

## 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:** Application By: Forest Park (Sherwood Glen)  
7 Annadale Drive  
Public Participation Meeting on: January 7<sup>th</sup>, 2019

## Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions **BE TAKEN** with respect to the application of Forest Park (Sherwood Glen) relating to the property located at 7 Annadale Drive:

- (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 7 Annadale Drive; and,
- (b) The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of 15 single detached vacant land condo units; and
- (c) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

## Executive Summary

### Summary of Request

The application for Draft Plan of Vacant Land Condominium for 7 Annadale Drive proposes the construction of fifteen (15) single detached cluster vacant land condo units on a portion of the former Sherwood Forest Elementary School property. The Site Plan Control application (SPA18-060) is for site matters including site layout and design, landscape treatment and services.

Eight (8) freehold single detached dwellings on the former Elementary School property are to be constructed on freehold lots, with four dwellings on each street, fronting onto Wychwood Park and Finsbury Crescent. These dwellings are not subject to public consultation.

The remainder of the former Elementary School property is to be developed as a park and is not part of the site plan application.

### Purpose and the Effect of Recommended Action

The purpose and effect of this recommendation 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 and Site Plan Approval.

**Rationale of Recommended Action**

1. The proposed Vacant Land Condominium and Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development.
2. The proposed Vacant Land Condominium and Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.
3. The proposed Vacant Land Condominium and Site Plan is in conformity with the policies of the Low Density Residential designation of the Official Plan (1989) and will implement an appropriate form of residential intensification for the site.
4. Appropriate conditions of Draft Plan of Condominium have been applied to address provincial policy and matters of municipal interest.
4. The proposed Site Plan complies with the regulations of the Z.-1 Zoning By-law.
5. The proposed Site Plan meets the requirements of the Site Plan Control By-law.

**Analysis**

**1.0 Site at a Glance**

**1.1 Property Description**

The subject site is located between Wychwood Park and Finsbury Crescent, with the portion of the site subject to public site plan review at the core of the property. The vacant land condo units have 14.4m of frontage on Wychwood Park to provide for a private road access to the interior of the site where 15 single detached units are proposed. Eight single detached dwelling are proposed, through this site plan application, which front, four each, onto Finsbury Crescent and Wychwood Park and are outside the area requiring public site plan review. The remainder of the former Sherwood Forest Elementary School property is to be developed as a park and is not part of this site plan application.

**1.2 Current Planning Information**

- The London Plan Place Type – Neighbourhoods
- Official Plan, 1989 Designation – Low Density Residential
- Existing Zoning – h-5\*R6-3(8)

**1.3 Site Characteristics**

- Current Land Use – Vacant former elementary school site.
- Frontage – 14.4m
- Depth – 124m
- Area – 10,566.8 m²
- Shape – Irregular

