

## 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 on the Submission  
by Whiterock Village Inc. for 3087 White Oak Road

**Public Participation Meeting on: February 8, 2021**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the property located at 3087 White Oak Road:

- (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 3087 White Oak Road; 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 3087 White Oak Road.

## Executive Summary

### Summary of Request

This is a request by Whiterock Village 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 47 dwelling units, within multiple townhouses with a new private road providing access from Petty Road. 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 or the Site Plan Approval applications.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**May 12, 2003** – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

**April 26, 2010** - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

**June 4, 2019** - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980).

## **1.1 Planning History**

On December 20, 2020, the City of London Approval Authority granted final approval and was registered as Plan 33M-795 on December 23, 2020. The subdivision consists of 72 single detached lots and two (2) multi-family, medium density blocks, all located off of the extension of Bateman Trail, Petty Road, Biddulph Street and Lemieux Walk.

A site plan approval and associated removal of holding provision applications were submitted to the City in June and October of 2020 to accommodate the proposed cluster townhouse development. These two applications are running concurrently with the Vacant Land Condominium application (39CD-20511) submitted on September 21, 2020.

## **1.2 Property Description**

The subject site is located off of Petty Road, south of Southdale Road and west of White Oak Road. The site is generally surrounded by various forms of residential uses including medium density residential to the north and west, future medium density residential to the east and future low density residential to the south. Commercial uses are located to the west and north.

The proposal consists of one medium density residential block within a draft plan of subdivision (Block 100, Plan 33M-795). The site is currently vacant and approximately 0.9 ha (2.2 ac) in size. The site has full access to municipal services and is located in an area which is planned for future growth.

## **1.3 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 – Holding Residential R6 Special Provision h\*h-71\*h-100\*h-161\*h-227\*R6-5(58).

## **1.4 Site Characteristics**

- Current Land Use – Vacant
- Frontage – 90.4 metres
- Depth – Varies
- Area – 0.918 hectares
- Shape – Rectangular

