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Deeming By-Law  
7 Annadale Drive

<b>TO:</b>	<b>CHAIR &amp; MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON APRIL 25, 2016</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION FOR DEEMING BY-LAW APPLICANT: CITY OF LONDON LOCATION: 7 ANNADALE DRIVE</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of the City of London relating to the property located at 7 Annadale Drive:

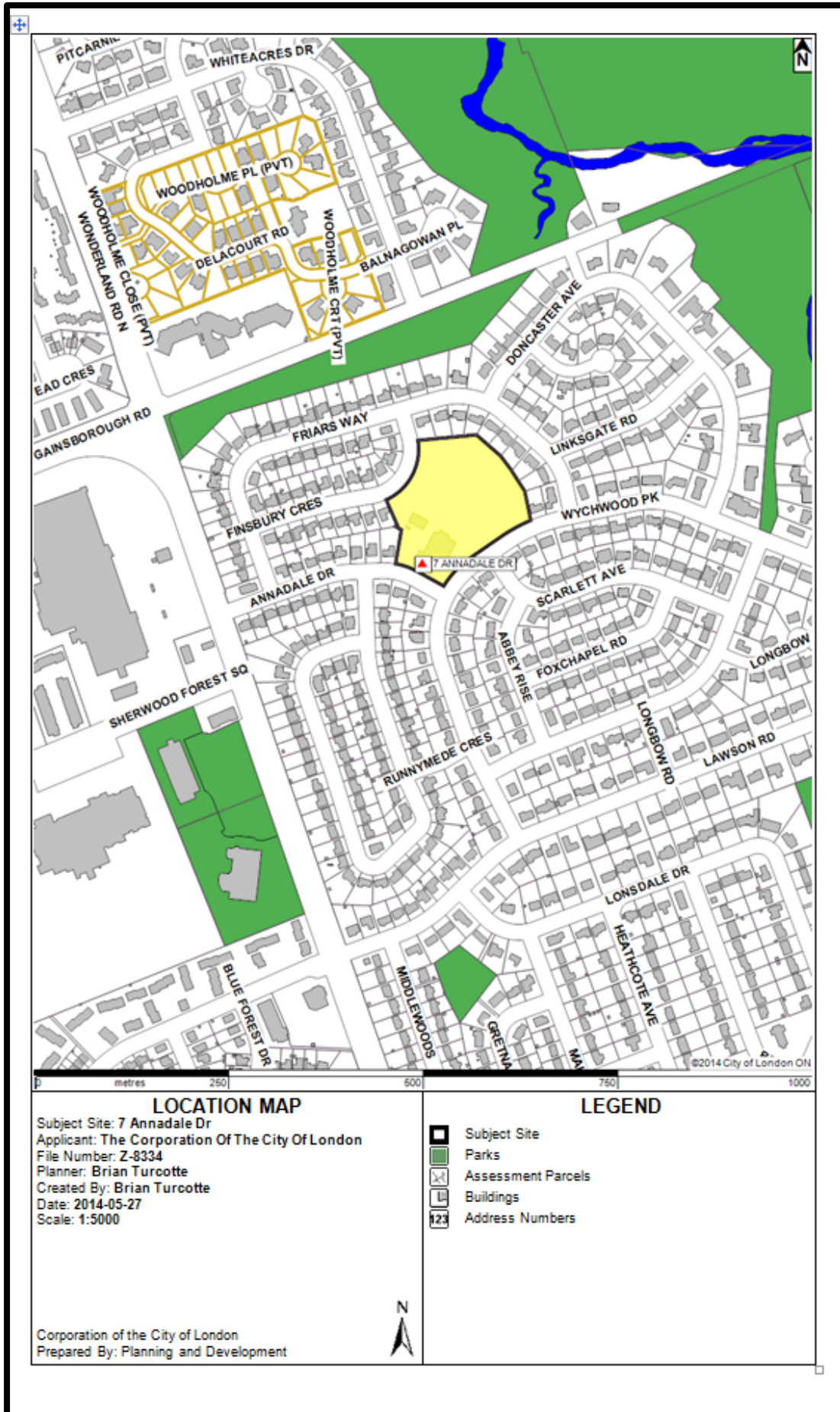
- (a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on May 3, 2016 to deem Lots 225 to 227 inclusive, Lots 242 to 248 inclusive, Lots 250 to 255 inclusive, Lots 267 to 271 inclusive, Part of Lot 249, Block I and Part of Block K, Plan 891, designated as Part 1 on 33R-6891, City of London, County of Middlesex not to be in a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act* and to repeal By-law C.P.-1509-76 passed on March 1, 2016;
- (b) the City Clerk **BE DIRECTED** to provide notice of the by-law passing and undertake registration of the Deeming By-law, in accordance with the provisions in subsections 50(28) and 50(29) of the *Planning Act*; and
- (c) the applicant **BE REQUIRED** to pay for any costs incurred to register the deeming by-law at the land registry office.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose of the recommended action is to approve the revised deeming by-law in order to consolidate several contiguous lots and part lots into one parcel by deeming the subject lands not to be in a registered plan of subdivision. Removal of the internal lot boundaries will allow for the reconfiguration of the former school site and associated playfields lands to be redeveloped for single detached dwellings fronting onto Wychwood Park and Finsbury Crescent, cluster housing opportunities interior to the site, and a neighbourhood park at the intersection of Wychwood Park and Annadale Drive.

