



Meeting Date: December 14, 2022

Submitted by: Marion-Frances Cabral, Planner

Report No: PLA-74-2022

Subject: Application for Plan of Condominium Exemption for Timberwalk
“Phase 5” – Block 55 (File: 39T-MC-CDM2204); Filed by Sifton Properties Limited

Recommendation:

THAT Council passes a resolution in support of the requested exemption from the condominium approval process as set out in 9(6) and 9(10) of the Condominium Act for the lands known as “Block 55” within the draft approved Plan of Subdivision (39T-MC1901) and known legally as Concession 10 Pt Lot 26 RP 33R19510 Pt Part 3, Municipality of Middlesex Centre, and that the resolution be forwarded to Middlesex County Council for consideration of the exemption request.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding the requested condominium exemption request for the medium density residential development on Block 55 (Timberwalk “Phase 5” Subdivision) located on the south end of Arrowwood Path west of Timberwalk Trail.

The land is legally described as Concession 10 PT Lot 26 RP 33R19510 PT Part 3 (geographic Township of London), Municipality of Middlesex Centre.

A location map is included as Attachment 1 and proposed Plan of Condominium is included as Attachment 2.

Background:

Through the provisions of the *Planning Act* and *Condominium Act*, the applicant has requested exemption from the requirement to submit a *Planning Act* application for approval of a draft plan of condominium and proceed directly to final approval of the site plan, where appropriate.

The subject property is approximately 1.01 ha (2.54 ac) in area and has a single access to Arrowwood Path. The lands abut agricultural uses located to the west, existing single detached residences located to the north, and a protected woodlot to the east.

A public meeting was held on March 20, 2019 and June 24, 2020 which led to the approval of the zoning by-law amendment (File: ZBA-03/19). The subject lands are also subject to site plan review (File: SP 12/22). The preliminary site plan is shown as Attachment 3.

Legislation and Policy Regulation:

Condominium Act, 1998:

The *Condominium Act* contains provisions within Section 9 to authorize the approval authority, the County of Middlesex, to grant an exemption from the full *Planning Act* approval process for a plan of condominium contained in Section 51 of the *Planning Act*, where it is appropriate.

An exemption would be appropriate in circumstances where there would be no benefit from requiring the applicant to undertake further approvals and where there are no onerous conditions that are normally found within a draft approved plan of subdivision agreement. Through this process detailed site design would be addressed during site plan approval and a development agreement would be executed for the proposed development.

As this application does not require circulation to agencies or stakeholders, the County seeks the advice of the municipality. If the municipality supports the requested exemption through resolution, the request will then be considered by County Council to provide a decision on the exemption request.

Analysis:

The request for exemption from *Planning Act* approval for a plan of condominium can be considered appropriate where proposals have previously undergone a complete evaluation, generally comply with the Zoning By-law and where no further conditions of approval are required by the municipality or any agencies.

The applicant requested an exemption from draft plan of condominium for development on Block 55 as the medium density residential development had been considered during the draft plan approval for the plan of subdivision (39T-MC1901), through the approved zoning by-law amendment, and during site plan review. Municipal staff are currently addressing outstanding zoning and engineering matters through site plan review and it will be reflected within a development agreement.

Planning staff are satisfied that an exemption is appropriate for the development of Block 55 and in circumstances such as this where there would be no benefit from requiring the applicant to undertake further approvals under the *Planning Act*. Further, this approach will streamline concurrent planning approvals between the Municipality and County. Lastly, prior to recommending final approval by County Council, planning staff will ensure that a development agreement has been executed between the applicant and the Municipality.

As a result of the above, planning staff recommend that Council pass a resolution showing support of the exemption from draft plan of condominium approval for the subject land and that it be forwarded for consideration by Middlesex County Council.

Financial Implications:

None.

Strategic Plan:

This matter aligns with following strategic priorities:

- Balanced Growth

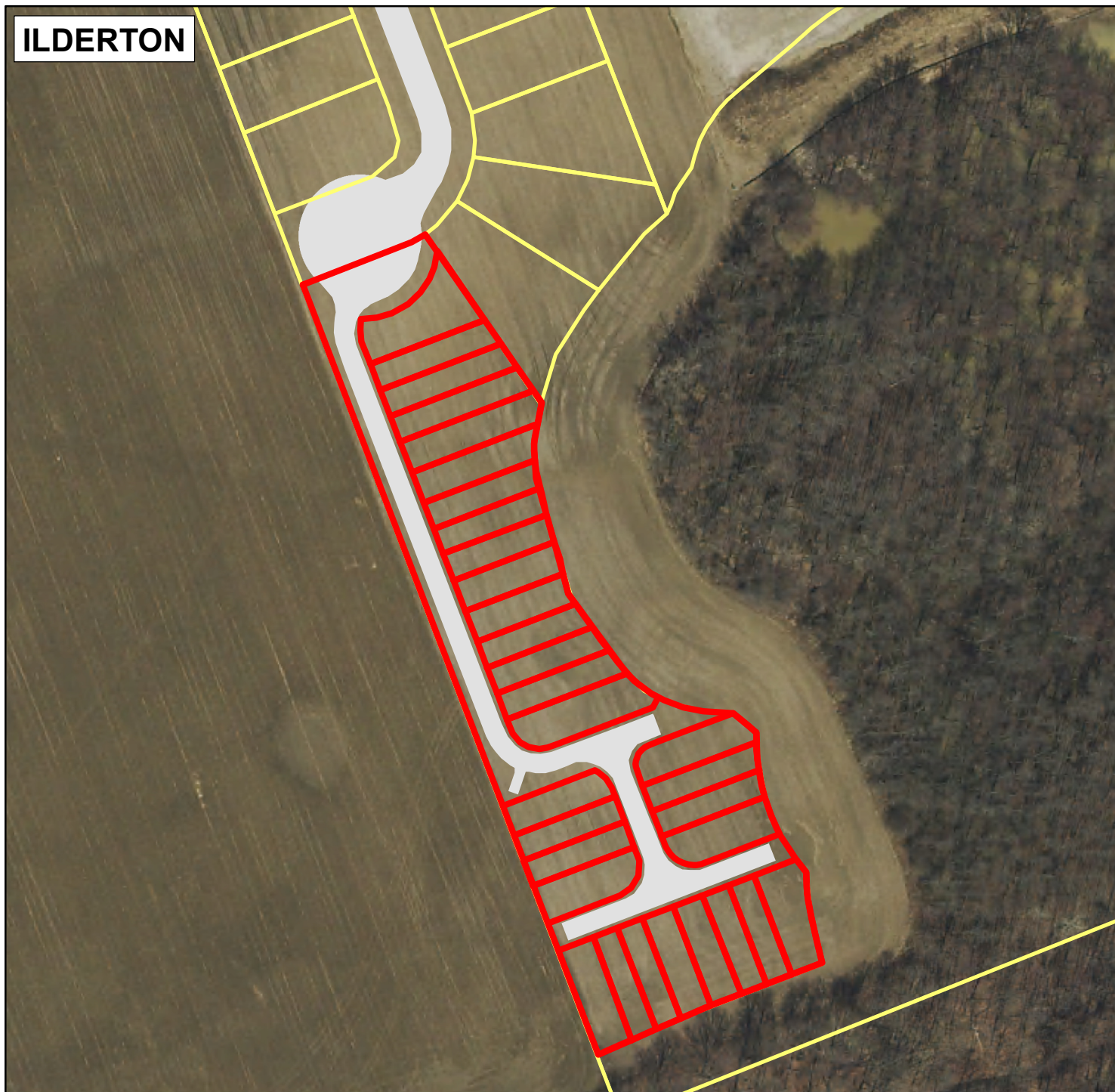
Attachments:

