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 1967172 Ontario Inc.

for 3400 Singleton Ave

Public Participation Meeting on: October 21, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1967172 Ontario Inc., relating to the property located at 3400 Singleton Ave:

- 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 3400 Singleton Ave; and,
- (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 3400 Singleton Ave.

Executive Summary

Summary of Request

This is a request by 1967172 Ontario Inc. to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 82 dwelling units, within multiple townhouses with a new private road providing access from Singleton Ave. The applicant's intent is to register the development as one Condominium Corporation.

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.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located on Singleton Ave just south of Westbury Park, west of the Holy Trinity Greek Orthodox Centre. There is an existing residential neighbourhood to the west and townhomes and future commercial uses to the south. The proposal consists of one low density residential block within a draft plan of subdivison (Block 86, Plan 33M641). The site was originally identified as a potential school site through the plan of subdivision but was never purchased by a school board. The site is currently vacant and is approximately 2.35 ha (5.82 ac) in size. 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 - Neighbourhoods

- (1989) Official Plan Designation Multi-Family, Medium Density Residential
- Existing Zoning h*NF1/h*h-71*h-100*h-104*h-137*R5-4/R6-5 Zone

1.4 Site Characteristics

- Current Land Use Vacant
- Frontage 116 metres
- Depth Varies
- Area 2.335ha (5.82ac)
- Shape Irregular

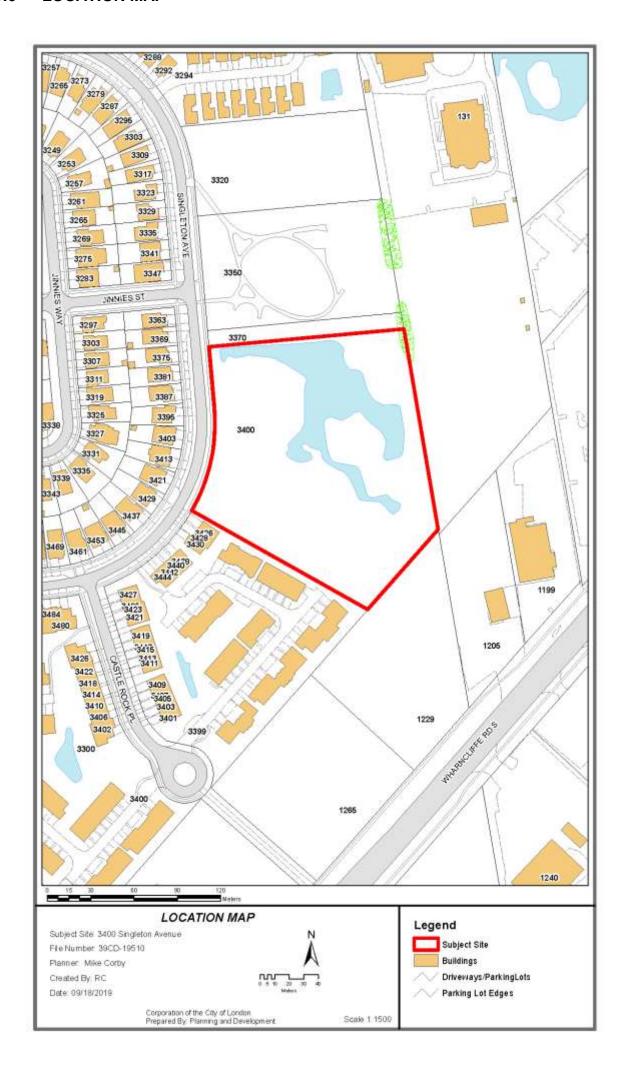
1.5 Surrounding Land Uses

- North City Park/Residential
- East Private Community Centre
- South Residential/Future Commercial
- West Residential

1.5 Intensification (82 units)

• The 82 unit, cluster townhome development 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 82 Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings. Landscaped areas, 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 (SPA18-136) has also 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 under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting. A subsequent application for the removal of holding provisions is also under review and will describe how any issues raised by the public or Municipal Council have been addressed or incorporated.



