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File No: P-8612
Planner: Nancy Pasato

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION FOR EXEMPTION OF PART LOT CONTROL AUBURN DEVELOPMENTS INC. CEDARHOLLOW SUBDIVISION 805 KILLARNEY ROAD (PART BLOCK 141 IN PLAN 33M-580) MEETING ON NOVEMBER 14, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Auburn Developments Inc., to exempt the following lands from Part Lot Control:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 22, 2016 to exempt Part Block 141 in Registered Plan 33M-580 from the Part Lot Control provisions of subsection 50(5) of the Planning Act, for a period not to exceed three (3) years.

ANALYSIS

On June 23, 2016 Municipal Council resolved:

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Auburn Developments Inc., to exempt the following lands from Part Lot Control:

- (a) *pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law, as appended to the staff report dated June 20, 2016, **BE INTRODUCED**, at a future meeting of Municipal Council to exempt Part Block 141 in Registered Plan 33M-580 from the Part Lot Control provisions of subsection 50(5) of the said Act, for a period not to exceed three (3) years; it being pointed out that these lands are subject to a registered subdivision agreement and is zoned Residential R2/R4 (R2-2/R4-3) in Zoning By-law No. Z.-1 which permits single detached dwellings with a minimum lot frontage of 9.0 m and minimum lot area of 360m²;*
- (b) *the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control Bylaw for Part Block 141 in Plan 33M-580 as noted in clause (a) above:*
 - i.) *The applicant submit a draft reference plan to the Building Division 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;*

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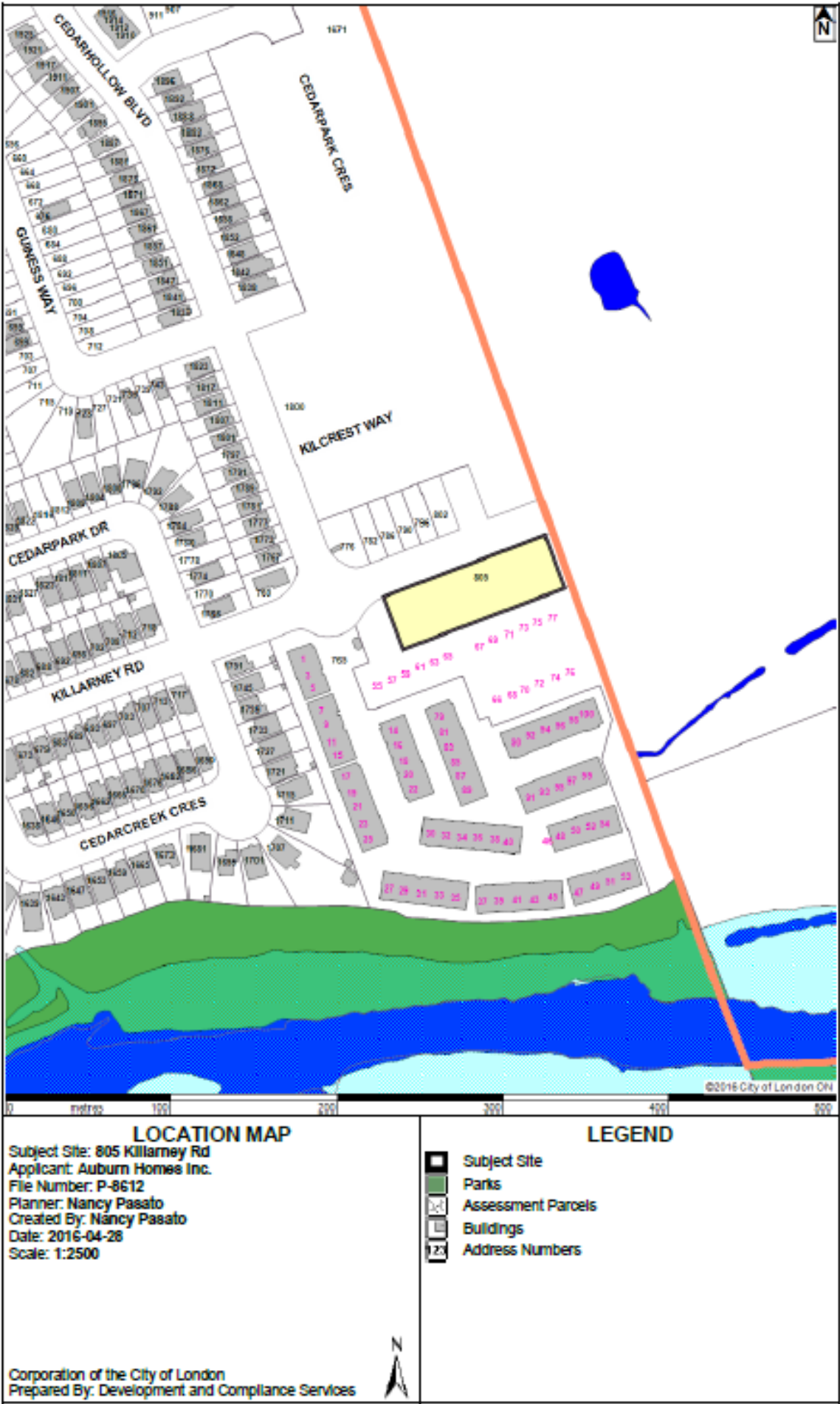
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- ii.) *Prior to the reference plan being deposited in the Land Registry Office, the Applicant submit to Development Services for review a draft reference plan showing the proposed part lots are consistent with the subdivision servicing, site servicing, site plan, development agreement, subdivision agreement and conditions to the approval of this application;*
 - iii.) *The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be formatted in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
 - iv.) *The applicant submit 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;*
 - v.) *The applicant shall obtain confirmation from Development Services 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;*
 - vi.) *The applicant shall submit to Development Services confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*
 - vii.) *The subdivider be required to revise subdivision servicing drawings and enter into an amending subdivision agreement with the City, if necessary.*
- (c) *the Approval Authority (Municipal Council) **BE REQUESTED** to approve this by-law; and,*
- (d) *the Applicant **BE ADVISED** that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy.*

