

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P.Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Draft Plan of Vacant Land Condominium on the Submission
by 2749282 Ontario Inc. for 3557 Colonel Talbot Road

Public Participation Meeting on: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 2749282 Ontario Inc., relating to the property located at 3557 Colonel Talbot 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 3557 Colonel Talbot 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 3557 Colonel Talbot Road.

Executive Summary

Summary of Request

This is a request by 2749282 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 twenty-one (21) dwelling units, within multiple townhouses with a new private road providing access from Colonel Talbot 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.

Rationale of Recommended Action

- i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;
- iii) The proposed Vacant Land Condominium conforms to the policies of the Southwest Area Secondary Plan and will implement an appropriate housing form for the North Lambeth Neighbourhood; and

The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family Medium Density Residential

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

September 8, 2020 – Planning and Environment Committee - 1423197 Ontario Inc. (Royal Premier Homes). (Royal Premier Homes) regarding the property located at 3557 Colonel Talbot Road - Zoning By-law Amendment Application - Z-9003.

May 10, 2021 - Planning and Environment Committee - 2749282 Ontario Inc. (Royal Premier Homes) regarding the property located at 3557 Colonel Talbot Road – public meeting with for Site Plan Approval - File SPA20-063.

August 30, 2021 - Planning and Environment Committee – 1423197 Ontario Inc. (Royal Premier Homes) c/o Zelinka Priamo Ltd. regarding the property located at 3557 Colonel Talbot Road – Application for Removal of Holding Provision (H-9364).

1.1 Planning History

The subject lands were previously comprised of a single detached dwelling, until 2016, when the existing dwelling was structurally damaged due to a fire. As a result of the fire, the dwelling was demolished. In 2017, the subject lands were the subject of a Minor Variance Application (A.103/17) for the purpose of constructing a single detached dwelling with a reduced side yard setback. The proposed single detached dwelling was never constructed, and the parcel has been vacant since the fire and demolition of the former single detached dwelling.

On December 21, 2018, a Zoning By-law Amendment Application (Z-9003) was submitted for three (3), 2.5-storey townhouse dwellings for a total of 28 units (41 units per hectare). On May 13, 2019, an information report was brought forward to the Planning and Environment Committee. The intent of the report was to advise the Committee of the received comments and to obtain direction regarding a future public participation meeting.

As previously noted, the southern portion of the site is regulated by the UTRCA. Through the Zoning By-law Amendment, a development limit was agreed to upon reducing the number of units on site from the identified three (3) 2.5-storey townhouse dwellings down to two (2), 2.5-storey townhouse dwellings for a total of 21 units (51 units per hectare).

On September 8, 2020, a Public Participation Meeting was later held before the Planning and Environment Committee, which recommended approval of the proposed Zoning By-law Amendment. On September 15, 2020, Municipal Council passed the Zoning By-law Amendment to permit a Holding Residential R5 Special Provision (h-5*R5-6(14)), Open Space Special Provision (OS4(13)) Zone and an Open Space Special Provision (OS5(17)) Zone. The resolution of Council also noted that the provision of enhanced screening/privacy along the northern property line, including boundary landscaping along the north and west property boundaries, was raised during the application review process as a matter to be addressed at the Site Plan Approval stage. The Council resolution further noted that the h-5 holding provision would allow for a public participation meeting during the site plan stage.

On October 16, 2020, the Zoning By-law Amendment (Z-9003) was appealed to the Local Planning Appeal Tribunal (PL200494). On March 5, 2021 the appeal was withdrawn.

On August 12, 2020, a Site Plan Control Application (file SPA20-063), was received by the City of London. Further submissions are required to address comments provided with

the previous review by staff, and further to address recommendations to Approval Authority as part of the public meeting on the Site Plan. Comments from the second submission that were included in the Council resolution that was considered at the May 10, 2021 public site plan meeting.

On August 30, 2021, a report to remove the h-5 holding provision to ensure that development takes a form compatible with adjacent land uses was brought to the Planning and Environment and Committee and passed by Council on September 14, 2021 for the subject lands.

1.2 Property Description

The subject property is located north of Lambeth on the west side of Colonel Talbot Road between Pack Road and Kilbourne Road, directly south of Clayton Walk. The subject property is surrounded by low-density residential land uses, and a proposed plan of subdivision (39T-17503) on the east side of Colonel Talbot Road, opposite the subject property. Colonel Talbot Road is classified as a Civic Boulevard in The London Plan and an Arterial Road in the (1989) Official Plan.