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Location Map



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**BACKGROUND**

On February 22<sup>nd</sup>, 2016 a deeming by-law for the subject lands was brought forward to Planning Committee for consideration. It was discovered after the by-law was passed that the legal description was incorrect. In order to address this issue, the original By-law passed by Council on March 1, 2016 must be repealed and a new by-law with the corrected legal description must be passed.

**CONCLUSION**

The application by the City for the property at 7 Annadale Drive for approval of a by-law to deem the land not to be part of a registered plan of subdivision under the *Planning Act* is appropriate and will allow the lands to be redeveloped. Approval of this revised by-law will allow for the deeming by-law to be registered.

<b>RECOMMENDED BY:</b>	
<b>ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING</b>	
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

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**APPENDIX “A”**

Bill No.  
2016

By-law No. C.P.-\_\_\_\_\_

A by-law to deem a portion of Registered Plan No. 891 not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act, R.S.O. 1990, c. P13* and to repeal By-law C.P.-1509-76.

WHEREAS subsection 50(4) of the *Planning Act* provides that council of a local municipality may by by-law designate any plan of subdivision or part thereof that has been registered for eight years or more, and deem it not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*.

AND WHEREAS part of Lots 225 to 227 inclusive, Lots 242 to 255 inclusive, Lots 267 to 271 inclusive, Part of Lot 249, Block I and part of Block K, Plan 891, are currently separate lots within the registered plan.

AND WHEREAS Registered Plan No. 891 has been registered for more than eight years.

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

1. By-law C.P.-1509-76, being a by-law to deem a portion of Registered Plan No. 891 not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act, R.S.O. 1990, c. P13* passed on March 1, 2016 is hereby repealed.
2. That the following lots and part lots on Registered Plan No. 891 shall be deemed not to be a registered plan of subdivision for the purposes of Section 50(3) of the *Planning Act*: Lots 225 to 227 inclusive, Lots 242 to 248 inclusive, Lots 250 to 255 inclusive, Lots 267 to 271 inclusive, Part of Lot 249, Block I and Part of Block K, Plan 891, designated as Part 1 on 33R-6891, City of London, County of Middlesex being all of PIN 08070-0262
3. This by-law comes into force on the day it is enacted by the Council of the Corporation of the City of London, subject to the provisions of subsection 50(27) of the *Planning Act*.

PASSED in Open Council on May 3, 2016.

Matt Brown  
Mayor

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Catharine Saunders  
City Clerk

First Reading – May 3, 2016  
Second Reading – May 3, 2016  
Third Reading – May 3, 2016