Figure 2: Proposed Conceptual Elevations

39CD-19510 Mike Corby

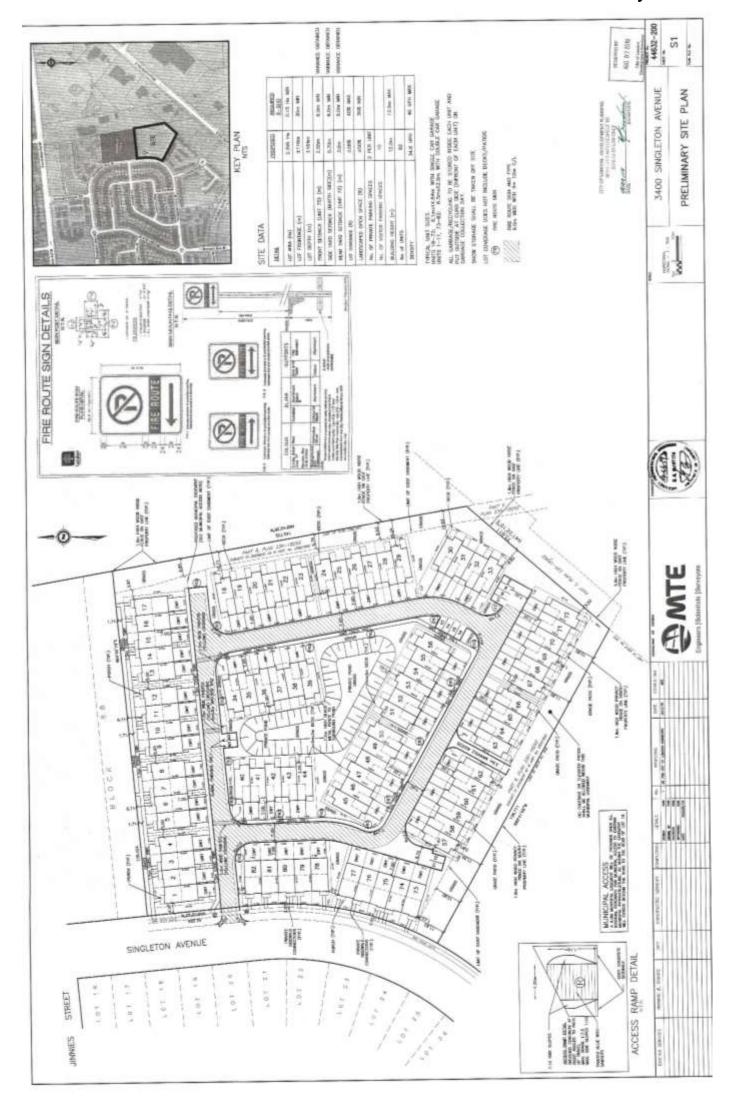




Figure 3: Amenity Space and Landscaping

3.0 Relevant Background

3.1 Planning History

The subject site was created through the Westbury Plan of Subdivision (39T-05509) which received final approval in 2012. The site was rezoned (Z-6915) in 2009 as part of the plan of subdivision process to permit Neighbourhood Facilities or cluster housing with multiple holding provisions also being applied.

Site plan approval along with the removal of holding provision and minor variance applications were submitted in 2018 to accommodate the proposed cluster townhouse development. The requested variances have been approved and the site plan and removal of holding provision applications are now running in parallel with the Vacant Land Condominium application (39CD-19510) which was accepted on July 9, 2019.

3.2 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on July 24, 2019 and advertised in The Londoner on July 25, 2019. Through the public circulation process some community concerns were raised in regards to the existing park just north of the site and the lack of adequate playground facilities. Respondents felt the park cannot accommodate any increase in residential density in the area. Members of the public also believed the site was to be developed as a school and the development could also create potential parking issues.

Three (3) responses were received during the community consultation period with one of the responses being a standard comment sheet with multiple signatures (20). The comments received by Staff are attached to Appendix "C". The report below addresses these concerns in detail.