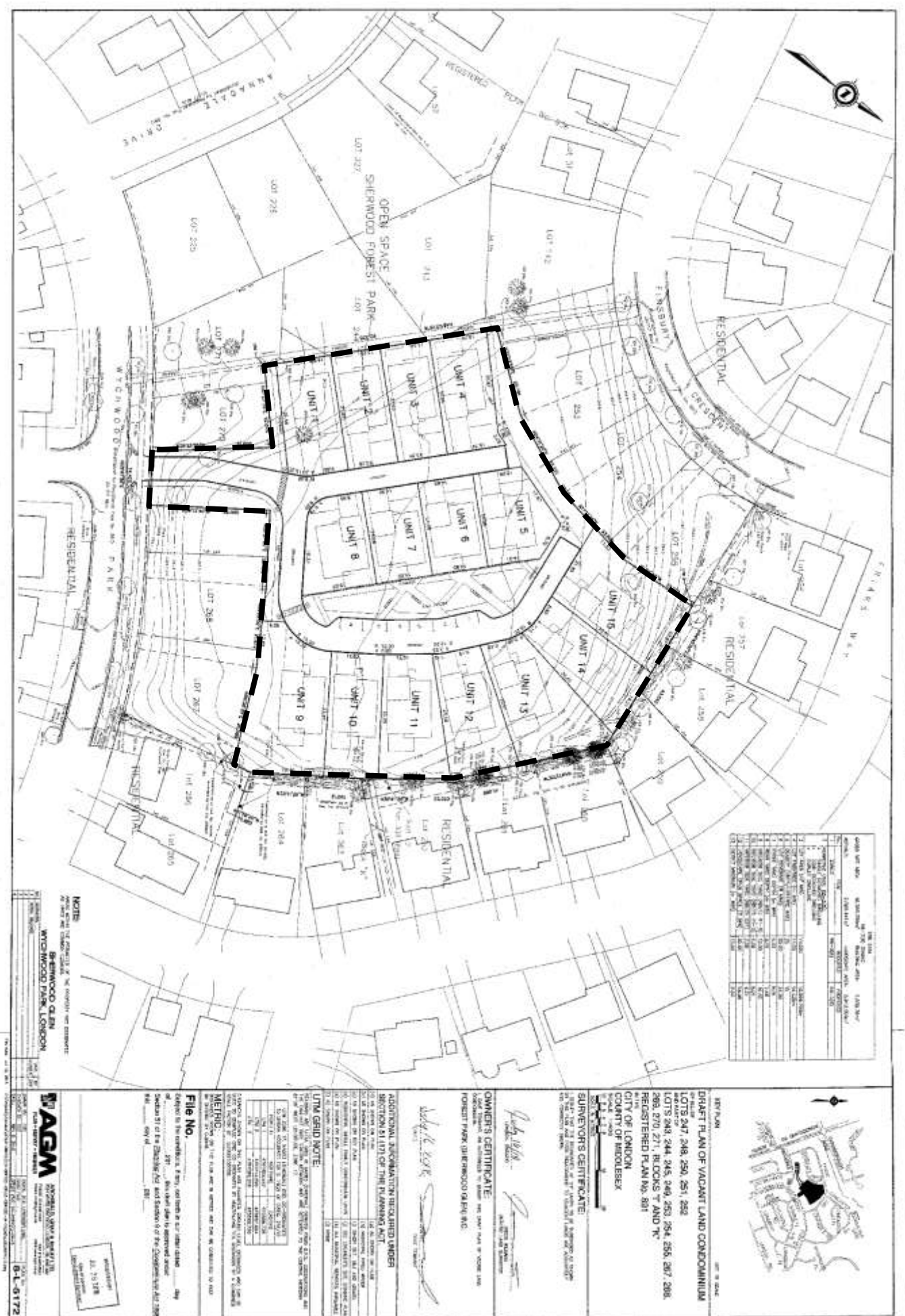
**1.4 Surrounding Land Uses**

- North – Single Detached Dwellings
- East – Single Detached Dwellings
- South – Single Detached Dwellings
- West – Proposed park and Single Detached Dwellings

