planning Application” signs were also posted on the site.

0 replies were received

Nature of Liaison: Consideration of a Draft Plan of Vacant Land Condominium consisting of 12 townhouse dwellings in two (2) blocks, and a common element for a private access road from Callaway Drive, to be registered as one Condominium Corporation.

Agency/Departmental Comments

Sun-Canadian Pipe Line – January 3, 2019 Memo Excerpt

No issue with this specific proposal.

Heritage Planning – January 22, 2019 Memo Excerpt

There are no heritage planning or archaeological issues associated with this file related to this property.

Thames Valley District School Board – April 11, 2019

Please be advised that the subject property and proposed Draft Plan of Vacant Land Condominium is currently located within the attendance area boundaries of Holding at Ryerson Public School (Elementary – Junior Kindergarten to Grade 8) and A.B. Lucas Secondary School (Secondary – Grade 9 to Grade 12).

With the above in consideration, TVDSB requests that the following clause be included as a condition of Draft Approval for the proposed development:

“The developer agrees to include in all of its agreements of purchase and sale with purchasers of residential lots and blocks, a provision advising such purchasers that the construction of additional public school accommodation is dependent upon funding approval from the Ontario Ministry of Education and the Board of Trustees. The subject lands are currently located within a designated Holding Zone. Any students residing in such Holding Zone may be designated to attend a “Holding School” until a long-term accommodation solution is in place. There can be no assurance that a new elementary or secondary school may be built to accommodate students residing within the Holding Zone.”

Bell Canada – April 12, 2019

“The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements”.

London Hydro – April 24, 2019

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense. Above-grade transformation is required. A blanket easement may be required. London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Stormwater Management Engineering – April 29, 2019

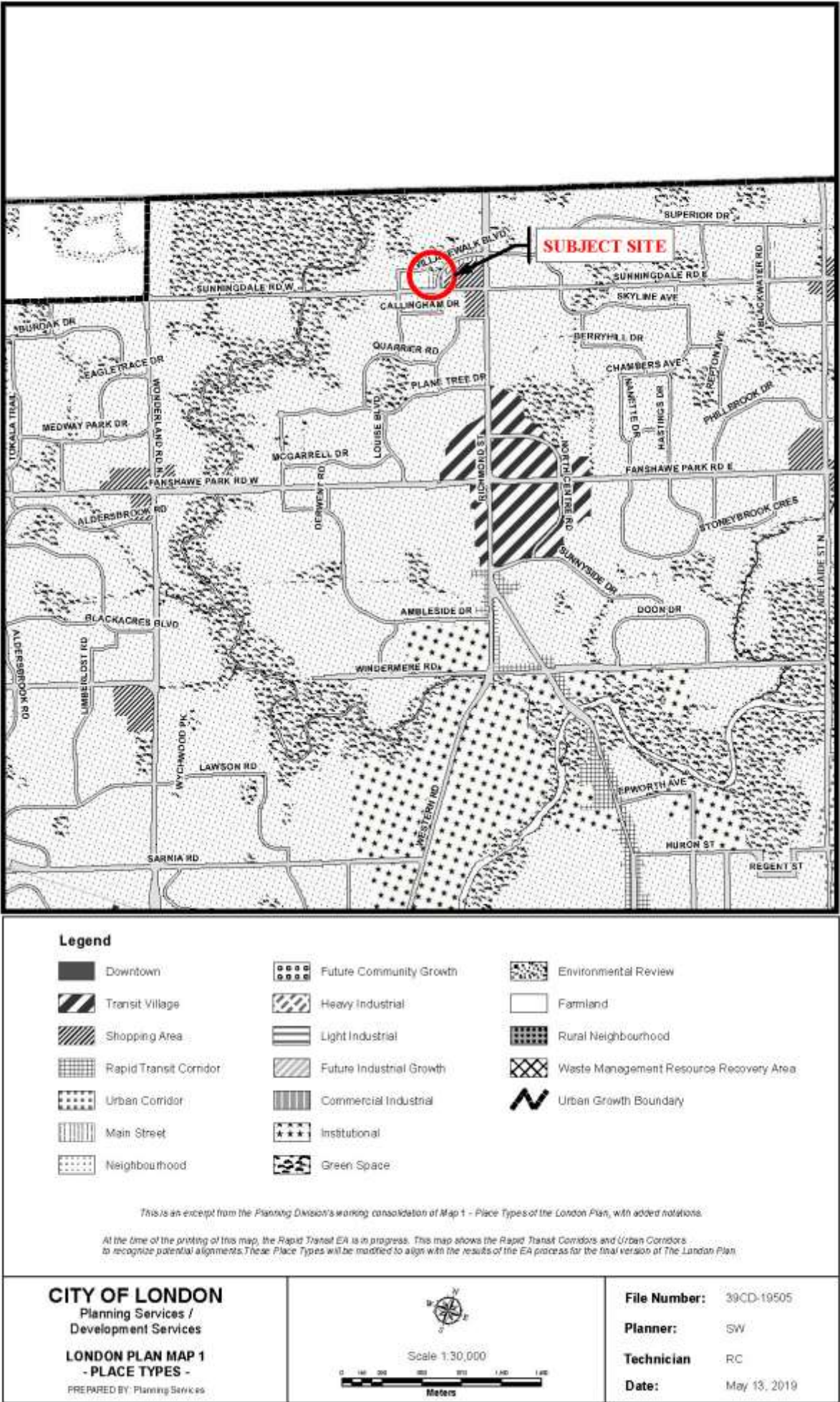
“The Owner acknowledges that the subject lands are part of a Site Plan application which has been accepted under the Site Plan Approvals Process (File # SPA18-139) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, 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.”