3.3 Policy Context

Provincial Policy Statement (PPS), 2014

Land uses within settlement areas shall be based on densities which efficiently use land and resources, and will also capitalize on the existing infrastructure and public service facilities that are planned or available while supporting active transportation (1.1.3.2.a) & 1.4.3.d)). The proposal will develop a vacant site that has full access to municipal services within a planned neighbourhood. The subject lands are within a newer plan of subdivision and are designated and intended over the long term for medium density residential uses. 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 "Neighbourhoods" Place Types along a neighbourhood connector which permits a wide range of lower density residential uses at a maximum height of 2.5-storeys.

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 abutting the park space to the north provides access to the sidewalk, as well as passive surveillance from the residential dwellings

which front the park with porches overlooking the park space (288*). The proposed development promotes connectivity and safe pedestrian movement within the development and to the surrounding neighbourhood (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 cluster townhouse dwelling 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 park space directly abutting the site to the north, and existing and future commercial uses proposed in proximate distance to the surrounding neighbourhood. Building elevation plans have been reviewed as part of the site plan submission. The size and style of townhouse dwellings are anticipated to contribute to housing choice and 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, future Development 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 townhouse 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 townhouse dwelling proposed per 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 strucures and unit boundaries.

6. The registration of a proposed development as more than one vacant land condominum 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 condominum corporation will be adequate to allow for the reaonable independent operation of the condominum corporation.

The proposed cluster townouse development is to be developed as one condominium corporation.

Southwest Area Secondary Plan

The site forms part of the Southwest Area Secondary Plan (SWAP) and is subject to the development vision and detailed policies of the SWAP. Additionally, the site forms part of the 'North Longwoods Residential Neighbourhood' within the greater area plan.

New development in North Longwoods will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale. The built form will be primarily street oriented on all public rights-of-ways. The Low and Medium Density Residential designations apply to most of the existing and planned neighbourhoods of North Longwoods, reflecting land uses established through previous Area Plans and site specific applications.

The primary permitted uses and densities in the Multi-Family, Medium Density Residential (MFMDR) designation of SWAP defer to the permitted uses of the MFMDR designation in the 1989 Official Plan. The proposed cluster townhouse development is considered a permitted landuse and the proposed density of 35uph is in keeping with the density permissions of the plan. The proposed vacant land condominium is considered appropriate for the site and meets the intent of providing a mix of housing forms and choice in the neighbourhood.

(1989) Official Plan

The (1989) Official Plan designation for these lands is Multi-Family, Medium Density Residential (MFMDR). The primary permitted uses in the Multi-Family, Medium Density Residential designation shall 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 (3.3.1. Permitted Uses). The proposed vacant land condominium is in keeping with the range of permitted uses.

Developments within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development. The takes on a similar scale of development to what exists in the surrounding area allowing for this transition from single detached dwellings to the west and commercial uses to the south and east. The development also provides a density of 35 uph which is less the 75 uph permitted in the MFMDR designation (3.3.3. Scale of Development).

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.

Zoning By-law No.Z-1

The existing zoning is a Holding Neighbourhood Facility and Holding Residential R5/R6 (h*NF, h*h-100*h*104*h-137*R5-4/R6-5) Zone which permits a range of dwelling types, including the cluster townhouse dwellings proposed. As previously noted the subject site received minor variances for multiple setback requirements which the proposed development is in compliance with. These variances included a front yard setback of 2.83m (9.3'), whereas 6.0m (19.7') is the required minimum; a rear yard setback of 1.74m (5.7'), whereas 6.0m (19.7') is the required minimum; an interior side yard of 5.71m (18.7'), whereas 6.0m (19.7') is the required minimum.

The holding provisions that currently form part of the zone are for the orderly development of the lands through an approved Development Agreement, water-looping and access is available, the Bostwick sanitary sewage pumping station and forcemain are decommissioned and a Traffic Impact Study is prepared. A report addressing each of these items will be brought forward under application H-8967. The proposed vacant land condominium and proposed site plan are consistent with the Zoning By-law and approved variances.

More information and detail is available in the appendices 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 Southwest Area Secondary Plan. The proposed cluster townhouse dwelling units are 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.