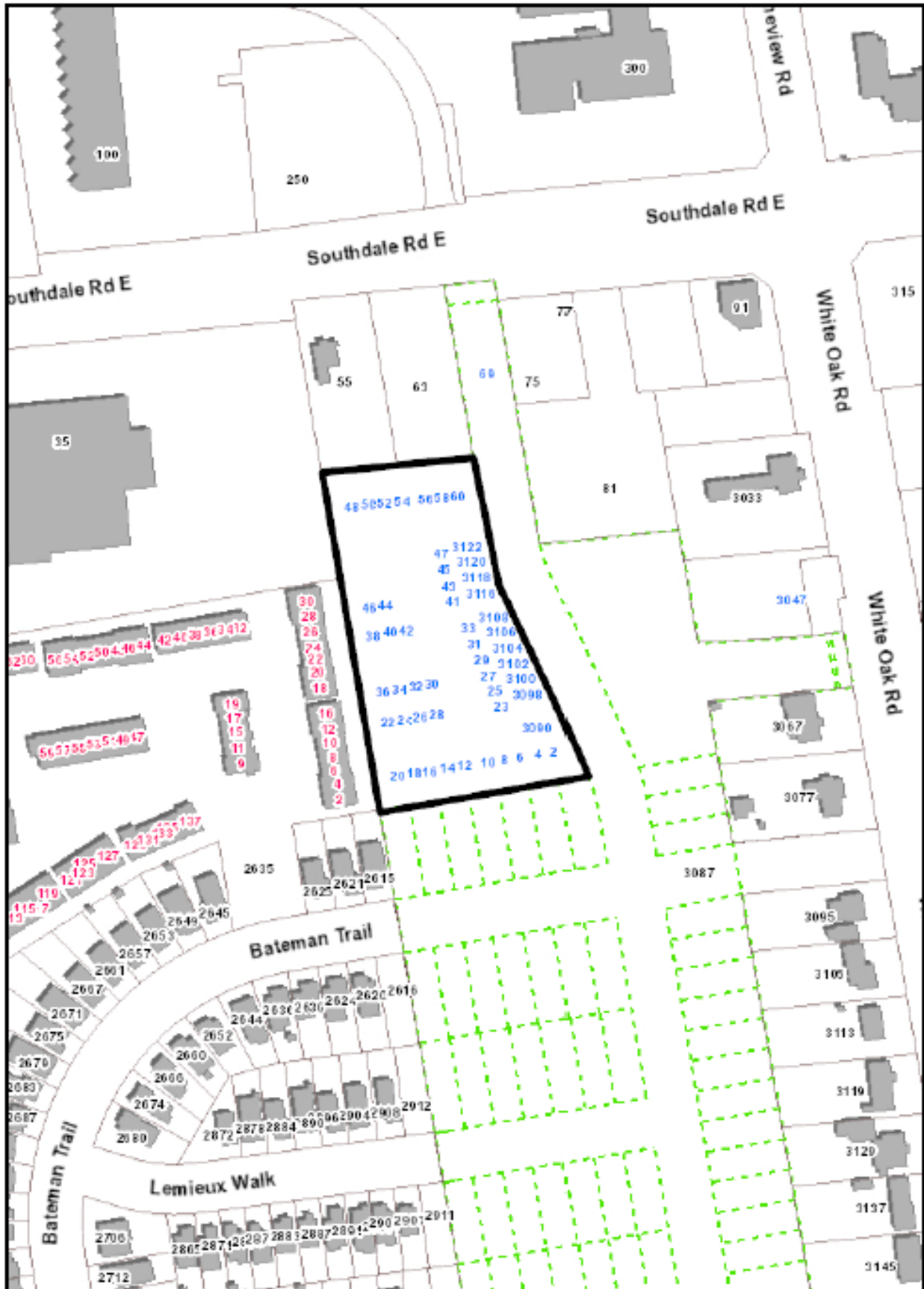
## **1.5 Surrounding Land Uses**

- North – existing commercial (car dealership)
- East – future multiple-attached dwellings site
- South – future single detached dwellings
- West – existing multiple-attached dwellings and commercial (car dealership)

## **1.6 Intensification (66 units)**

- The 47-unit cluster townhome development is located outside of the Built-Area Boundary and Primary Transit Area

1.7 LOCATION MAP








**Location Map**

Subject Property: 3087 White Oak Road  
 Applicant: WHITEROCK VILLAGE INC  
 File Number: 39CD-20511  
 Created By: Sean Meksula  
 Date: 10/6/2020  
 Scale: 1:2000

Corporation of the City of London

**Legend**

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers





### **3.0 Financial Impact/Considerations**

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

#### **3.1 Community Engagement (see more detail in Appendix A)**

The requested amendment was circulated to the public on October 14, 2020 and advertised in the Londoner on October 15, 2020. At the time of preparation of this report, two responses were received from the public in response to the Notice of Application and The Londoner Notice. Comments/concerns received from the community are generally summarized as follows:

- It will impact resident's privacy, quiet enjoyment of their property, and car headlights shining directly into our living/dining area. A privacy fence would be ineffective in blocking headlights given the height of existing condos.
- This property is now being developed when it was decided in the past that it would be parkland.

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

#### **3.3 Policy Context (See more detail in Appendix B)**

##### **Provincial Policy Statement, 2020**

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.

##### **Southwest Area Secondary Plan**

The Southwest Area Secondary Plan designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood.

As further described in Appendix B – Policy Context, Staff are of the opinion that the condominium draft plan is generally consistent with the PPS, The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan

##### **North Longwoods Area Plan**

The site is within the North Longwoods Area Plan (NLAP) which designated the majority of the lands Low Density Residential and Medium Density Residential, with the northern extent of the lands where Petty Road will connect to Southdale Road designated for commercial uses. The NLAP envisioned that a mix of housing types and densities would meet community demand and needs in housing type, tenure and affordability. The NLAP reinforced the City's Official Plan policies and direction that promoted compact urban form and increased densities to maximize the use of land and investment in infrastructure and services.

## **Z.-1 Zoning By-law**

The zoning of this block is Holding Residential R6 Special Provision h•h-71•h-100• h-161•h-227• R6-5(58) which permits various forms of cluster housing including single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, with the exception of apartment buildings, or cluster apartment buildings; with a special provision for a minimum front yard setback of 3.0m (9.8ft) and maximum density of 75 units per hectare.

## **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*. To ensure 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.

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

## **4.0 Key Issues and Considerations**

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

The proposed condominium development consists of 47, 2-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with two access from Petty Road. The development block interfaces with Petty Road and features street fronting townhouse dwellings with landscaped planting strips. End dwelling units feature covered porches to enhance the relationship and orientation of dwelling units to Petty Road. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern and western property boundaries (interfacing with the planned low density residential development and existing condominium lands located at 2635 Bateman Trail). Strong building orientation is achieved with street-facing units having front door entrances oriented to Petty Road. Units along Petty Road also have individual driveway accesses contributing to an active frontage and connection to the public street.

Through the site plan review process, staff have been working with the proponent on improving the building orientation adjacent to Petty Road in recognition that this is a key entry point and gateway to the neighbourhood. The site plan does show covered porches and walkway connections from individual units to the public sidewalk. However, further

design modifications to the units along Petty Road should be considered in order to achieve true orientation to the public street and rear-lotting has been avoided by having back-to-back units along Petty Road. The plans and building elevations have been reviewed for compliance with the City's Placemaking Guidelines, and Southwest Area Secondary Plan.

