

## 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:** Jaime Crncich (2555212 Ontario Ltd. o/a Magnus Homes)  
1525 Chickadee Trail  
City File: P-9620 Ward 14

**Date:** July 17, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application by Jaime Crncich (2555212 Ontario Ltd. o/a Magnus Homes) for lands located at 1525 Chickadee Trail, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 25, 2023 to exempt part of Block 70 Registered Plan 33M-814, more particularly described as Parts 1 to 12, inclusive, on Plan 33R-21649, from the Part Lot Control provisions of subsection 50(5) of the *Planning Act*, for a period not to exceed three (3) years.

## Executive Summary

### Summary of Request

The request is for approval to exempt a portion of a block within a registered plan of subdivision from the Part Lot Control provisions of the Planning Act. Exemption from Part Lot Control will allow the applicant to complete agreements of purchase and sale for the first six (6) units of a twenty-two (22) unit development.

### Purpose and the Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of six (6) street-fronting townhouse dwelling units each on their own lot with frontage on Chickadee Trail.

### Rationale of Recommended Action

The conditions for passing the Part-Lot Control By-law have been satisfied and it is appropriate to allow the exemption from Part-Lot Control. The cost of registration of the by-law is to be borne by the applicant.

## Linkage to the Corporate Strategic Plan

A well planned and growing community - London's growth and development is well-planned and considers use, intensity, and form.

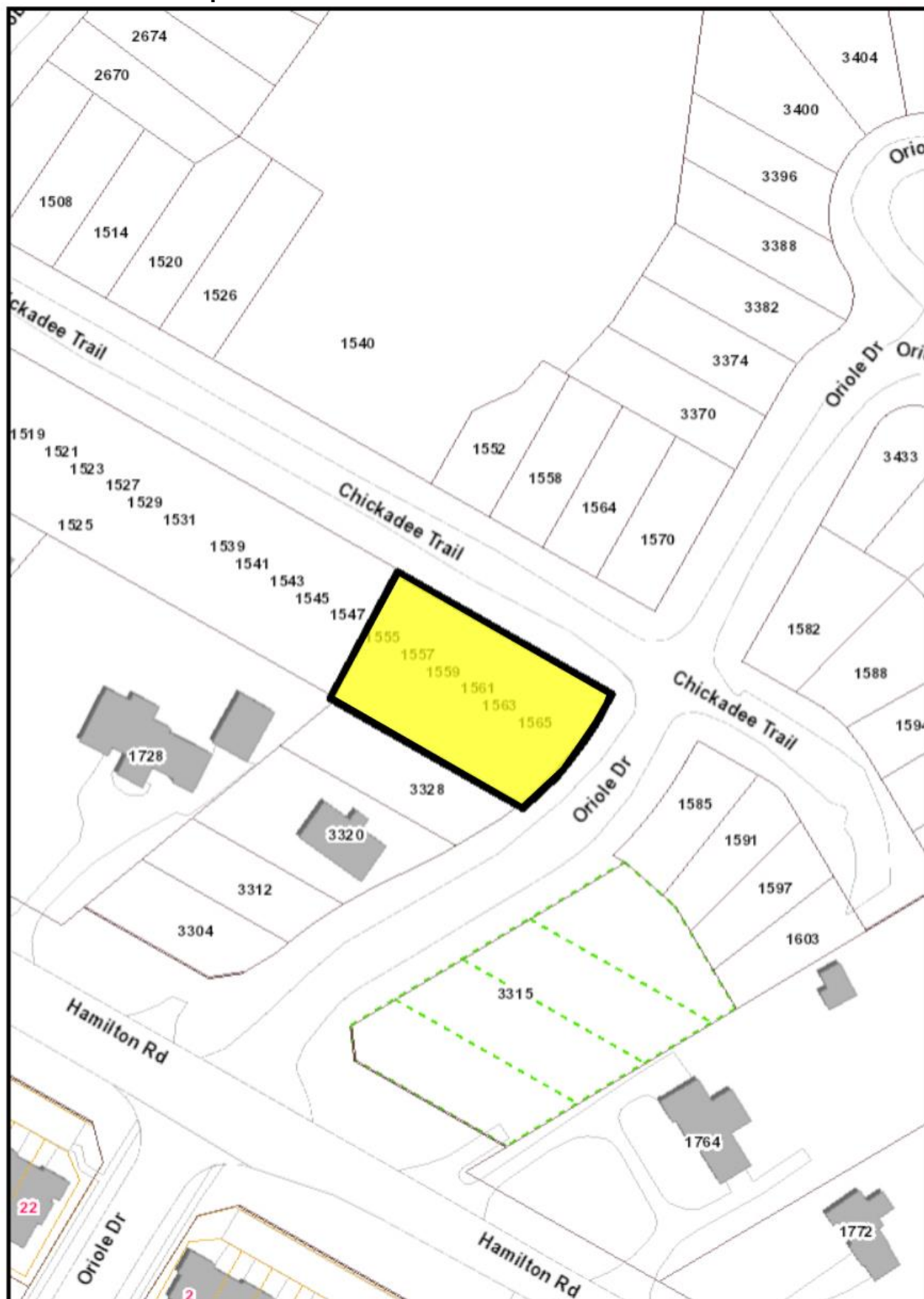
## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**July 17, 2023** – Report to Planning and Environment Committee – 1525 Chickadee Trail (Block 70 Plan 33M-814) - Application for Exemption from Part Lot Control – File No. P-9620.