Attachment 1 – Location Map

Attachment 2 – Proposed Plan of Condominium

Attachment 3 – Preliminary Site Plan

ILDERTON



LOCATION MAP

Description:
TIMBERWALK CONDOMINIUM
PROPOSED PLAN OF CONDOMINIUM
MUNICIPALITY OF MIDDLESEX CENTRE

File Number:
39T-MC-CDM2204

Prepared by: Planning Department,
The County of Middlesex, November 7, 2022

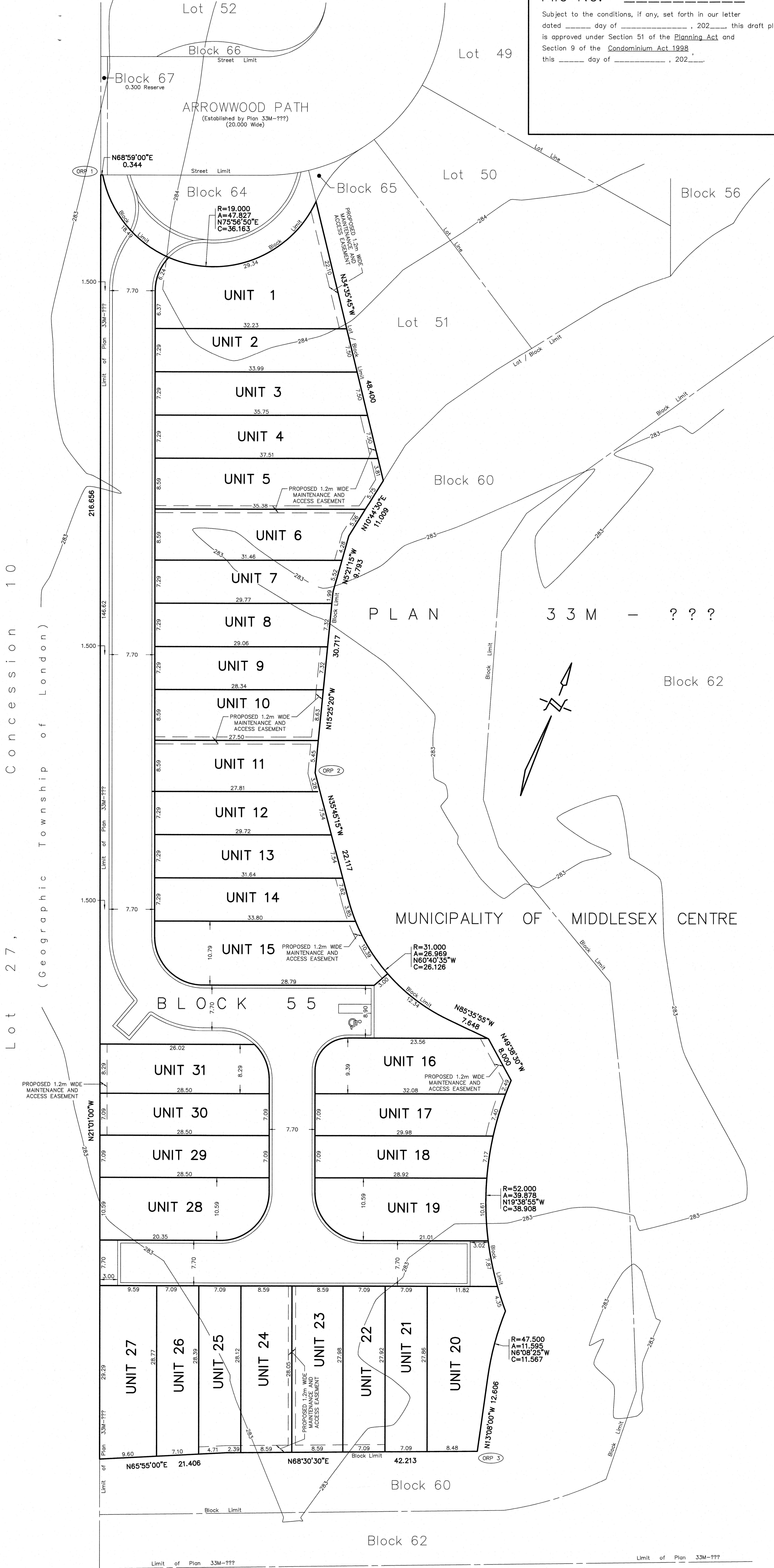


LEGEND

-  SUBJECT LANDS
-  39T-MC1901 PROPOSED

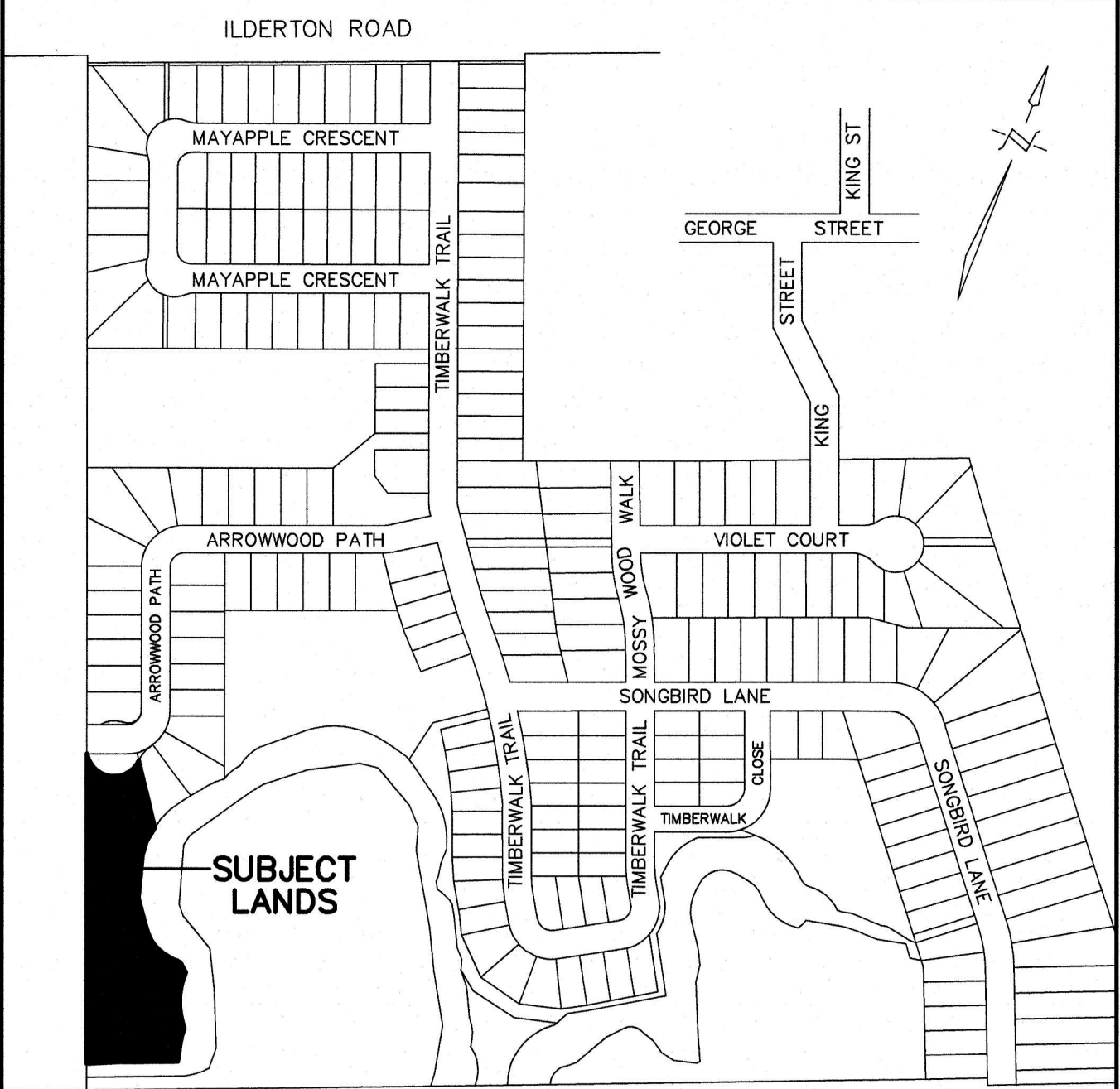
1:1,500
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Metres





File No. _____

Subject to the conditions, if any, set forth in our letter dated _____ day of _____, 202____, this draft plan is approved under Section 51 of the Planning Act and Section 9 of the Condominium Act 1998, this _____ day of _____, 202____.



KEY PLAN Not to Scale

**DRAFT PLAN OF
VACANT LAND CONDOMINIUM**
OF ALL OF
BLOCK 55, PLAN 33M-???
IN THE
**MUNICIPALITY OF
MIDDLESEX CENTRE
COUNTY OF MIDDLESEX**

SCALE 1:300

2022
ARCHIBALD, GRAY & McKAY LTD.
ONTARIO LAND SURVEYORS

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

OCTOBER 19 / 2022
DATE

ROBERT WOOD
ONTARIO LAND SURVEYOR

OWNERS' CERTIFICATE:

I HEREBY SUBMIT THIS DRAFT PLAN OF VACANT LAND CONDOMINIUM.

SIFTON PROPERTIES LTD.

OCTOBER 19 / 2022
DATE

PHILIP MASSCHELEIN
SENIOR VICE PRESIDENT

WE HAVE THE AUTHORITY TO BIND THE CORPORATION

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT.

(a) AS SHOWN ON PLAN	(g) AS SHOWN ON PLAN
(b) AS SHOWN ON PLAN	(h) MUNICIPAL PIPED WATER
(c) AS SHOWN ON KEY PLAN	(i) CLAY SILT
(d) VACANT LAND CONDOMINIUM UNITS	(j) SEE ENGINEER'S SITE GRADING PLAN
(e) AS SHOWN ON PLAN	(k) ALL MUNICIPAL SERVICES AVAILABLE
(f) AS SHOWN ON PLAN	(l) NONE