**4.2 Issue and Consideration # 2 – It will impact resident's privacy, quiet enjoyment of their property, and car headlights shining directly into our living/dining area.**

Building front entrances, driveways, and garages are oriented internally to the site so that impact on privacy of adjacent properties is minimized. Perimeter fencing (1.8 metre high board-on-board fence) and landscape planting buffers will also be incorporated into the approved site plan and landscape plans to provide screening and privacy of adjacent rear yard amenity areas. The proposed 2-storey dwellings with pitched roof design are not expected to cast shadowing on adjacent properties, or result in any significant loss of sunlight or privacy.

**4.3 Issue and Consideration # 3 – This property is now being developed when it was decided in the past that it would be parkland.**

Through the community consultation period for the Draft Plan of Subdivision and Zoning By-law Amendments (39T-18505/Z-8980), no concerns were raised with the proposed development of Block 100. No departmental concerns were expressed. The neighbourhood park is located south of the site within an earlier phase of development.

The proposed cluster townhouse development is appropriate for this area as it provides the flexibility for a local mix of housing diversity and choice within the subdivision.

Provincial and municipal planning policies recognizing the importance for a mix of residential housing. The Condominium Act was amended to introduce Vacant Land Condominiums. Similar cluster townhouses have been developed in new subdivisions throughout the City in particular the abutting lands to the west. It is not expected to adversely affect the residential stability or property values in the area.

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



## Conclusion

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

### Prepared by:

**Sean Meksula, MCIP, RPP**  
**Senior Planner, Development Services**

### Recommended by:

**Paul Yeoman, RPP, PLE**  
**Director, Development Services**

### Submitted by:

**George Kotsifas, P. Eng.**  
**Managing Director, Development and Compliance**  
**Services and Chief Building Official**

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cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Heather McNeely, Manager, Development Services (Site Plans)  
cc: Bruce Page, Manager, Development Services (Subdivisions)  
cc: Michael Pease, Manager, Development Services (Site Plans)  
cc: Peter Kavcic, Manager, Development Services (Subdivisions)

## Appendix A – Community Engagement

**Public liaison:** On October 14, 2020, Notice of Application was sent to 124 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 15, 2020. A “Planning Application” sign was also posted on the site.

**Responses:** 2 written replies were received.

**Nature of Liaison:** The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 47 residential units. Consideration of a proposed draft plan consisting of 47 multiple attached dwelling units and common elements to be registered as one Condominium Corporation. \*For the lands under consideration, a separate application for Site Plan Approval – Application File No. SPA20-044 – has been submitted by Whiterock Village Inc.

**Responses:** A summary of the various comments received include the following:

- It will impact resident’s privacy, quiet enjoyment of their property, and car headlights shining directly into our living/dining area. A privacy fence would be ineffective in blocking headlights given the height of existing condos.
- This property is now being developed when it was decided in the past that it would be parkland.

### Responses to Notice of Application and Publication in “The Londoner”

Telephone or In Person	Written
	Kim Cairns 30-2635 Bateman Trail
	Chris Ellison 28-2635 Bateman Trail

### 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 (PPS), 2020

The proposed development achieves objectives for efficient and resilient 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 promoting 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, supports energy conservation and efficiency, and avoids land use and development patterns which may cause environmental or public health and safety concerns.

The subject lands are within a registered plan of subdivision and are designated and intended for medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision approval process. Based on our review, the proposed Draft Plan of Vacant Land Condominium is found to be 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.

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, fourplex, townhouse and stacked townhouse dwellings, and low-rise apartment buildings, as the main uses. 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 #6 – Place a new emphasis on creating attractive mobility choices.*

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*

#### *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 offers opportunities for active mobility choices including walking, cycling and public transit; contributes to a safe, healthy and connected community; and is designed to evoke a sense of neighbourhood character and sense of place.

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

*202\_ \* Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood’s character and identity.*

*229\_ Except in exceptional circumstances, rear-lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.*

*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.*

*291\_ \* Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.*

*\* Policy subject to LPAT Appeal PL170100 – November 13, 2019*

The proposed condominium development consists of 47, 2.5-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with access from Petty Road. The development block fronts Petty Road and features a heavily landscaped planting strip. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern and western property boundaries (interfacing with the planned low density residential development and existing condominium lands to the west. The plans and building elevations have been reviewed for compliance with the City’s Placemaking Guidelines and the Southwest Area Secondary 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.*

*\* Policy subject to LPAT Appeal PL170100 – November 13, 2019*

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,

neighbourhood connectedness, diversity of housing choices and affordability, safe and convenient alternatives for mobility, close to neighbourhood parks and multi-use pathways planned as part of the subdivision approval process, and also within easy access to goods, services and employment opportunities.