1.5 Location Map

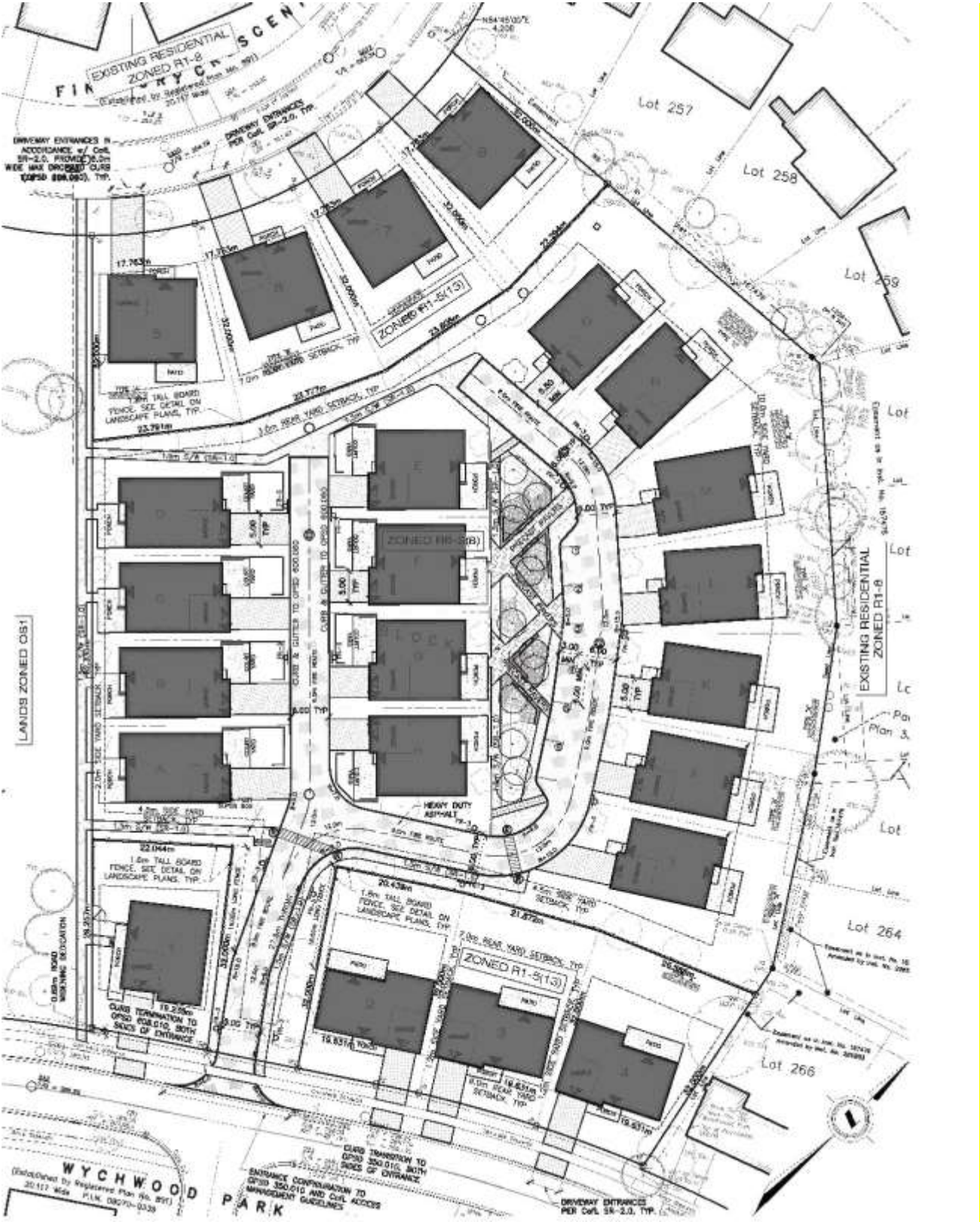


1.6 Draft Plan of Vacant Land Condominium





1.7 Site Plan



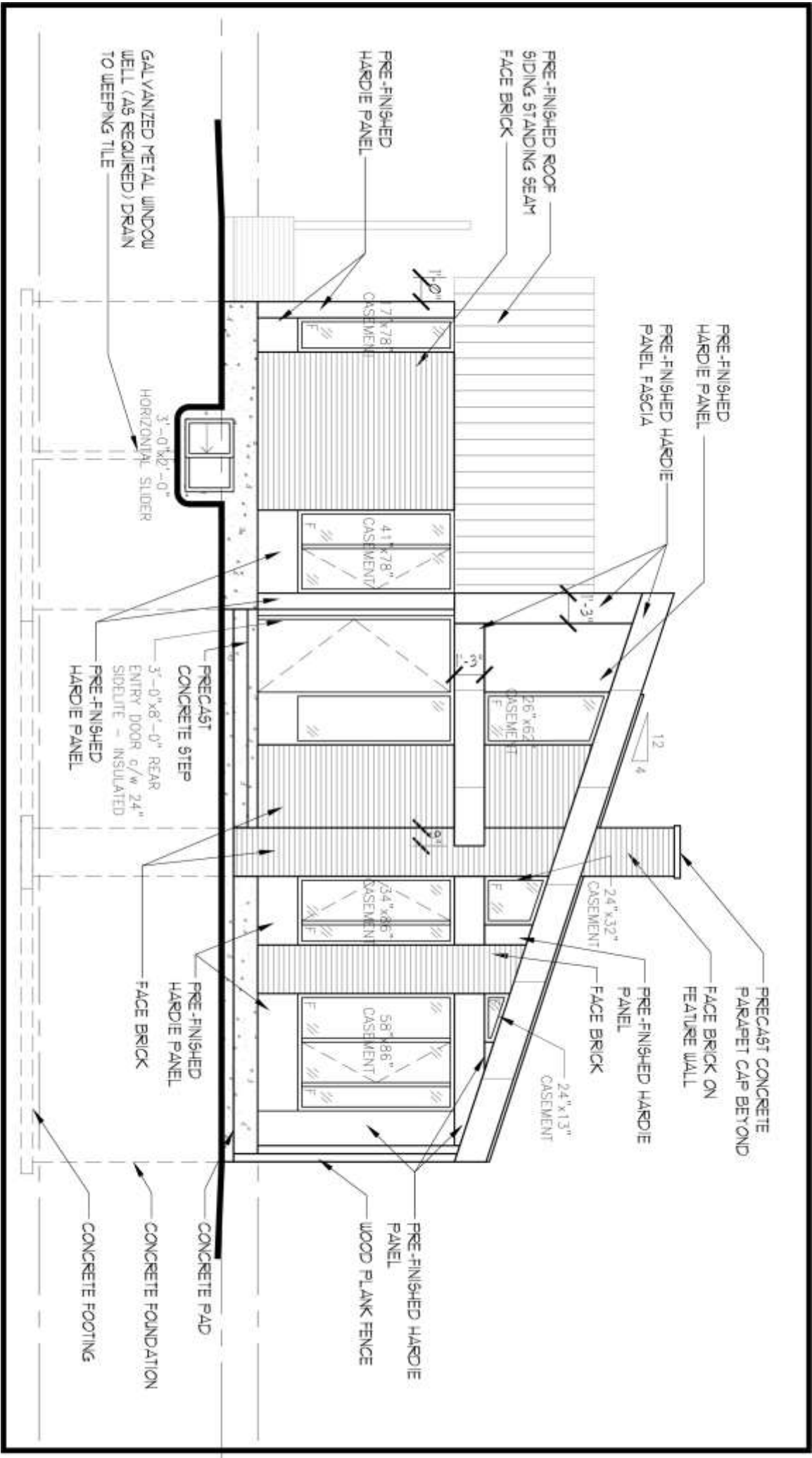


1.8 Landscape Plan

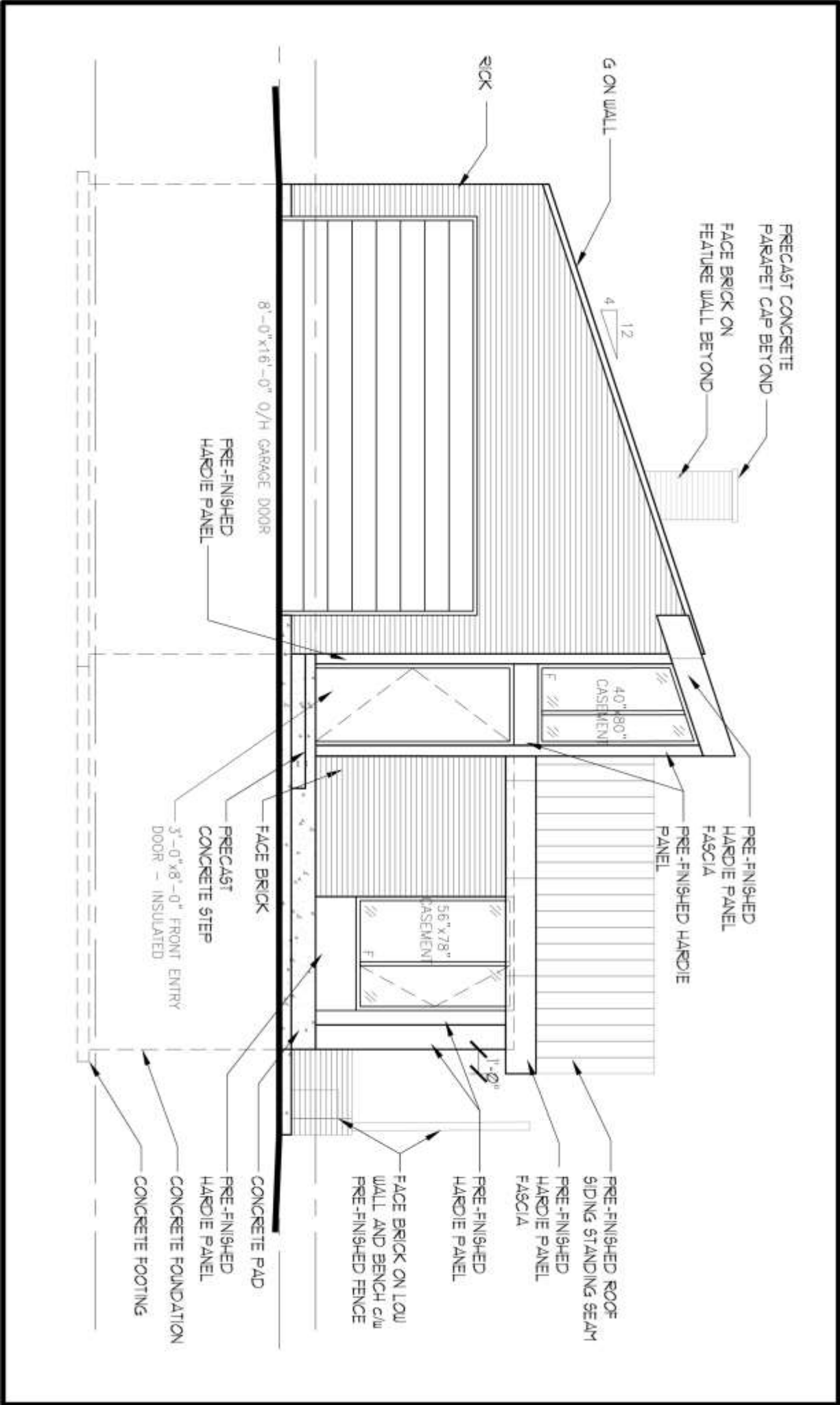


## 1.9 Elevations

## Elevation Unit Type One (Abutting Park)

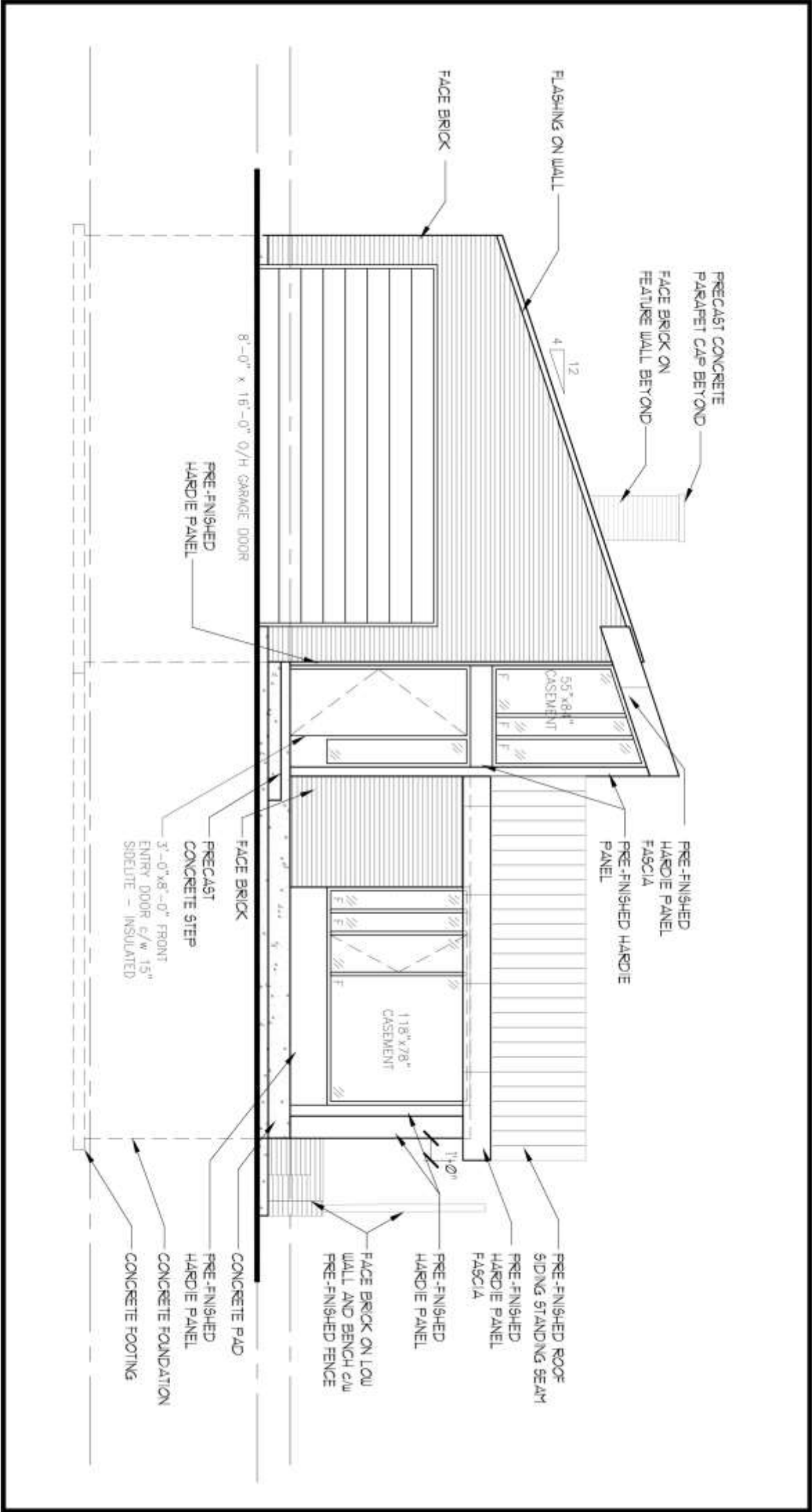


Elevation Unit Type One

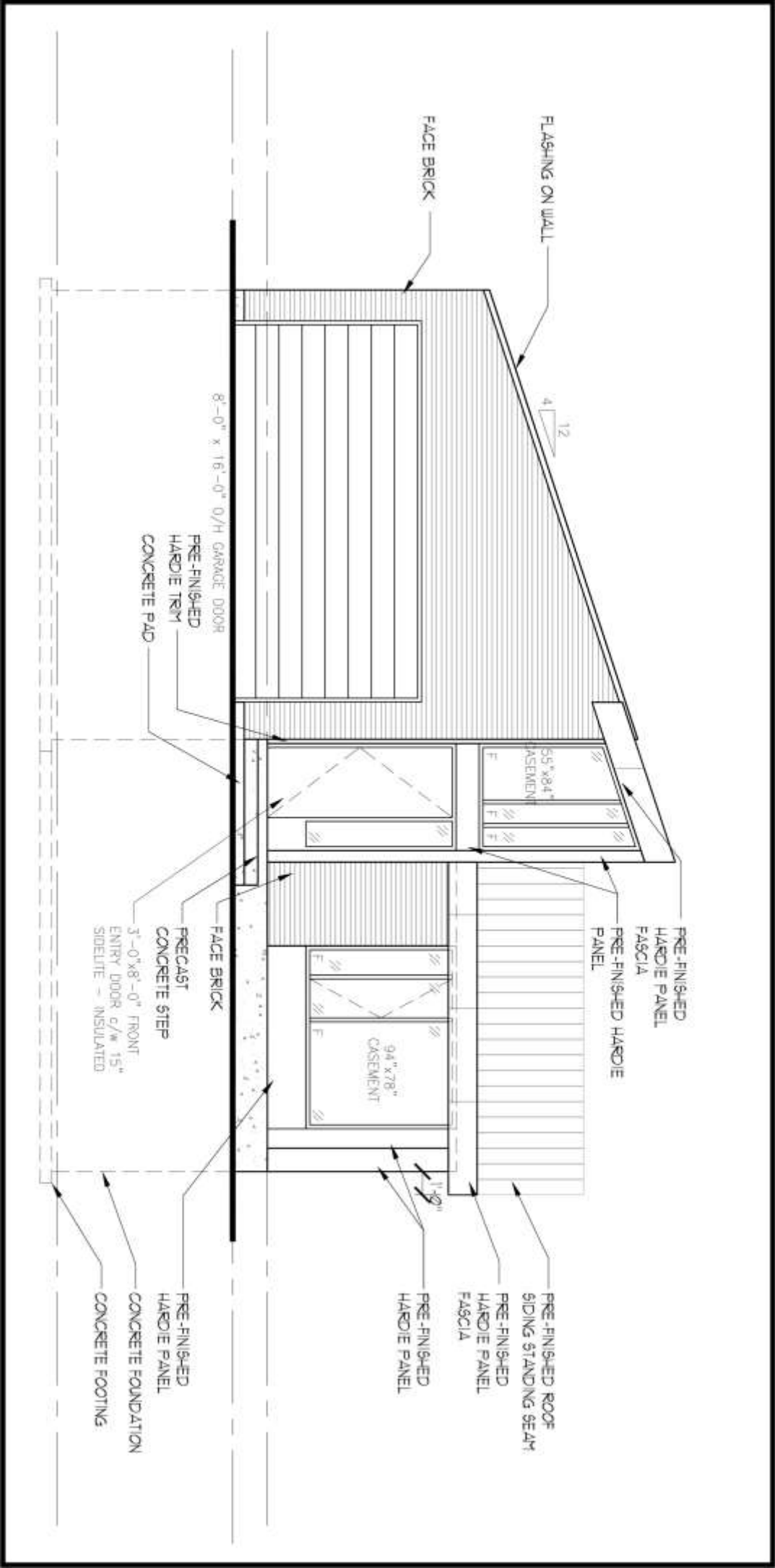




Elevation Unit Type Two



Elevation Unit Type Three



2.0 Description of Proposal

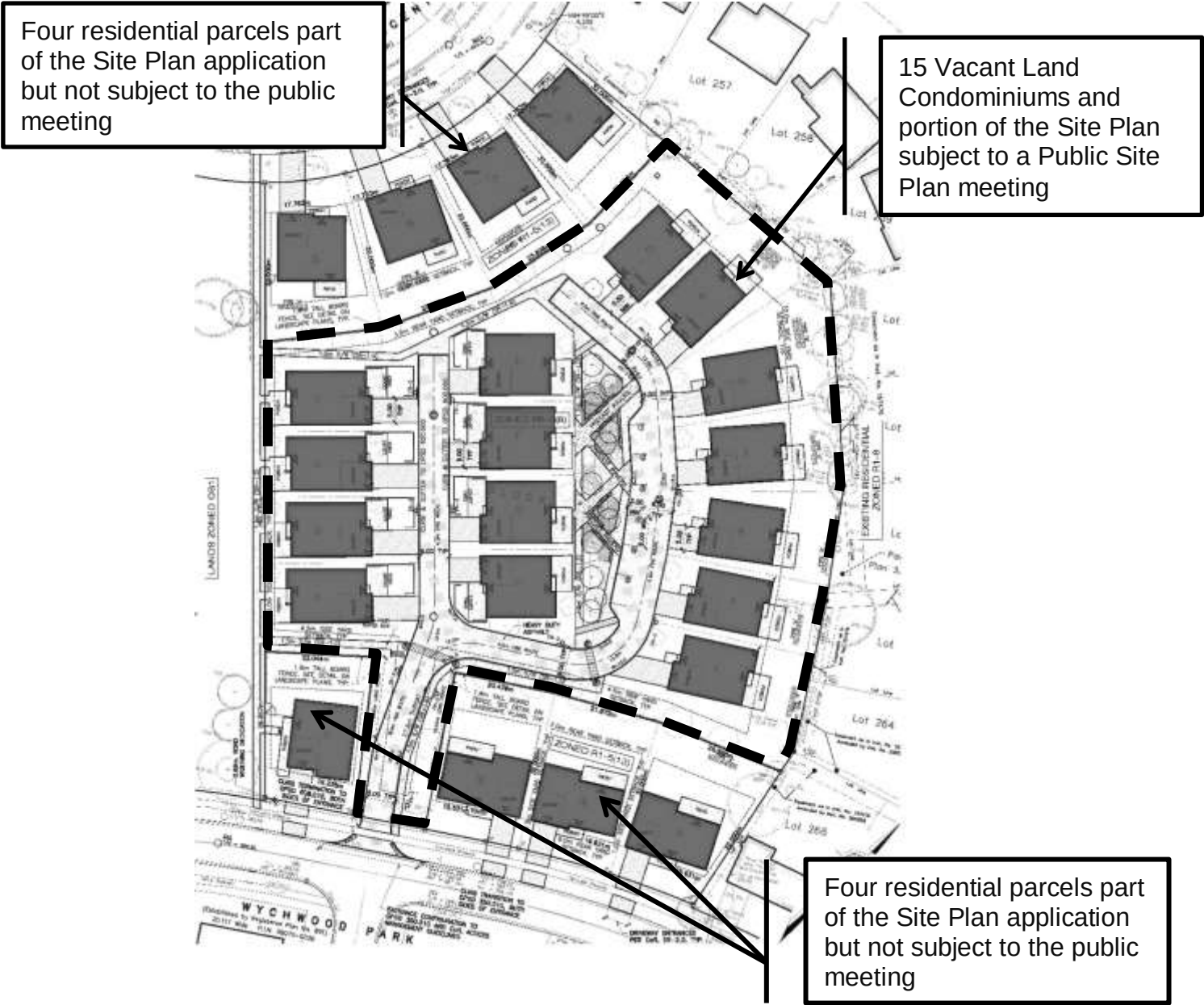
2.1 Development Proposal

On June 1, 2018, staff received a Site Plan Control application for 7 Annadale Drive proposing the construction of fifteen (15) single detached cluster dwelling condo units and eight (8) freehold single detached dwellings.

As shown below, the portion of the site proposed for the fifteen (15) vacant land condo units is subject to a holding provision (h-5) for public site plan review, which is to be heard at this public meeting of the Planning and Environment Committee. The remainder of the lands, with the proposed eight (8) single detached dwellings, are not subject to the holding provision (h-5) but are part of the site plan application under review.

On July 24, 2018, staff subsequently received an application for Draft Plan of Vacant Land Condominium for the fifteen single detached cluster dwelling units. In addition to the dwelling units the condominium and site plan consist of landscaped areas, sidewalks, internal driveways, services, and visitor parking spaces within a common element to be maintained and managed by the Condominium Corporation.