The exemption from the Part Lot Control provisions of the *Planning Act* allows lot lines for individual units (lots) to be established on registered blocks in registered plan of subdivisions. The conditions noted above have been satisfied, and the attached recommended by-law to implement Council's June 23, 2016 resolution will allow the applicant to create the single detached lots as per the attached reference plan which permits the lands to be transferred to purchasers.

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RECOMMENDED BY:	REVIEWED BY:
NANCY PASATO, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING

REVIEWED BY:	SUBMITTED BY:
TERRY GRAWLEY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES AND PLANNING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

November 7, 2016
NP
"Attach."
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By-law No. C.P. - *Number inserted by Clerk's Office*

A by-law to exempt from Part Lot Control, lands located on the south side of Killarney Road, east of Cedarhollow Boulevard, legally described as a Part Block 141 in Registered Plan 33M-580, more particularly described as Parts 1-9 in Plan 33R-19598 in the City of London and 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 Auburn Developments Inc., it is expedient to exempt lands located on the south side of Killarney Road, east of Cedarhollow Boulevard, legally described as Part Block 141 in Registered Plan 33M-580, more particularly described as Parts 1-9 in Plan 33R-19598 in the City of London and County of Middlesex, from Part Lot Control;

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

1. Part Block 141 in Registered Plan 33M-580, more particularly described as Parts 1-9 in Plan 33R-19598 in the City of London and County of Middlesex, located on the south side of Killarney Road, east of Cedarhollow Boulevard, 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.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on November 22, 2016

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 22, 2016
Second Reading – November 22, 2016
Third Reading – November 22, 2016