The proposed development consists of four (4) 2-storey townhouse blocks consisting of a total of 21-units (51 units per hectare). The proposed site plan includes two (2) parking spaces per unit for a total of 42 spaces plus two (2) visitor parking spaces. The site abuts an Open Space Special Provision (OS4(13)) which provides amenity space. The southern portion of the subject lands is regulated by the Upper Thames River Conservation Authority (UTRCA) due to the Dingman Creek, and will be dedicated to the City as parkland dedication as part of the Site Plan Control Application.

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

- The London Plan Place Type – Neighbourhoods Place Type/Green Space Place Type
- Official Plan Designation – Multi-Family Medium Density Residential/Open Space
- Existing Zoning - Holding Residential R5 Special Provision/Open Space Special Provision (R5-6(14)/OS4(13)) Zone

1.4 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 107 metres (351 feet)
- Depth – 76 metres, average (249 feet)
- Area – 0.808 hectares (2.0 acres)
- Shape – Irregular

1.5 Surrounding Land Uses

- North – Low Density Residential
- East – Currently used for Agricultural purposes, identified within a proposed Plan of Subdivision application (39T-17503)
- South – Low Density Residential
- West – Low Density Residential

1.6 Intensification (21 units)

- The 21-unit cluster townhome development is located outside of the Built-Area Boundary and Primary Transit Area