With the exception of the housing form, the proposed development is generally in keeping with the nature of what was contemplated as part of the October 2014 Zoning By-law amendment application (Z-8334) to rezone the site for residential uses. The original conceptual site plan submitted as part of the zoning application proposed residential townhouse dwellings. Conversely, the application being considered as part of this Plan of Condominium and Site Plan application are proposed as single detached dwellings. Notwithstanding the change in housing form, the revised proposal conforms to the Zoning By-law amendment that was passed in October 2014, and consistent with Council’s intent for a low intensity form of residential development.





## 3.0 Relevant Background

### 3.1 Planning History

In June of 2013, the Thames Valley District School Board (TVDSB) closed the Sherwood Forest Public School. The TVDSB subsequently initiated a School Board Disposition Process (as required under the Education Act, Ontario Regulation 444/98). Municipal Council, at its session on March 18, 2014 resolved to purchase the property following the rezoning of the property for residential and park uses. The City's conditional offer was accepted by the TVDSB on May 6, 2014.

On March 21, 2014 the City of London initiated a zoning by-law amendment for the former Sherwood Forest Public school site at 7 Annadale Drive from a Neighbourhood Facility (NF) Zone, which allowed for the school previously located on the site, to a combination of a Residential (R1 and R6) Zone variations to permit residential uses, and an Open Space (OS1) Zone to permit a neighbourhood park.