SITE DATA CHART

ZONING :	UR3-12	RESIDENTIAL :	TOWNHOUSE DWELLINGS
NUMBER OF UNITS :	31	DESCRIPTION :	TWO STOREY TOWNHOUSE UNITS
BLOCKS AND UNIT COUNTS	BUILDING GROSS FLOOR AREA (GFA) TWO STOREY UNITS (Livable Space)	GROUND FLOOR AREA COVERAGE (Building Footprint)	
BLOCK A : 5 UNITS	898.1 m ²	550.7 m ²	
BLOCK B : 5 UNITS	898.1 m ²	550.7 m ²	
BLOCK C : 5 UNITS	898.1 m ²	550.7 m ²	
BLOCK D : 4 UNITS	605.8 m ²	381.4 m ²	
BLOCK E : 4 UNITS	605.8 m ²	381.4 m ²	
BLOCK F : 4 UNITS	605.8 m ²	381.4 m ²	
BLOCK G : 4 UNITS	605.8 m ²	381.4 m ²	
TOTAL : 31 UNITS	5117.7 m ²	3178.0 m ²	

CURRENT ZONING : UR3-12

REGULATION	CURRENT REQUIREMENTS	AS SHOWN ON PLAN
TOTAL SITE AREA	-	10274.6 m ²
LOT AREA MINIMUM	170 m ² (Per Unit)	197.6 m ² - Unit 21
LOT FRONTAGE MINIMUM (Meters)	6 m (Per Unit)	7.1 m
LOT DEPTH MINIMUM (Meters)	26.0 m	27.0 m - Unit 11
FRONT YARD SETBACK MINIMUM	6.0 m = Garage 2.5 m = Dwelling	5.5 m - Unit 15 5.5 m - Unit 15
SIDE YARD SETBACK MINIMUM	1.2 m - on an interior lot & 6.0 m abutting a public street 1.2 m on other side-corner lot	1.3 m - Unit 5 3.0 m - Unit 1
REAR YARD SETBACK MINIMUM	6.0 m	6.1 m - Unit 11
LOT COVERAGE MAXIMUM	62% main uses, 65% including acc. buildings	50.6% - Unit 9
FLOOR AREA MINIMUM	65.0 m ²	91.7 m ² - Unit 16
BUILDING HEIGHT MAXIMUM	12 m	8.2 m
DENSITY MAXIMUM	30 UPH	31 UPH
VISITOR PARKING (1 / 10 Units)	3 Spaces	3 Spaces

* DOES NOT CONFORM

UTM GRID NOTES

BEARINGS ARE U.T.M. GRID IN NAD83 (C.S.R.S.) (2010.0) DERIVED FROM G.P.S. OBSERVATIONS AND THE CAN-NET BASE STATION NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00' WEST LONGITUDE, ZONE 17.

LINEAR VALUES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999587039.

OBSERVED REFERENCE POINTS (ORPs) DERIVED FROM GPS OBSERVATIONS USING REAL TIME NETWORK (RTN), U.T.M. ZONE 17, NAD83 (C.S.R.S.) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP 1	4768977.771	468484.201
ORP 2	4768896.692	468554.084
ORP 3	4768799.804	468620.663
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES ON THIS PLAN.		

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

Sifton

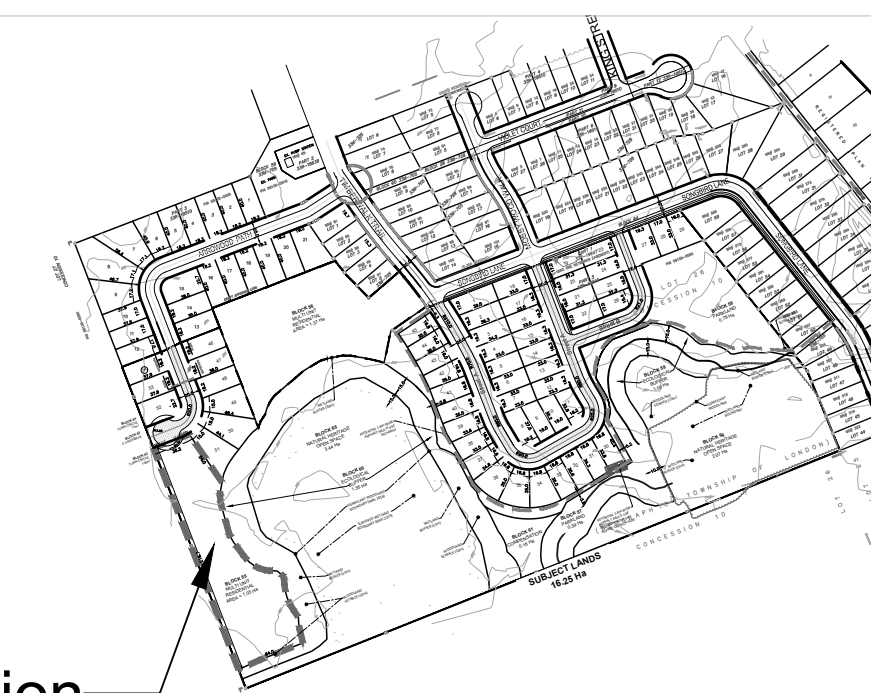
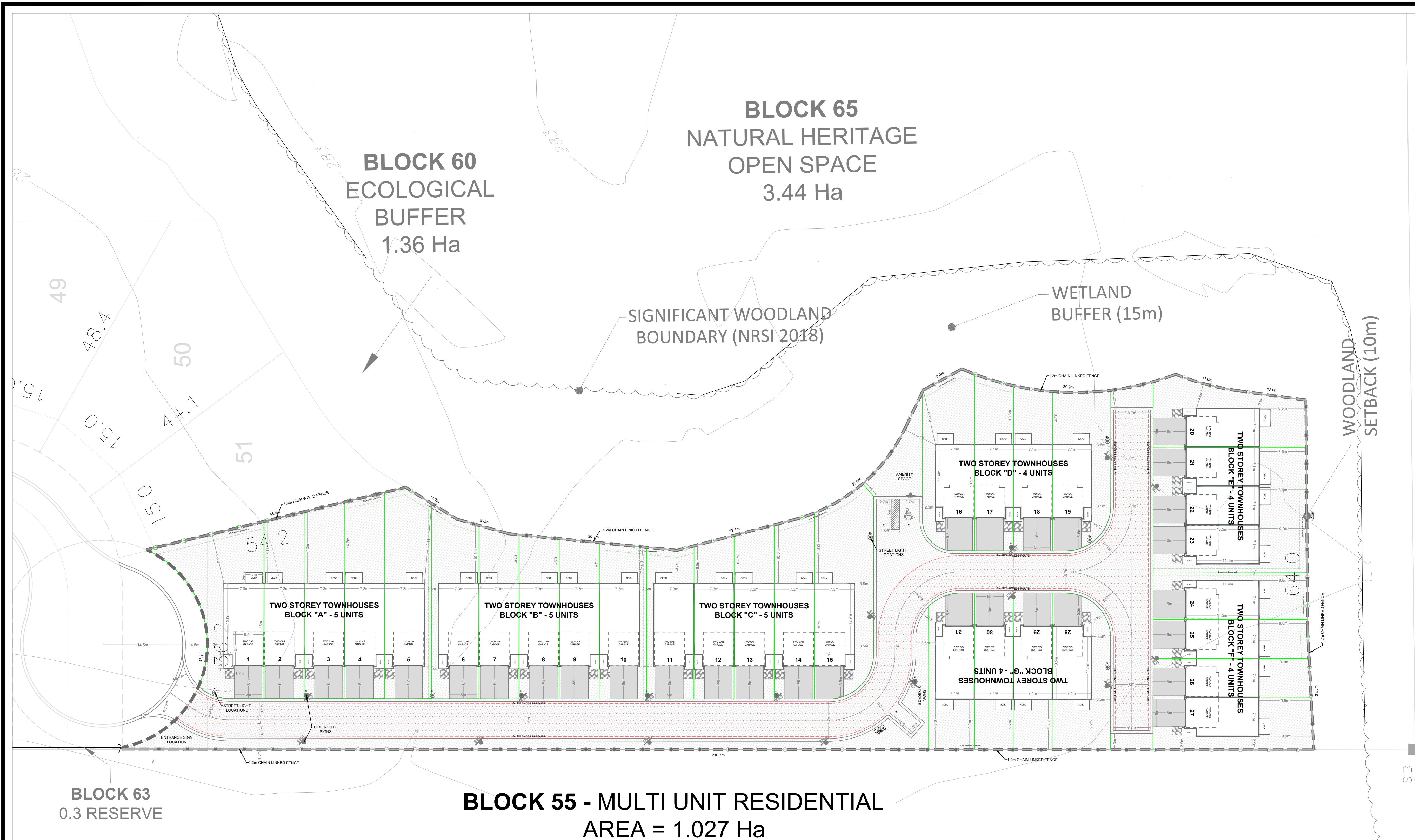
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LONDON, ONTARIO
N6K 0G2