## 1.2 Location Map



### Location Map

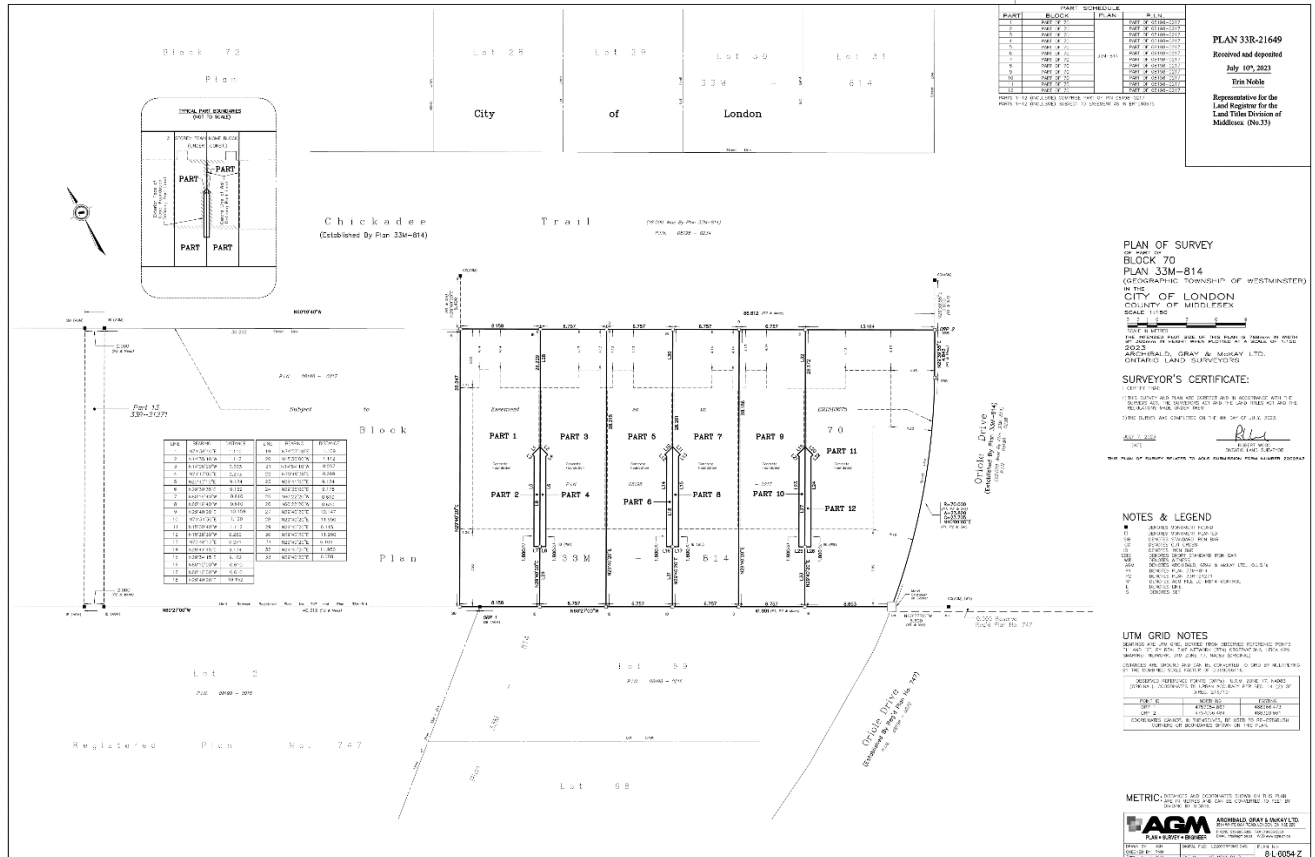
Subject Property: 1525 Chickadee Trail  
 Applicant: MAGNUS HOMES  
 File Number: P-9620  
 Created By: Larry Mottram  
 Date: 7/4/2023  
 Scale: 1:1000

### Legend

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



### 1.3 Reference Plan No. 33R-21649



## 2.0 Discussion and Considerations

### 2.1 Property Description

The site consists of a residential block within a plan of subdivision being developed for twenty-two (22) street townhouse dwelling units. Site Plan Approval has been given and a Development Agreement entered into between the City of London and Thames Village Joint Venture Corporation registered on January 20, 2023 as Instrument No. ER1510165. A building permit was subsequently issued for construction of the first block of six (6) units which is nearing completion. Draft municipal addressing has been assigned as shown on the location map as 1555 to 1565 Chickadee Trail.