Prior to the statutory public meeting at the Planning and Environment Committee (PEC) for the zoning by-law amendment, three public meetings were held with the community to evaluate potential development approaches for the site. Meetings were held on April 10, 2014 for visioning; May 7, 2014 to evaluate potential concepts arising from the April 10 meeting; and, September 3, 2014 where a preferred land use concept was presented for final revisions. An additional meeting was held with the London Homebuilders Association where local builders outlined the minimum densities they would require to ensure any redevelopment project would be viable for the site.

The Zoning By-law (Z-8334) application was addressed at the October 7, 2014 meeting of the Planning and Environment Committee. On October 14, 2014 Council approved the rezoning of the lands. At that time an h-18 holding provision was applied to a portion of the lands requiring an archaeological assessment.

The application for the removal of the Holding Provision (H-8855) addressed the archaeological assessment requirements. The necessary archaeological assessments were completed and reviewed by the Ministry of Tourism, Culture, and Sport for compliance with the appropriate standards and guidelines and approved by the City. On January 16, 2018 council endorsed the removal of the holding provision and enacted the current zoning.

A consent application was received April 16, 2018 and assigned file number B.020/18. The request was to sever eight (8) lots for the purpose of future single detached dwellings, sever one (1) lot for the purpose of a future vacant land condominium development and to retain one (1) lot for the purpose of open space lands. On July 27, 2018 the consent was granted with conditions. The site plan application under review maintains the property lines established through the April of 2018 consent.