AGM
PLAN • SURVEY • ENGINEER

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3514 WHITE OAK ROAD, LONDON, ON, N6E 2Z9
PHONE 519-685-5300 FAX 519-685-5303
EMAIL info@agm.on.ca WEB www.agm.on.ca

DRAWN BY: NORTON DIGITAL FILE: LT2219 DPVLC1 EC.dwg PLAN No:
CHECKED BY: R.T.W. COGO FILE: LT2219 DPVLC1 EC.dwg
PLOT DATE: OCT 19 2022 FILE No: LT-MX138-03-1

9-L-5943



KEY MAP - N.T.S.

SITE DATA CHART

ZONING: UR3-12		RESIDENTIAL: Townhouse Dwellings	
NUMBER OF UNITS: 31		DESCRIPTION: Two Story Townhouse Units	
Blocks and Unit Counts	Building Gross Floor Area (GFA) Two Story Units (livable space)	Ground Floor Area Coverage (building footprint)	
BLOCK: A - 5 UNITS	898.1 m ²	550.7 m ²	
BLOCK: B - 5 UNITS	898.1 m ²	550.7 m ²	
BLOCK: C - 5 UNITS	898.1 m ²	550.7 m ²	
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TOTAL: 31 UNITS	5,117.7 m²	3,178.0 m²	

CURRENT ZONING: UR3-12

Zoning Descriptions	Requirements	Proposed
TOTAL LOT AREA	--	10,286 m ²
MINIMUM LOT AREA	170.0 m ² / Unit	197.6 m ² - Unit 21
MIN LOT FRONTAGE	6.0 m / Unit	7.1 m - Unit 17
MIN LOT DEPTH	26.0 m	27.0 m - Unit 11
MIN FRONT YARD SETBACK	6.0 m - Garage 2.5 m - Dwelling	5.5 m - Unit 15 5.5 m - Unit 15
MIN SIDE YARD SETBACK	1.2 m - on an interior lot & 6.0 m abutting a public street 1.2 m on other side - corner lot	1.3 m - Unit 5 3.0m - Unit 1 1.2m - Unit 31
MIN REAR YARD SETBACK	6.0 m	6.1 m - Unit 11
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MAXIMUM BUILDING HEIGHT	12.0 m	8.2 m
MAX DENSITY (Units Per Hectare)	30 UPH	31 UPH
VISITOR PARKING (1 / 10 units)	3 spaces	3 spaces

