

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: Sifton Properties Limited
Riverbend Golf Community Phase 9
East Side of Kains Road, North of Shore Road
Block 1 Plan 33M-721

Meeting on: Monday April 30, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following action be taken with respect to the application by Sifton Properties Limited to exempt the following lands from Part Lot Control:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 8, 2018 to exempt Block 1 Registered Plan 33M-721 from the Part Lot Control provisions of Subsection 50(5) of the Planning Act.

Executive Summary

Summary of Request

Request for approval to exempt Block 1 in Registered Plan 33M-721 from the Part Lot Control provisions of the Planning Act.

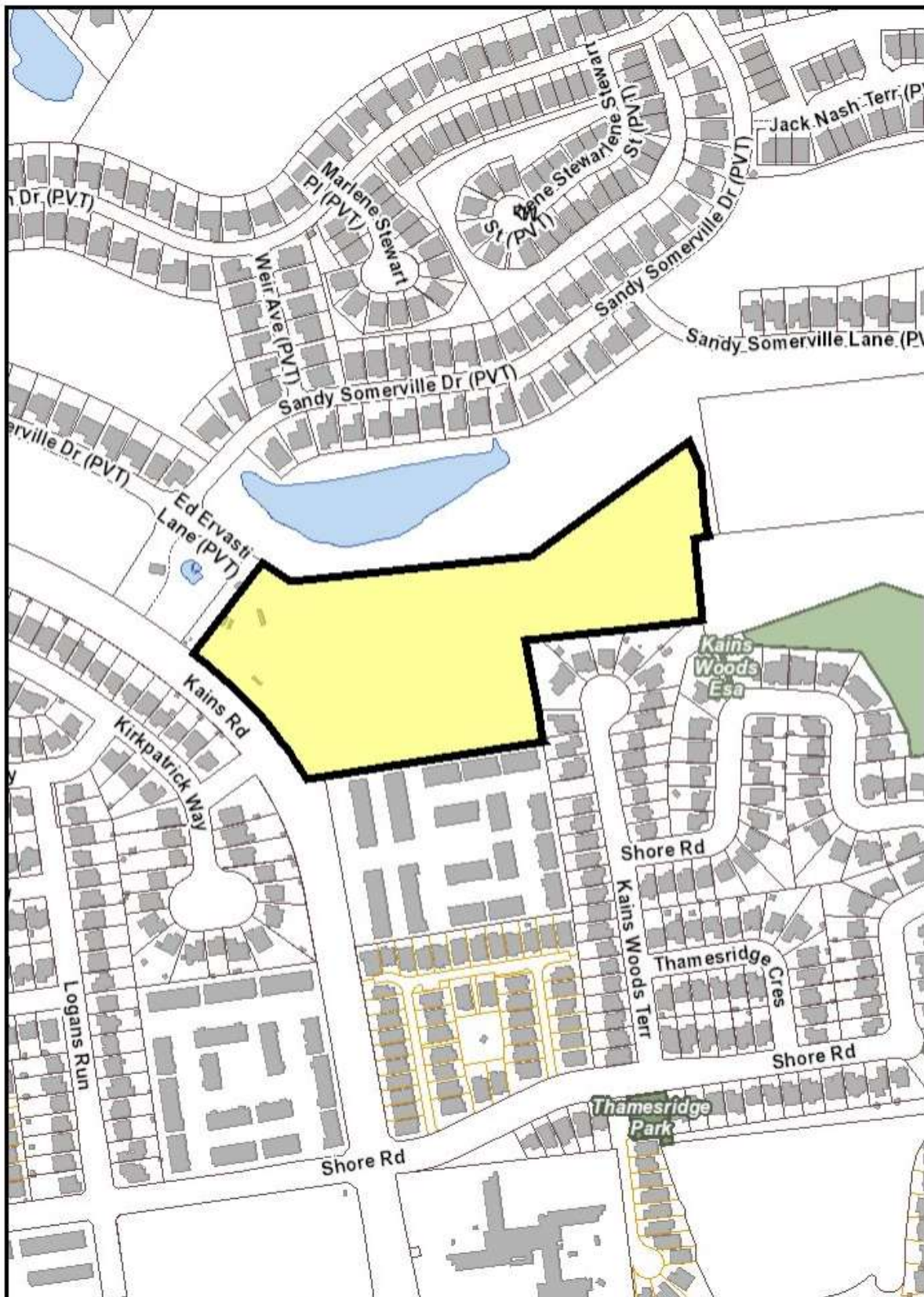
Purpose and Effect of Recommended Action

Exemption from Part Lot Control will allow the developer to divide the block further into land lease parcels consisting of thirty-six (36) residential detached homes and twenty-one (21) attached townhomes, with access provided via a private internal access road.