### 3.2 Community Engagement (see more detail in Appendix A)

#### *Draft Plan of Vacant Land Condominium*

#### Notice of Application

On September 19, 2018, Notice of Application was sent to property owners within 120m of the site area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of the Londoner on September 20, 2018.

#### Notice of Public Meeting

On December 12, 2018, Notice of Public Meeting was sent to property owners within 120m of the site area. Notice was also published in the Public Notices and Bidding Opportunities section of the Londoner on Thursday December 20, 2018.

At the time of the preparation of this report, there was a total of:

- 1 written response

### **Summary of Comments:**

The e-mail was provided to advise staff of a number of trees and existing vegetation growing along the fence line which are causing impact to abutting vegetation, fencing, and structures on private property. The letter advised that vines/shrubbery are invasive and need to be removed from behind their property and also from adjacent properties. They should be permanently eradicated so as to stop existing and future spread and damage which will increase over time.

### Response to Public Concern

Through the Site Plan Control Approval process the applicant is required to provide a landscape plan and tree protection plan. Staff will review the plan to ensure that any invasive or un-safe vegetation is removed and replaced with appropriate species in accordance with the Site Plan Control By-law.

### *Site Plan Control*

### Notice of Application

On June 13, 2018, Notice of Application was sent to property owners within 120m of the site area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of the Londoner on June 21, 2018.