## **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.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and future public transit; contributes to a safe, healthy and connected community; and evokes a sense of neighbourhood character and sense of place.

## **(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 47 residential townhouse dwellings will result in an overall density of approximately 51 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.

## **Southwest Area Secondary Plan**

The Southwest Area Secondary Plan (SWAP) designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood. The following provides excerpts from the secondary plan highlighting a number of relevant policies to the subject development proposal:

### *20.5.10 i) Function and Purpose*

*....The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood.*

### *20.5.10.1 ii) Permitted Uses*

*The primary permitted uses in the Multi-family, Medium Density Residential designation will be permitted in the Low and Medium Density Residential designations, including low*

*density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes....*

*20.5.10.1 iii) Built Form and Intensity*

*b) Within the Medium Density Residential Designation, residential development shall have a minimum density of 30 units per hectare and a maximum density of 75 units per hectare.*

*e) The Urban Design policies of Section 20.5.3.9 of this Plan shall apply.*

*20.5.3.9 ii) Public Realm*

*e) Rear lotting is not permitted along the arterial roads in the Southwest Area Plan. In instances where the City is satisfied that there is no other alternative due to topographic or other site constraints, a range of alternatives such as lanes, service roads, and “window” streets will be used to ensure a high quality of streetscape design. If there is no alternative to rear lotting, landscaping, as well as site and building design, will be used to mitigate the impact on the streetscape.*

*f) Properties subject to noise impacts shall be buffered through mechanisms such as restrictions on the type of use, building design and location, siting of outdoor living areas and through the provision of landscaping including street trees. Buffering such as noise walls or fences, berms and rear lotting, which restrict visual and physical access to the street, shall be prohibited.*

The subject development block is within a new subdivision comprising part of the easterly half of the Central Longwoods Residential Neighbourhood that has been planned and zoned for a mix of low to mid-rise housing forms including single detached dwellings, street townhouses, and various forms of cluster housing (single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and low rise apartment buildings). The proposed density is within the range of minimum and maximum densities for the Medium Density Residential Designation. As previously mentioned above, townhouse units are street facing on Petty Road. The proposed development provides a mix of mid-rise housing forms within individual subdivisions and throughout the neighbourhood.

### **Urban Design Guidelines**

Residential design guidelines were prepared as part of the Riverbend Subdivision application review. Site planning and design considerations for the desired built form along residential streetscapes include the following objectives and guidelines:

#### *1.1 Residential Streetscapes*

##### *Design Objectives*

*a) To support an “eyes on the street” approach, such that the collective design shall provide an aesthetically pleasing and safe pedestrian environment;*

*b) To have individual and collective design of housing that encourage a connection between the dwelling unit and the street by using front porches and bay windows;*

#### *1.2 Building Placement and Orientation shall:*

*e) Buildings should be oriented such that the fronts of the buildings shall face the major street by the use of front doors and abundant vision glass to animate the street and provide a sense of security through public surveillance.*

#### *2.1 Building Massing shall:*

*a) Encourage built form to be located along public street edges to produce active frontages;*

*c) Have a natural recognizable front entrance contributing to “way-finding”;*

2.2 *Façade Design shall:*

- e) *Give additional consideration to corner lot situations such that the front and exposed flank support the eye-on-the street approach mentioned above.*

The site plan and building elevations incorporate a similar level of architectural detail on the front and rear elevations flanking the public street and walkways. A strong building orientation is achieved with street-facing units having front door entrances oriented to both Petty Road. Units along Petty Road also have individual driveway accesses contributing to an active frontage and connection to the public street.

**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, 1989 Official Plan, and Southwest Area Secondary Plan.
- Sewer and water services will be provided in accordance with the subdivision servicing drawings accepted by the City, and the 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.
- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- 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 the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

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*. 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 Holding Residential R6 Special Provision (h•h-71•h-100• h-161•h-227• R6-5(58)) which permits various forms of cluster housing including single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, with the exception of apartment buildings, or cluster apartment buildings; with a special provision for a minimum front yard setback of 3.0m (9.8ft) and maximum density of 75 units per hectare. An application to remove the holding provisions from the zoning has been submitted and is currently in process (File No. H-9237). Subject to Municipal Council's passing of a by-law to remove the holding provisions coming into force and effect, the proposed vacant land condominium will comply with the Zoning By-law regulations.