APPROVAL STAMP



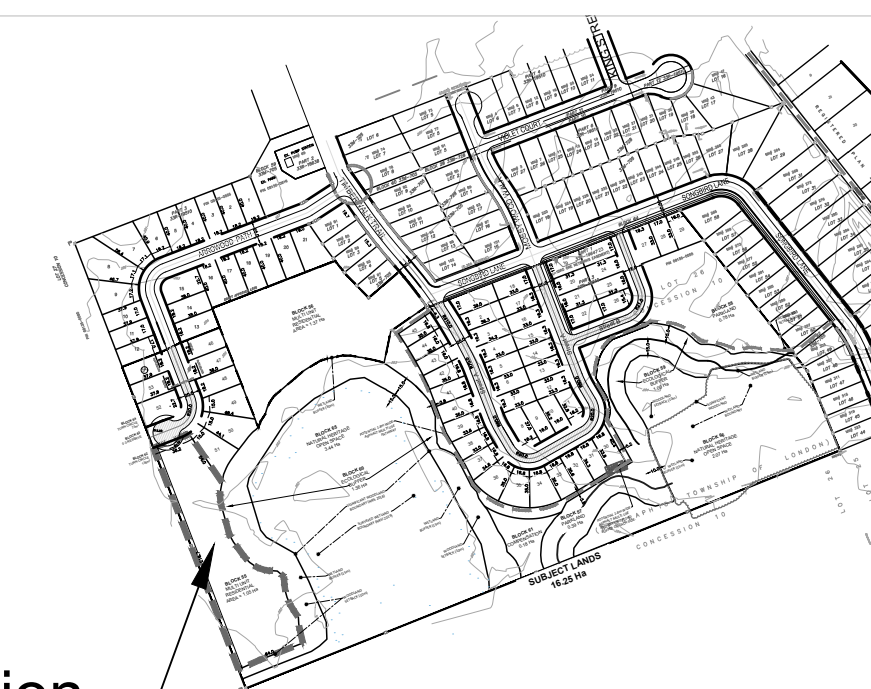
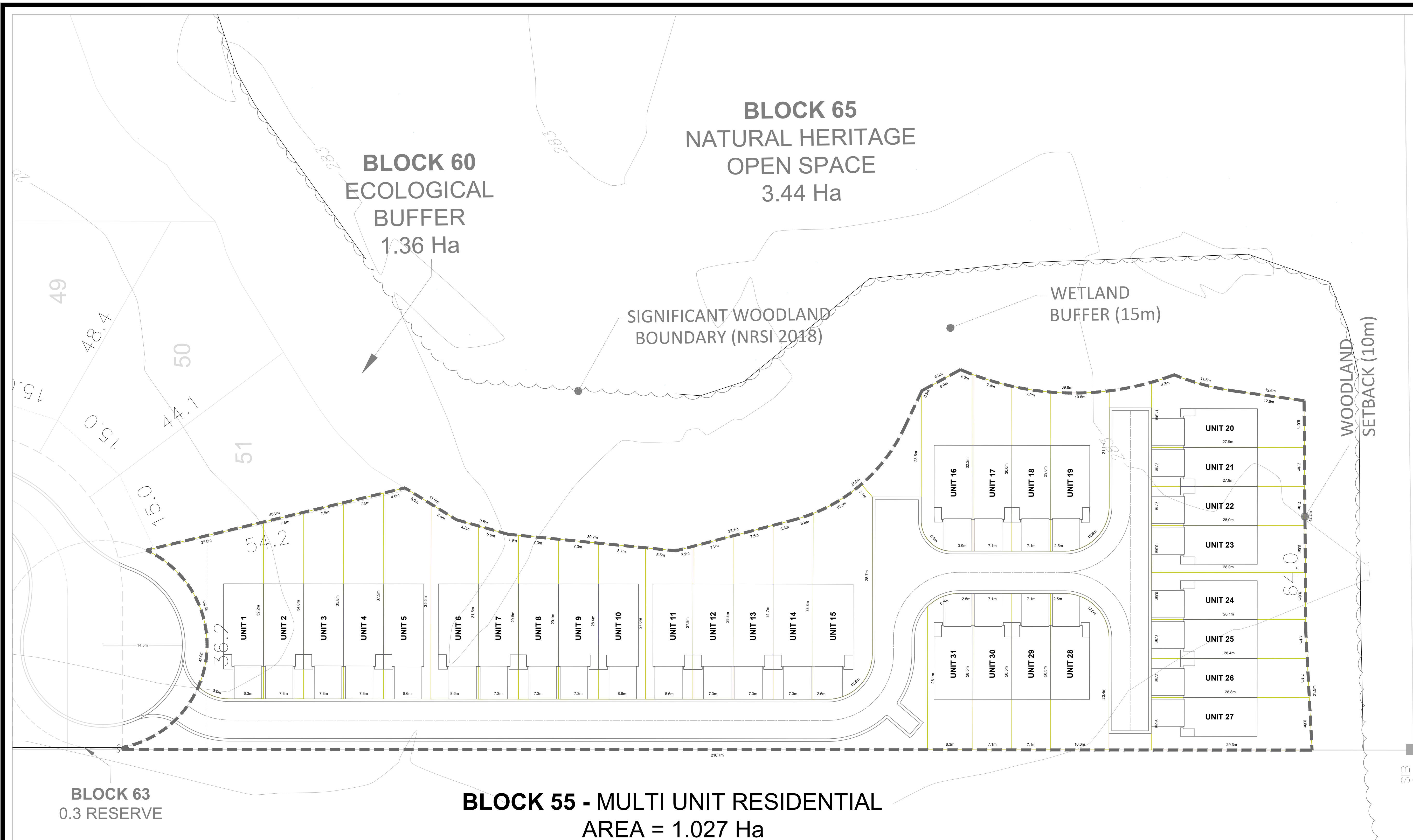
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LONDON, ONTARIO
N6K 0G2

TIMBERWALK TOWNHOMES
TIMBERWALK PHASE 5 - BLOCK 55
TIMBERWALK TRAIL
ILDERTON, ONTARIO

SITE PLAN CONCEPT

31 TWO STOREY TOWNHOUSES

Project No. :	--	Date:	1 November 2022
Drawing No. :	--	Scale:	NTS
Drawn By :	AL		
Checked By:	AH		