### Notice of Public Meeting

On December 12, 2018, Notice of Public Meeting was sent to property owners within 120m of the site area. Notice was also published in the Public Notices and Bidding Opportunities section of the Londoner on Thursday December 20, 2018.

At the time of the preparation of this report, there was a total of:

- 1 written response

### **Summary of Comments:**

The e-mail sought clarification for what development was proposed, if there was the request to increase the number of units and to increase the number of storeys, and expressed that they were indifferent to the architectural style however they seemed modern.

### Response to Public Concern

The notice of site plan application was to inform of a site plan application received in Development Services. The proposal is for fifteen (15) units of single family detached dwellings on the internal area of the site in the form of a Vacant Land Condominium. The site plan application is currently under review. The total number of units should not increase or decrease, and each unit is proposed to be 1- 2 storeys in height (2 storeys in the maximum permitted in the zone).

## **3.3 Policy and Regulatory Context**

### Provincial Policy Statement, 2014 (PPS)

The PPS encourages intensification and redevelopment where it can be accommodated, which takes into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The proposal will develop an under-utilized site that has full access to municipal services within an existing residential neighbourhood. Land use within settlement areas shall be based on densities which efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities that are planned or available and support active transportation (1.1.3.2.a) & 1.4.3.d)). The proposal

efficiently utilizes public services within an existing residential neighbourhood. Further, the proposed development will assist in achieving an established intensification target for built up areas, consistent with the goals of Municipal Council and in accordance with the PPS (1.1.3.5).

### The London Plan

The London Plan encourages “inward and upward” growth in existing built-up areas. Residential intensification is supported by infill development of vacant and underutilized lots through redevelopment at a higher density than currently exists on developed lands (Policy 80.4\_ & 6\_ - in force). A target minimum of 45% for all new residential development will occur within the Built-Area Boundary (Policy 81\_ - under appeal). Intensification, such as that provided by the proposed development, assists the City in meeting its intensification targets.

City Design policies on site layout are supportive of the proposed development. The units which abut the abutting park space have direct frontage and access to promote connectivity and enhanced open spaces. This further has the effect of providing a development with an attractive and defined edge along the park (Policy 288\_ - under appeal). Further, the design is able to provide surveillance of the park. The proposed development promotes connectivity and safe movement in the neighbourhood (Policy 255\_ - under appeal). The new development maintains the street line of the existing streets on which the development is located (Policy 256\_ - in force). The proposed development is in line with the design policies of The London Plan.

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 Neighbourhoods Place Type policies provide further guidance for residential intensification through lot creation as exemplified by the proposed development. The additional requirements for evaluation needed to ensure quality design and fit within the neighbourhood specified in these policies have been met through the 2014 Zoning By-law amendment, and, where applicable, are implemented through this site plan approval application.

The proposed development conforms to the policies of The London Plan.

### Official Plan (1989)

As an area designated Low Density Residential, under the policies of the Official Plan (1989), the proposed development is located within an area where single-detached dwellings are supported. The proposed development, is comprised exclusively of single-detached dwellings and supports the Low Density designation form of development at a proposed density of 15 units per hectare. The proposed development is in conformity with the City of London Official Plan (1989).

Staff is of the opinion that the draft plan of condominium and site plan is consistent with the PPS, The London Plan, and the 1989 Official Plan.

### Z.-1 Zoning By-law

Through the Zoning By-law Amendment (Z-8334) the Special Provision Residential R1 (R1-5(13)), holding Special Provision Residential R6 (h-5\*R6-3(8)), and Open Space (OS1) zones were applied to the site. The zoning on the lands permits cluster single detached dwellings and cluster townhouse dwellings within the portion zoned R6-3(8);

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

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

## **4.0 Key Issues and Considerations**

### **4.1 Use**

The Neighbourhoods Place Type strives for attractive streetscapes, buildings and public spaces, creates strong neighbourhood character with a sense of identity, diversity in housing choices allowing for affordability and giving people opportunity to remain in neighbourhoods as they age, safe, comfortable convenient and attractive alternatives for mobility, and parks, pathways, and recreational opportunities that strengthen the community and serve as connectors and gathering spaces (Policy 916\_ - under appeal). The Vacant Land Condominium is bound by freehold residential parcels for the purpose of single detached dwellings to the north and south of the identified lands subject to Site Plan Approval. The Site Plan Control application proposes fifteen (15) single detached cluster condo dwellings that will create variation in housing type within the community. The aforementioned rezoning and consent application established the parcels to ensure the diverse range of housing choices as part of this process, in keeping with the policy noted above.

### **4.2 Intensity**

The zoning established as part of the rezoning of the lands allows for a maximum density of twenty-five (25) units per hectare; the Site Plan Control application proposes a density of fifteen (15) units per hectare which is less than the thirty 30 units per hectare maximum that is permitted under the current Zone. The intensity will not conflict with what was previously established through consultation and engagement with the surrounding community.

### **4.3 Form**

Under the Neighbourhoods Place Type within The London Plan, new residential development should provide for frontage onto streets, and create both vibrant and recreational spaces (Policy 919\_ and 920\_ - under appeal). The units abutting the future park are oriented in a way which provides direct frontage onto the open space feature. Direct pedestrian walkways are also proposed to the open space to address the policies of The London Plan. Additionally, walkways are proposed conveniently throughout the site with direct connections to the future park. Internal walkway connections and enhanced landscaped spaces create usable and attractive gathering spaces within the site. The freehold parcels which are not subject to this meeting, will also feature dwellings with frontage on both the park and their respective streets. The development has regard to the policies of The London with respect to form.

### **4.4 Traffic and Transportation**

The site is located with frontage on Wychwood Park and Finsbury Crescent. One access is proposed from Wychwood Park. The site is within proximity to single family residential, and further west a Secondary School, an aquatics center, and mixed retail uses. Through the site plan approval process, a Traffic Management Plan was reviewed and accepted by the Transportation Division.