Prepared by:	Mike Corby, MCIP, RPP Senior Planner, Development Services
Recommended by:	Semon Frances, Development Services
	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	

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.

39CD-19510 Mike Corby

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cc: Lou Pompilii, Manager, Development Planning cc: Michael Pease, Manager, Development Planning

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

cc: Ismail Abusheheda, Manager, Development Engineering

cc: Heather McNeely, Manager, Development Services (Site Plans)

Appendix A – Community Engagement

Public liaison: On July 24, 2019, Notice of Application was sent to 181 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 25, 2019. A "Planning Application" sign was also posted on the site.

3 replies were received

Nature of Liaison: The purpose and effect of this zoning change is to approve a Draft Plan of Vacant Land Condominium consisting of 82 residential units at a density of 35 uph. Consideration of a proposed draft plan consisting of 82 townhouse dwelling units and a common element for private access driveway and services to be registered as one Condominium Corporation. Application has also been made for approval for Site Plan Approval, file SPA18-136.

Responses to Public Liaison Letter and Publication in "The Londoner"

From: Amy Stevens

Sent: Wednesday, July 31, 2019 11:24 AM

To: Corby, Mike <mcorby@London.ca>; Van Meerbergen, Paul

<pvanmeerbergen@london.ca>

Subject: [EXTERNAL] 3400 Singleton Ave draft plan

Hello,

I am a resident of the Andover Trails community. I received the draft plan for the 3400 Singleton Ave condo block and was wondering if you could provide information on the city's plan for ensuring an appropriate amount of parks and green space are available for this community. At present, the current playground is overrun with residents from this area, and an addition of 82 further units will make these areas that much more overused.

Are there any plans to deal with this issue?

Much thanks, Amy Stevens

From: Mihaela Latis

Sent: Friday, August 9, 2019 3:21 PM **To:** Corby, Mike <mcorby@London.ca> **Subject:** [EXTERNAL] File 39D-19510

Hello,

First of all thank you for giving us the opportunity to express our opinion about this project.

Me and my husband were very disappointed to see that more houses are being built on this lot (3400 Singleton avenue) because when we first moved in this neighbourhood there was a sign there saying that the plan is to build a school. We were very excited about the school idea since our daughter is going to start school soon.

Our concerns are about the seriousness of the builder since further down on Singleton avenue there is an abandoned construction site ... Nuage homes (one day that just stoped working as you can see in the pictures attached) that looks really bad for all the neighbourhood. It's been a long time since they stopped working so we are

wondering why approve more projects when this one isn't finished.

Other concern is that since this is still just a proposal why did they already start digging and have they're signs up? Don't they have to wait until the plan is approved?

We really think that a school makes more sense than more houses that can lead to over crowded roads and delays in traffic.

Thank you so much,

Mihaela Latis

From: Mandeep Aulakh

Sent: Monday, August 12, 2019 10:20 PM

To: Corby, Mike <mcorby@London.ca>; Van Meerbergen, Paul

<pvanmeerbergen@london.ca>

Subject: [EXTERNAL] Draft Plan of Vacant Land Condominium (3400 Singleton

Avenue)

Hello,

We are from the Singleton neighbourhood and we have drafted an objection towards the draft plan of vacant land condominiums, please kindly consider our request.

Thank you

Sincerely, The Singleton Neighbourhood

CITY OF LONDON

DATE - 11 AUGUST 2019

We are from Singleton neighbourhood. We received a notice of planning application (Draft plan of vacant land condominium) at 3400 Singleton Ave London ON

File- 39CD-19510 Application-1967172 Ontario Inc.

We have objections with this plan because of many reasons e.g.

- We already have Small Park for our community and park area becomes more congested due to increase in population of this neighbourhood.
- Parking problem will arise in the community because we are not permitted for street parking as well as already having less parking facility on our street.
- We told during the purchase of our property that this vacant area is for the construction of school, community purpose.

Our whole community appeals to city of London for the rejection of this plan.

Agency/Departmental Comments

Bell Canada - July 26, 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".

Hydro One - July 30, 2019

No Objections

London Hydro – September 18, 2019

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment.