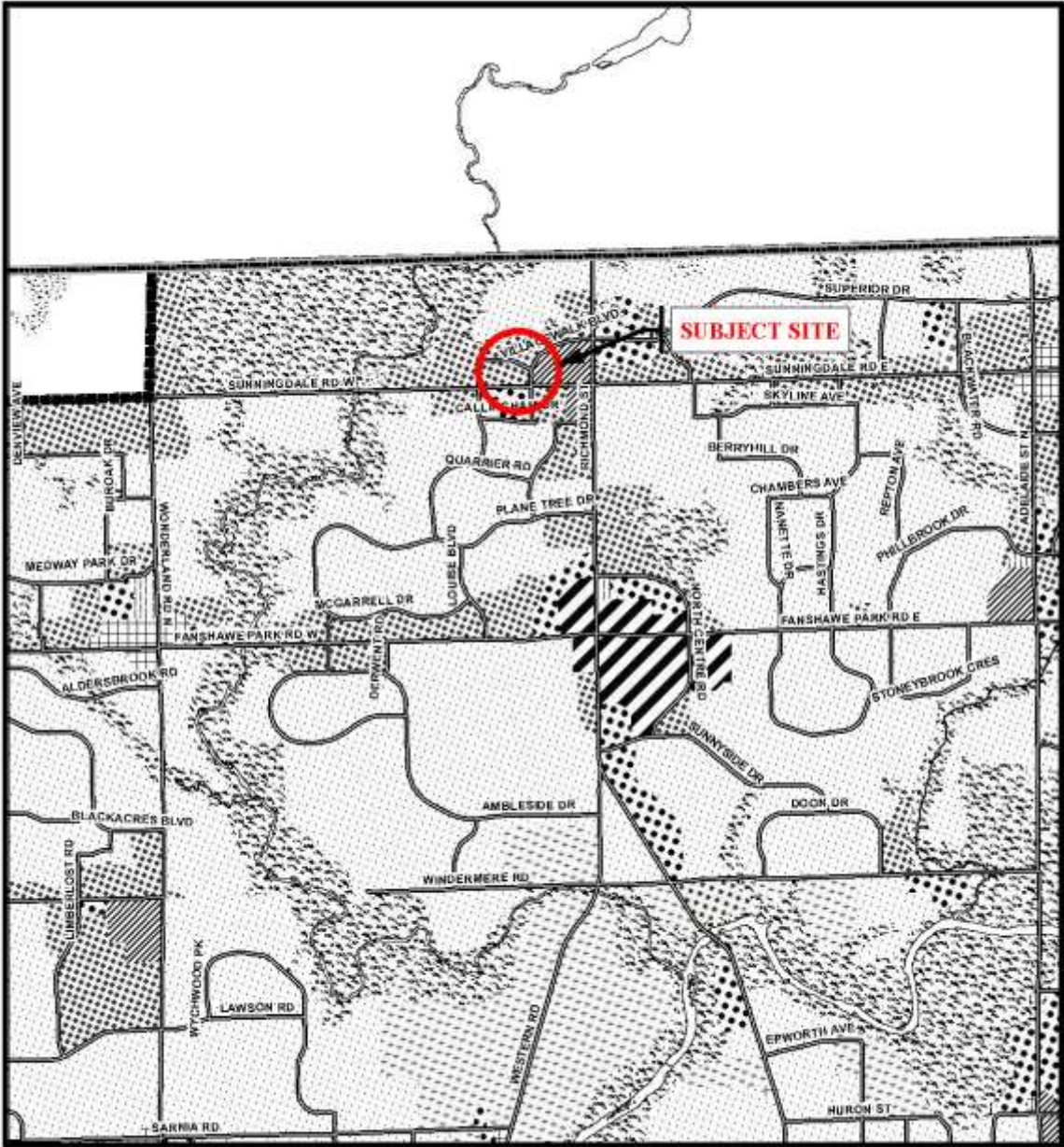
Upper Thames River Conservation Authority – May 1, 2019 Memo Excerpt

No Objections

Appendix B – Additional Maps







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

CITY OF LONDON
Planning Services /
Development Services
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000
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FILE NUMBER: 39CD-19505
PLANNER: SW
TECHNICIAN: RC
DATE: 2019/05/13