1.7 LOCATION MAP

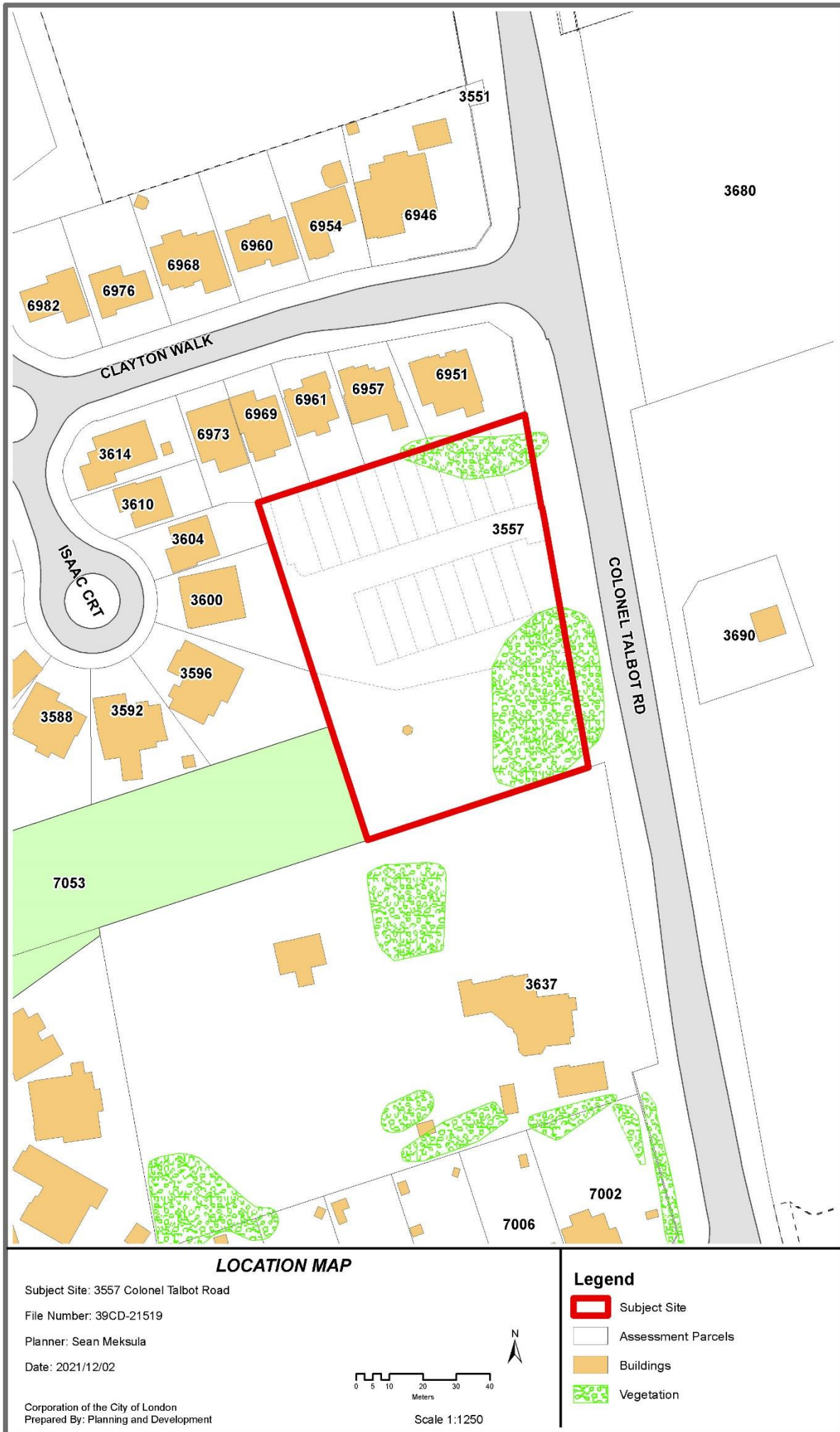




Figure 3: Proposed Conceptual Elevations

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 December 22, 2021 and advertised in the *Londoner* on December 23, 2021. 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. There were no comments/concerns received from the community regarding this application.

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 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. Single detached 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 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 open space to the south which provides access to the trail network, as well as passive surveillance from the residential dwellings with features such as rear covered decks overlooking the Dingman Creek to the south (288). The proposed development promotes connectivity and safe pedestrian movement in the neighbourhood and has convenient access to the pathway located east of the site within the Silverleaf Subdivision which connects to other pedestrian walkways in the area including to a pedestrian bridge (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 the natural hazard natural heritage features associated with the have been zoned to ensure their retention. The development limit for these lands is outside the lands identified as natural features or hazards. There is open space directly abutting the site to the south, and future residential and convenience commercial uses proposed 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 Multi-Family, Medium Density Residential designation of the 1989 Official Plan serves as a suitable transition between Low Density Residential areas and more intense forms of land use (3.3.). Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form, site coverage and density that, as previously noted, serve as a transition between low density residential areas and more intensive development (3.3.3.). Within the Multi-Family, Medium Density designation, density will not exceed an approximate net density of 75 units per hectare (3.3.3.ii). Furthermore, development within the Multi-Family, Medium Density Residential designations shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood, typically not exceeding 4-stories in height (3.3.3.i)).

The recommended amendment would facilitate the development of townhouses at a density of 51 units per hectare, well under the maximum net density of 75 units per hectare. In accordance with Section 3.3.2., development of the site or area for medium density residential uses shall take into account the surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area. Surrounding land areas within the immediate vicinity are predominately in the form of single detached dwellings ranging from one to two-storeys in height within existing subdivisions. The height of the townhouses are proposed to be 2.5-storeys which is considered to be compatible with the surrounding neighbourhood.

The subject lands are located in an area undergoing an increase in residential development, including the development of a new subdivision just north of the subject lands along Colonel Talbot Road and Pack Road. Section 3.3.2., also notes that the preferred location of Multi-Family, Medium Density Designations is in close proximity to designated Open Space areas and to lands abutting an arterial, primary collector or secondary collector street. In this situation, the subject lands contain an existing Open Space (OS4) Zone on the southern portion of the site. Through the process and determining an appropriate development limit, the proposed townhouses are adjacent to a Open Space Special Provision (OS4(13)) Zone as well as a larger Open Space Special Provision (OS5(17)) Zone which provides a large buffer between the proposed townhouses and the existing lands to the south. Furthermore, Colonel Talbot Road is classified as an arterial road. 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.

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 Lambeth Residential Neighbourhood' within the greater area plan.

New development in North Lambeth is to be 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. The residential areas are intended to develop as traditional suburban neighbourhoods, with characteristics similar to those found in the older areas of the City of London, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day-to-day living experience.

The primary permitted uses in the Multi-Family, Medium Density Residential designation including cluster housing forms. Within the Multi-Family, Medium Density Residential Designation, residential development shall have a minimum density of 75 units per hectare (u/ha) and maximum of 100 units per hectare. The proposed density is 51 units per hectare or 21 units which is slightly less than the minimum 75 units per hectare which would equate to 35 dwelling units. The Southwest Area Secondary Plan allows for minor reductions to the minimum density where they can be demonstrated as appropriate. The proposed vacant land condominium design responds to certain constraints associated with the size and shape of the parcel. The proposal is achieving 51 units per hectare or 21 total units which also requires relief from certain side and rear yard setbacks for those 21 units. The vacant land condominium is appropriate for the site and meets the intent of providing a mix of housing forms and choice in the neighbourhood.