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. Note: A blanket easement will be required. Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

Stormwater Engineering – August 6, 2019

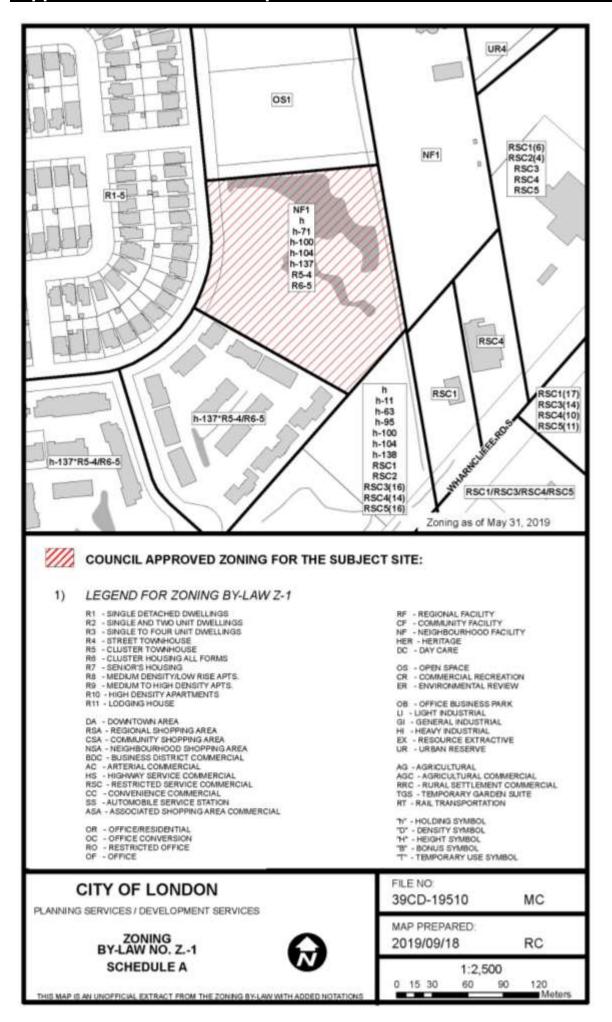
Please include the following conditions from SWED for the above noted application.

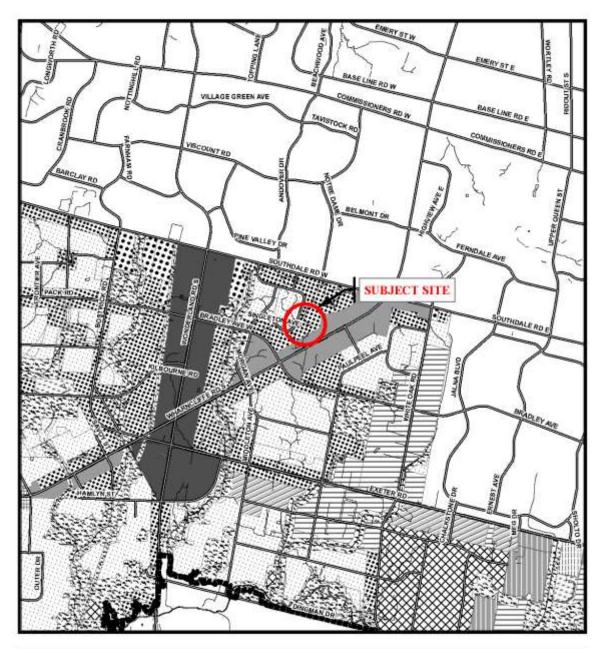
"The Owner acknowledges that the subject lands are part of an accepted Site Plan which was reviewed and processed under the Site Plan Approvals Process (File # SPA18-136) and that the Owner agrees that the development of this site under Draft Plan of Vacant Land Condominium shall comply with all final 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."