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APPROVAL STAMP



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N6K 0G2

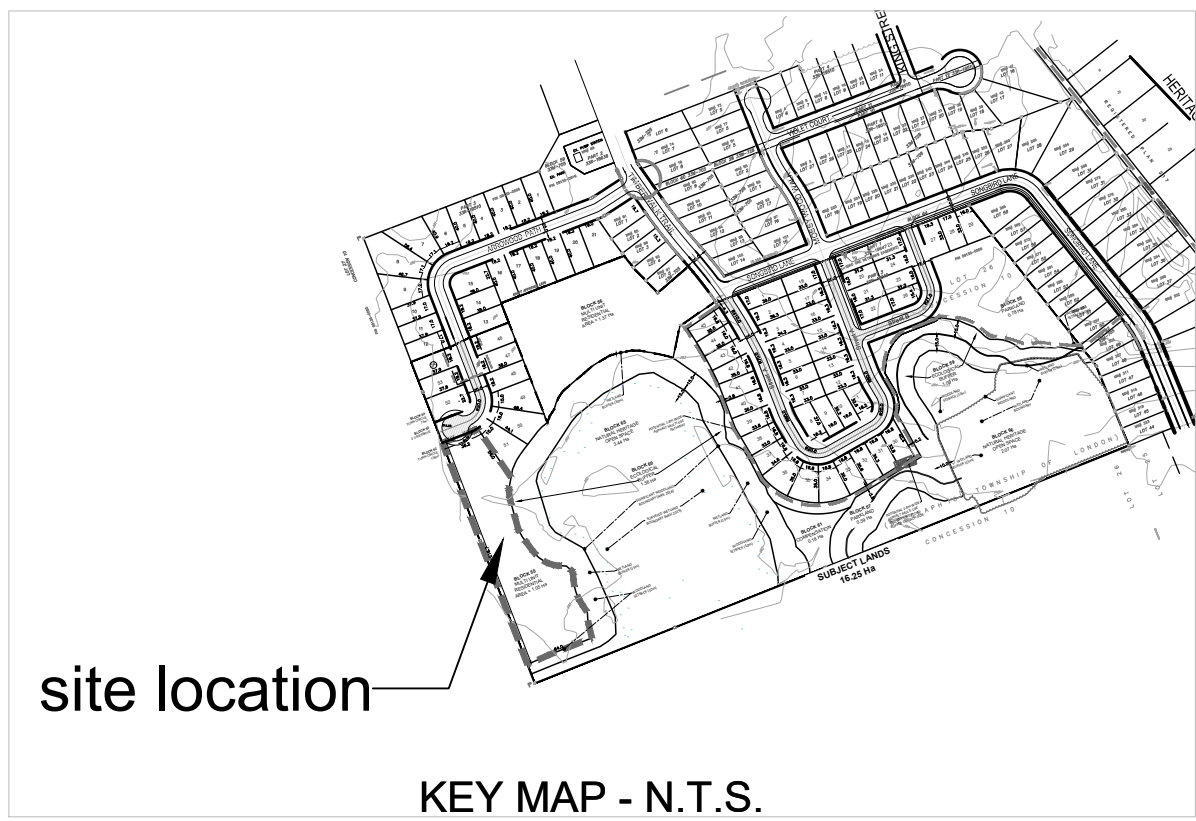
TIMBERWALK TOWNHOMES
TIMBERWALK PHASE 5 - BLOCK 55
TIMBERWALK TRAIL
ILDERTON, ONTARIO

SITE PLAN / LOT CONCEPT
31 TWO STOREY TOWNHOUSES

Project No. :	--	Date:	1 November 2022
Drawing No. :	--	Scale:	NTS
Drawn By :	AL		
Checked By:	AH		

Timberwalk - Block 55 10,286 m ² / 1.02 Hectares	Unit Number	Individual Lot Area (m ²)	Individual Lot Frontage (m)	Individual Lot Depth (m)	Front Yard Setback (m) House	Front Yard Setback (m) Garage	Rear Yard Setback (m) House	Interior Side Yard Setback (m)	Exterior Side Yard Setback (m)	Building Floor Area (m ²)	Building / Lot Coverage (%)	Driveway Coverage (%)	Porch Coverage (%)	Green Space (%)	Green Space (m ²) Total area	Green Space Front area (m ²)	Green Space Side area (m ²)	Green Space Rear area (m ²)
	1	391.4	10.7	30.9	6.0	6.0	9.2	0.0	3.0	106.1	27.1	7.7	1.0	65.2	255.3	44.5	51.8	159.0
	2	241.5	7.3	33.1	6.0	6.0	11.3	0.0	0.0	106.1	43.9	12.4	1.7	43.6	105.3	16.8	0.0	88.6
	3	254.3	7.3	34.9	6.0	6.0	13.0	0.0	0.0	106.1	41.7	11.8	1.6	46.5	118.2	16.8	0.0	101.4
	4	267.1	7.3	36.6	6.0	6.0	14.8	0.0	0.0	106.1	39.7	11.2	1.5	49.0	131.0	16.8	0.0	114.3
	5	322.4	8.6	38.2	6.0	6.0	14.6	1.3	0.0	106.1	32.9	9.3	1.3	57.8	186.3	27.4	17.1	141.8
	6	285.7	8.6	32.8	6.0	6.0	10.6	1.3	0.0	106.1	37.1	10.5	1.4	52.4	149.6	27.4	17.1	105.1
	7	222.8	7.3	30.5	6.0	6.0	8.9	0.0	0.0	106.1	47.6	13.5	1.8	38.9	86.7	16.7	0.0	69.9
	8	215.0	7.3	29.5	6.0	6.0	8.2	0.0	0.0	106.1	49.4	14.0	1.9	36.7	78.8	16.7	0.0	62.1
	9	209.7	7.3	28.8	6.0	6.0	7.4	0.0	0.0	106.1	50.6	14.3	1.9	35.1	73.6	16.7	0.0	56.8
	10	241.0	8.6	28.0	6.0	6.0	6.7	1.3	0.0	106.1	44.0	12.4	1.7	43.5	104.9	27.4	17.1	60.5
	11	235.6	8.6	27.0	6.0	6.0	6.1	1.3	0.0	106.1	45.0	12.7	1.7	42.2	99.5	27.4	17.1	55.0