### **4.5 Enhanced Landscaping**

Fencing along the park is limited to the single family dwellings located outside of the condo block. Condo units abutting the park are oriented towards the park with front doors, direct walkways and tree plantings. Enhanced landscaping elements are incorporated into the development providing additional buffering between the new condo units and rear yard of the properties fronting Friars Way. Existing vegetation along the northeast property line is to be preserved to maintain the existing natural vegetative buffer. Additional landscape treatment is proposed at the access to the site, along the internal walkways, and along the communal area noted as the “the garden” on the Landscape Plan.

Privacy fencing is proposed along boundaries of the site which have adjacency to private amenity spaces of abutting uses. All perimeter fencing will be within the Common Element, and the Condominium Corporation will be responsible for maintenance of the fencing,



subject to provisions in the Condominium Declaration and By-laws.

#### **4.6 Response to Council Resolution**

The Council resolution of October 14, 2014, which established the zoning regulations for the site, provided the following additional direction with regards to Site Plan Approval:

*“The Site Plan, Subdivision, and Consent Approval Authorities, BE REQUESTED to consider implementing the following design matters through the Site Plan Approval process:*

- i) Development of the site which, with variations at the discretion of the Managing Director, Planning and City Planner, is generally in keeping with the conceptual site plan and conceptual entrance plan attached hereto as Appendix “B” and “C”;*
- ii) Cluster dwellings adjacent to the public open space shall be oriented toward the public open space and have their primary entrances front onto the park and a high level of detail on these facades and the secondary entrances oriented toward the interior of the site;*
- iii) Residential R1 dwellings adjacent to the public open space shall be oriented toward the public open space and have their primary entrances front onto the park and the secondary entrances front onto the public street. Both the park-facing and the street facing facades of these dwellings shall have a high level of architectural detail;*
- iv) Single detached dwellings and townhouses adjacent to the public open space shall have a consistent setback from this property line in order to create a continuous building line along the park;*
- v) Any new fencing provided along the park boundary shall be minimized, made of decorative material and integrated with landscaping to present a positive interface to the park. Enhanced landscaping elements shall be incorporated into the development to provide for additional buffering between the new townhouses and rear yards of properties fronting Friars Way; and,*
- vi) The design and orientation of lighting standards shall be addressed through the public site plan process to ensure safety while minimizing impacts on adjacent existing properties.*

The Site Plan Control Application is generally in keeping with the conceptual site plan approved through the rezoning process; however, the townhouses are no longer proposed and instead shown as single detached dwellings. The dwelling units abutting the park block have a consistent setback and are oriented with front doors, direct walkways, and landscaping. The single family dwellings zoned R1 are located outside of both the condominium application and holding h-5 area; however, these elevations will be reviewed as part of the Site Plan Control Application to ensure there is appropriate orientation and high level of architectural style. Fencing along the park block has been minimized and is proposed only along the single family dwellings outside of this condominium application. Finally, as part of the Site Plan Control Application, light standard locations are reviewed through a photometric plan endorsed by a certified engineer to ensure that there are no impacts on adjacent land uses.

## **4.7 Outstanding Site Plan Comments**

On July 4<sup>th</sup>, 2018 and August 29<sup>th</sup>, 2018 staff provided comments to the applicant with respect to their first submission and second submission for Site Plan Control Approval. A full submission is anticipated to address the remaining comments. Below is a summary of the outstanding matters:

### *Transportation*

- A draft reference plan is to be submitted for the road widening of Wychwood Park.
- Revise pavement marking and signage plan.

For detailed Transportation comments refer to Appendix B.

### *Servicing and Grading*

- Water servicing may not be connected through the building to the water meters;
- Sewer designs will have to be revised to comply with Building Code;
- Maximum ground water is above the perforated pipes; and
- Grading, show all ponding on the grading plans and confirm value.

For detailed Servicing and Grading comments refer to Appendix B.

### *Form*

Provide full sets of elevations for the single family homes (for the single family homes located outside of the condo block, not subject to the h-5).

### *Zoning*

The proposal complies with the current zoning.

## **4.8 Site Plan Control**

A Development Agreement is required to address the identified outstanding matters, and any additional issues as directed by Council for the site plan, landscape plan, site engineering plans, and building elevations design, necessary for Site Plan Approval. Special provisions in the development agreement for the Site Plan will address any other outstanding issues pertaining to the site.

The Owner must provide the necessary security at the time of executing the agreement to ensure all surface works are completed in accordance with the approved plans.

Once the development agreement has been entered into, in accordance with the Site Plan Control Area By-law, a separate application to remove the h-5 holding provision will be brought forward to Council to recommend the removal of the holding provision.

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| <b>5.0 Conclusion</b> |
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The proposed Vacant Land Condominium and Site Plan is consistent with the Provincial Policy Statement, has regard to The London Plan, is in conformity with the City of London Official Plan 1989, and complies with the Z.-1 Zoning By-law.

The proposed Site Plan and elevations will result in development that will maintain the character of the area and is in compliance with the Site Plan Control By-law.

|                                                                                                                                                                                                      |                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Prepared By:</b>                                                                                                                                                                                  | <b>Vanessa Santos</b><br><b>Site Development Planner, Development Services</b>                                                       |
| <b>Recommended by:</b>                                                                                                                                                                               | <b>Michael Pease, MCIP RPP</b><br><b>Manager, Development Planning</b>                                                               |
| <b>Reviewed by:</b>                                                                                                                                                                                  | <b>Heather McNeely, MCIP RPP</b><br><b>Manager, Development Services (Site Plan)</b>                                                 |
| <b>Concurred in by:</b>                                                                                                                                                                              | <b>Paul Yeoman, RPP, PLE</b><br><b>Director, Development Services</b>                                                                |
| <b>Submitted by:</b>                                                                                                                                                                                 | <b>George Kotsifas, P.ENG</b><br><b>Managing Director, Development and Compliance</b><br><b>Services and Chief Building Official</b> |
| 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. |                                                                                                                                      |

December 17, 2018

VS/vs