A Draft comprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The Dingman Creek Significant River Corridor is a major component of the natural heritage system in the Southwest Area Secondary Plan. It is considered a significant river and ravine corridor which represents a continuous wildlife linkage and water resources system connecting significant core natural heritage features that extend beyond the limits of the city. The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. An ecological buffer was established based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with

Section 15 of the 1989 Official Plan. Lands delineated as ecological buffers, pursuant to Subsection 20.5.3.6.i)b) and c) will be acquired by the City pursuant to Section 16 of the 1989 Official Plan as parkland dedication.

In order to enhance open space opportunities within the Southwest Area, the City will seek to locate open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trails, active and passive parkland and stewardship opportunities. (20.5.3.6).

To ensure that the proposed development is not impacted by any flooding, the development limit was identified at the northern portion of the site, the lands located within the flood plain at the southern portion are zoned Open Space Special Provision (OS5(17)). This zone permits conservation lands, conservation works, passive recreation uses which includes hiking trails and multi-use pathways and managed woodlots and will be dedicated to the City for Parkland Dedication and the creation/extension of a pathway on the southern portion of the site.

Z.-1 Zoning By-law

The zoning of this block is Residential R5 Special Provision R5-6(14) which permits cluster townhouse dwellings and cluster stacked townhouse dwellings within the proposed development limit; with special provisions for a minimum front yard depth of 2.0m, rear yard depth of 0.7m from the OS4(13) zone, south interior side yard depth of 3.1m a maximum density of 51 units per hectare and deck encroachment of 0.0m from the OS4(13) zone.

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.);
- Ensure that the end units ('12' and '21') flanking Colonel Talbot Road are oriented to the street with enhanced elevations similar to the front elevations including main entrance(s) with walkway connections to City Sidewalk, wrap around porches, similar amount of windows or openings and articulation in terms of materials, colour 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.

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.

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Senior Planner, Subdivision Planning

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Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

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Appendix A – Community Engagement

Public liaison: On December 22, 2021, Notice of Application was sent to 57 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 23, 2021. A “Planning Application” sign was also posted on the site.

Responses: No Responses were received.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 21 residential units with a private access driveway, private internal services, and a common element to be registered as one Condominium Corporation.

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 rezoning and site plan 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.

The proposed condominium development consists of 21, 2.5-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with access from Colonel Talbot Road. The development block fronts Colonel Talbot Road and features a heavily landscaped planting strip. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the northern, southern and western property boundaries (interfacing with the low-density residential development lands to the north and 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.*

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 21 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 'North Lambeth 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 ‘North Lambeth 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 Colonel Talbot 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 Southwest Area Secondary Plan (SWAP) review. Within the Lambeth Neighbourhood of the Southwest Area Secondary Plan, the direction of the urban design policies regarding the form of the development seek to promote development that is compact, pedestrian-oriented and transit-friendly (20.5.3.9.i)a)). The proposed development provides for a form of intensification that is compact yet compatible with surrounding uses.

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 Colonel Talbot Road.

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.);
- Agreement, and in the Condominium Declaration and Description.
- Ensure that the end units ('12' and '21) flanking Colonel Talbot Road are oriented to the street with enhanced elevations similar to the front elevations including main entrance(s) with walkway connections to City Sidewalk, wrap around porches, similar amount of windows or openings and articulation in terms of materials, colour 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 site is Residential R5 Special Provision (R5-6(14)) Zone, which permits cluster townhouse dwellings and cluster stacked townhouse dwellings within the proposed development limit; with special provisions for a minimum front yard depth of 2.0m, rear yard depth of 0.7m from the OS4(13) zone, south interior side yard depth of 3.1m a maximum density of 51 units per hectare and deck encroachment of 0.0m from the OS4(13) zone. Portions of the land are zoned Open Space Special Provision (OS4(13)) Zone to provide for a common amenity area, including the use of one accessory structure as well as recognize a minimum lot frontage and lot area and Open Space Special Provision (OS5(17)) which is to be dedicated to the City as parkland dedication.