	12	210.0	7.3	28.8	6.0	6.0	6.9	0.0	0.0	106.1	50.5	14.3	1.9	35.2	73.9	16.7	0.0	57.1
	13	224.0	7.3	30.7	6.0	6.0	8.8	0.0	0.0	106.1	47.4	13.4	1.8	39.2	87.9	16.8	0.0	71.1
	14	238.2	7.3	32.6	6.0	6.0	10.7	0.0	0.0	106.1	44.5	12.6	1.7	42.9	102.1	16.7	0.0	85.4
	15	379.7	10.5	36.1	5.5	5.5	12.9	0.0	3.5	106.1	27.9	7.8	1.1	64.3	244.0	31.1	45.2	167.7
	16	290.2	9.4	31.7	5.8	5.8	10.2	0.0	2.3	91.7	31.6	10.2	1.3	58.2	168.8	27.4	26.5	114.9
	17	219.8	7.1	31.0	6.0	6.0	10.8	0.0	0.0	91.7	41.7	13.5	1.7	44.7	98.3	15.2	0.0	83.1
	18	208.6	7.1	29.4	6.0	6.0	9.7	0.0	0.0	91.7	44.0	14.2	1.8	41.8	87.2	15.2	0.0	71.9
	19	293.0	10.3	28.4	5.5	5.5	9.7	0.0	3.5	91.7	31.3	10.0	1.2	58.7	172.1	29.5	40.1	102.4
	20	298.2	12.5	27.8	6.0	6.0	8.6	0.0	2.6	91.7	30.8	10.0	1.2	59.3	176.7	58.5	40.3	77.9
	21	197.6	7.1	27.9	6.0	6.0	8.6	0.0	0.0	91.7	46.4	15.0	1.9	38.6	76.2	15.2	0.0	60.9
	22	198.0	7.1	27.9	6.0	6.0	8.6	0.0	0.0	91.7	46.3	15.0	1.8	38.7	76.6	15.2	0.0	61.4
	23	240.5	8.6	28.0	6.0	6.0	8.7	1.5	0.0	91.7	38.1	12.4	1.5	49.5	119.1	27.1	17.0	74.9
	24	241.1	8.6	28.1	6.0	6.0	8.8	1.5	0.0	91.7	38.0	12.3	1.5	49.6	119.7	27.1	17.0	75.5
	25	199.9	7.1	28.2	6.0	6.0	8.8	0.0	0.0	91.7	45.9	14.9	1.8	39.3	78.5	15.2	0.0	63.3
	26	202.6	7.1	28.6	6.0	6.0	9.1	0.0	0.0	91.7	45.3	14.7	1.8	40.1	81.2	15.2	0.0	65.9
	27	278.3	9.6	29.0	6.0	6.0	9.5	0.0	2.5	91.7	32.9	10.7	1.3	56.4	156.9	35.1	28.4	93.4
	28	288.5	10.3	28.0	5.5	5.5	9.2	0.0	3.5	91.7	31.8	10.1	1.3	58.1	167.5	29.5	40.1	97.9
	29	201.9	7.1	28.5	6.0	6.0	9.2	0.0	0.0	91.7	45.4	14.7	1.8	39.9	80.5	15.2	0.0	65.3
	30	201.9	7.1	28.5	6.0	6.0	9.2	0.0	0.0	91.7	45.4	14.7	1.8	39.9	80.5	15.2	0.0	65.3
	31	231.8	8.3	28.3	5.5	5.5	9.2	0.0	1.2	91.7	39.6	12.6	1.6	47.8	110.8	20.8	13.6	76.4
	Totals:	7,666.7 m ²	255.3 m	-	-	-	-	-	-	3,058.5 m ²	-	-	-	-	3,747.9 m ²	712.8 m ²	388.6 m ²	2,646.5 m ²
	Averages	247.0 m ²	8.2 m	30.3 m	-	-	-	-	-	98.7 m ²	40.8%	12.4%	1.6%	46.9%	120.9 m ²	-	-	-