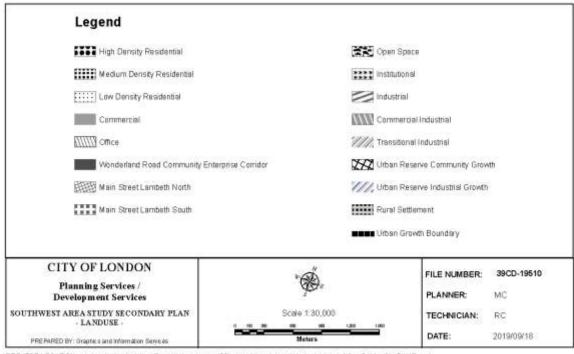
<u>UTRCA – August 16, 2019</u>

- No Objection

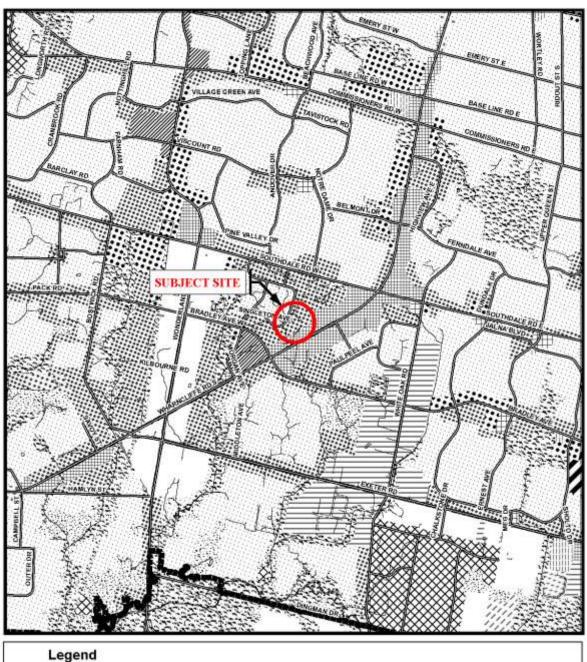
Appendix B - Additional Maps



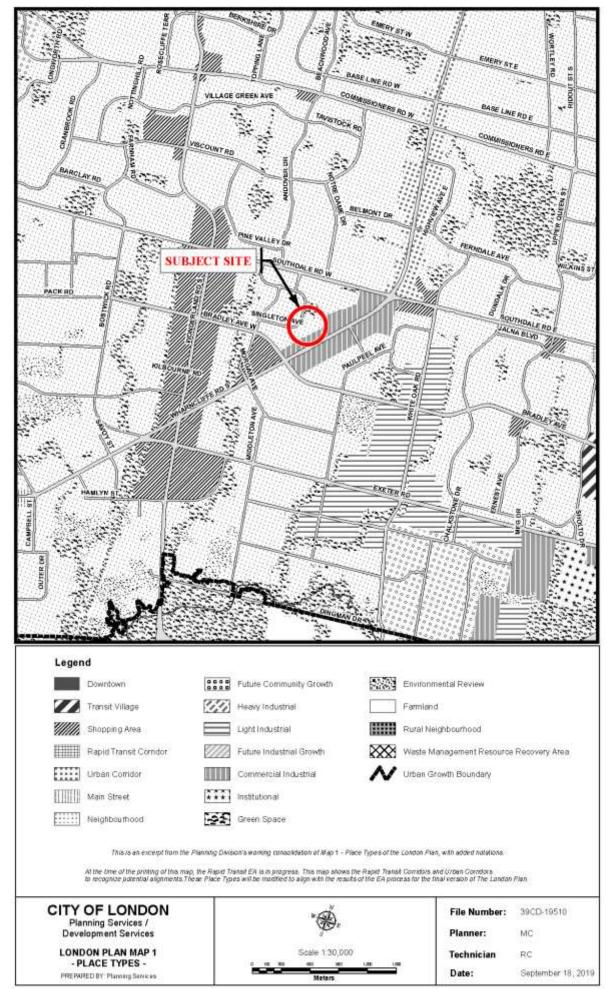




PROJECT LOCATION: a 'planning/projects'/p_officialplantworkconsol@hexcerpt/smod_templates/scheduleA_b&w_8x14_with_SWAP.mxd







Project Location: E1Planning(Projectslp_officialplantworkconsol00lexcerpts_LondonPlantmxds(39CD-19510-Map1_PlaceTypes.mxd