### 2.2 Planning History

On August 15, 2018, the City of London Approval Authority approved a draft plan of subdivision for lands located at 1738, 1742, 1752 and 1754 Hamilton Road submitted by Thames Village Joint Venture Corporation. Municipal Council previously advised the Approval Authority of its support for the draft plan and related zoning by-law amendments at their meeting held June 26, 2018. The Approval Authority issued final approval of the subdivision plan on December 22, 2021, and it was registered on February 1, 2022 as Plan No. 33M-814.

## 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.

## 4.0 Key Issues and Considerations

### 4.1. Part Lot Control Exemption Request

As indicated above, Block 70 in this subdivision is proposed to be developed with four (4) blocks of street-fronting townhouses having a total of twenty-two (22) units. The first block consisting of six (6) units is nearing completion and the applicant has advised that the unit purchasers are ready to close. Staff are satisfied that the City's standard conditions as recommended for the lifting of part lot control with respect to the first block

of units as shown on the attached reference plan have been satisfied and that the by-law can be introduced for Council-adoption. The way in which the conditions were satisfied is indicated in italics below each condition, as follows:

- i. The applicant be advised that the cost of registration of the said by-law is to be borne by the applicant in accordance with City Policy;

*Acknowledged by applicant's response memo dated July 4, 2023.*

- ii. The applicant submits a draft reference plan to the City for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;

*A draft reference plan has been submitted for review and deposited at the land registry office as Reference Plan No. 33R-21649.*

- iii. The applicant submits to the City a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

*A digital file of the reference plan to be deposited has been submitted which is referenced to the NAD83 UTM horizontal control network for the City of London mapping program.*

- iv. The applicant submits each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;

*London Hydro was circulated site development and servicing plans during the Site Plan Review process and indicated no objection or concerns. Their request for a blanket easement was subsequently completed and registered for all of the development block (Block 70 Plan 33M-814).*

- v. The applicant submits to the City for review and approval, prior to the reference plan being deposited in the land registry office, any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;

*Lot grading and servicing plans were reviewed and approved as part of the Site Plan Approval process.*

- vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;

*The applicant has entered into a Development Agreement. An amended Subdivision Agreement was not necessary.*

- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;

*Acknowledged by applicant's response memo dated July 4, 2023.*

- viii. The applicant shall obtain confirmation from the City that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;

*Municipal addressing has been assigned to each proposed lot satisfactory to the City.*

- ix. The applicant shall obtain approval from the City of each reference plan to be registered prior to the reference plan being registered in the land registry office;

*Acknowledged by applicant's response memo dated July 4, 2023.*

- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;

*The approved reference plan has been deposited at the land registry office as Plan No. 33R-21649 on July 10, 2023.*

- xi. The applicant shall obtain clearance from the City that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan; and,

*Acknowledged by applicant's response memo dated July 4, 2023.*

- xii. That on notice from the applicant that a reference plan has been registered, and that conveyance of the registered part lots has occurred, that Part Lot Control be re-established by the repeal of the bylaw affecting the Lot/Block in question.

*Acknowledged by applicant's response memo dated July 4, 2023.*

## **Conclusion**

Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested Exemption from Part-Lot Control to establish lot lines for the first block of six (6) street townhouse dwellings to allow purchase and sale agreements to proceed to closing. The conditions required to be completed prior to the passage of a Part-Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant, in accordance with City policy.

**Prepared by:** Larry Mottram, MCIP, RPP, PLE  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page, MCIP, RPP  
Manager, Subdivision Planning

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

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.

CC: Peter Kavcic, Manager, Subdivisions and Development Inspections  
Matt Davenport, Manager, Subdivision Engineering

July 12, 2023  
SM/HM/BP/LM/lm

## Appendix A

Bill No. (Number to be inserted by  
Clerk's Office)  
2023

By-law No. (Number to be inserted by  
Clerk's Office)

A by-law to exempt from Part-Lot  
Control, lands located at 1525  
Chickadee Trail, described as part of  
Block 70 Registered Plan 33M-814, and  
more particularly described as Parts 1 to  
12, inclusive, on Plan 33R-21649, in the  
City of London, County of Middlesex.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Jaime Crncich (2555212 Ontario Ltd. o/a Magnus Homes), it is expedient to exempt lands located at 1525 Chickadee Trail, described as part of Block 70 Registered Plan 33M-814, and more particularly described as Parts 1 to 12, inclusive, on Plan 33R-21649, from Part Lot Control;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Part of Block 70 Registered Plan 33M-814, more particularly described as Parts 1 to 12, inclusive, on Plan 33R-21649, are hereby exempted from Part Lot Control pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being pointed out that these lands are zoned to permit street townhouse dwellings in conformity with the Residential R4 Special Provision (R4-6(9)) Zone of the City of London Zoning By-law No. Z-1.
2. This By-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on July 25, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthness  
City Clerk

First Reading – July 25, 2023  
Second Reading – July 25, 2023  
Third Reading – July 25, 2023