	Lowest value in column
	Highest value in column
	May not meet zoning regulation



SITE DATA CHART		
ZONING: UR3-12	RESIDENTIAL: Townhouse Dwellings	
NUMBER OF UNITS: 31	DESCRIPTION: Two Storey Townhouse Units	
Blocks and Unit Counts	Building Gross Floor Area (GFA) Two Storey Units (livable space)	Ground Floor Area Coverage (building footprint)
BLOCK: A - 5 UNITS BLOCK: B - 5 UNITS BLOCK: C - 5 UNITS BLOCK: D - 4 UNITS BLOCK: E - 4 UNITS BLOCK: F - 4 UNITS BLOCK: G - 4 UNITS TOTAL: 31 UNITS	898.1 m ² 898.1 m ² 898.1 m ² 605.8 m ² 605.8 m ² 605.8 m ² 605.8 m ² 5,117.7 m ²	550.7 m ² 550.7 m ² 550.7 m ² 381.4 m ² 381.4 m ² 381.4 m ² 381.4 m ² 3,178.0 m ²
CURRENT ZONING: UR3-12		
Zoning Descriptions	Requirements	Proposed
TOTAL LOT AREA	--	10,286 m ²
MINIMUM LOT AREA	170.0 m ² / Unit	197.6 m ² - Unit 21
MIN LOT FRONTAGE	6.0 m / Unit	7.1 m - Unit 17
MIN LOT DEPTH	26.0 m	27.0 m - Unit 11
MIN FRONT YARD SETBACK	6.0 m - Garage 2.5 m - Dwelling	5.5 m - Unit 15 5.5 m - Unit 15
MIN SIDE YARD SETBACK	1.2 m - on an interior lot & 6.0 m abutting a public street 1.2 m on other side - corner lot	1.3 m - Unit 5 3.0m - Unit 1 1.2m - Unit 31
MIN REAR YARD SETBACK	6.0 m	6.1 m - Unit 11
MAXIMUM LOT COVERAGE	62% main uses, 65% including acc. buildings	50.6 % - Unit 9
MINIMUM FLOOR AREA	65.0 m ²	91.7 m ² - Unit 16
MAXIMUM BUILDING HEIGHT	12.0 m	8.2 m
MAX DENSITY (Units Per Hectare)	30 UPH	31 UPH
VISITOR PARKING (1 / 10 units)	3 spaces	3 spaces

APPROVAL STAMP	



SIFTON PROPERTIES LTD.
NEIGHBOURHOOD DEVELOPMENTS
1295 RIVERBEND SOUTH, SUITE 300
LONDON, ONTARIO
N6K 0G2

TIMBERWALK TOWNHOMES TIMBERWALK PHASE 5 - BLOCK 55 TIMBERWALK TRAIL ILDERTON, ONTARIO		
DATA TABLE 31 TWO STOREY TOWNHOUSES		
Project No. :	--	Date: 1 November 2022
Drawing No. :	--	Scale: NTS
Drawn By :	AL	
Checked By:	AH	