Rationale for Recommended Action

The conditions for passing the 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, all in accordance with the previous Council Resolution.

LOCATION MAP








Location Map

Subject Property: 2120 Kains Road
 Applicant: SIFTON PROPERTIES LIMITED
 File Number: P-8762
 Created By: Larry Mottram
 Date: 3/19/2018
 Scale: 1:4000

Corporation of the City of London

Legend

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

Analysis

At its meeting held on July 25, 2017, Municipal Council resolved:

9. That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, 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 bylaw appended to the staff report dated July 17, 2017, **BE INTRODUCED** at a future Municipal Council meeting, to exempt Block 1 Plan 33M-721, from the Part Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are zoned Residential R6 Special Provision (R6-5(7) and R6-5(22)), which permits cluster forms of housing such as single detached, semi-detached, duplex, triplex, townhouse and stacked townhouse dwellings in the form of land lease community homes;
- b) the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control By-law for Block 1 Plan 33M-721, 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;
 - ii) the applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited; it being noted that 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;
 - iii) 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 approved site plan, servicing drawings, development agreement, and conditions to the approval of this application;
 - iv) 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;
 - v) 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;
 - vi) the site plan and development agreement be registered prior to passage of the exemption from part lot control by-law; and,
- c) the applicant **BE ADVISED** that the cost of registration of the above-noted By-law is to be borne by the applicant, in accordance with City policy. (2017-D25) (9/14/PEC)

The exemption from the Part Lot Control will allow for creation of individual residential units on a long-term land lease basis. The conditions noted above have been satisfied, and the attached recommended by-law to implement Council's July 25, 2017 resolution will allow the conveyance of individual leasehold interests for lands within Block 1 Plan 33M-721, as per the attached reference plan. This development proposal, known as Riverbend Golf Community Phase 9, will consist of thirty-six (36) cluster residential detached dwellings and twenty-one (21) attached townhomes, with access provided via a private internal access road.

REFERENCE PLAN 33R-20077



Conclusion

In accordance with the Council Resolution, 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.

Recommended by:	Larry Mottram, MCIP, RPP Senior Planner - Development Services
Reviewed by:	Lou Pompilli, MPA, RPP Manager, Development Planning
Reviewed by:	Matt Feldberg Manager, Development Services (Subdivisions)
Concurred In by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services and Chief Building Official

April 23, 2018
GK/PY/MF/LP/LM/lm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\P-8762 - 2120 Kains Road (LM)\PEC
Report to pass by-law.docx

Appendix A

Bill No. (number to be inserted by
Clerk's Office)
2018

By-law No. C.P. (number to be inserted
by Clerk's Office)

A by-law to exempt from Part Lot Control lands located on the east side of Kains Road, north of Shore Road; being composed of all of Block 1 Plan 33M-721, more accurately described as Parts 1-54 inclusive on Reference Plan 33R-20077 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 Sifton Properties Limited, it is expedient to exempt lands located on the east side of Kains Road, north of Shore Road; being composed of all of Block 1 Plan 33M-721 from Part Lot Control;

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

1. Lands located on the east side of Kains Road north of Shore Road, being composed of all of Block 1 Plan 33M-721, in the City of London and County of Middlesex, more accurately described as Parts 1 to 54 inclusive on Reference Plan 33R-20077, 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; it being noted that these lands are zoned to permit cluster forms of housing such as single detached, semi-detached, duplex, triplex, townhouse and stacked townhouse dwellings in the form of land lease community homes in conformity with the Residential R6 Special Provision (R6-5(7) and R6-5(22)) Zones. A Site Plan Development Agreement for the lands in question was entered into with the City of London on March 10, 2017, and registered in the Land Registry Office on July 12, 2017.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on May 8, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - May 8, 2018
Second Reading – May 8, 2018
Third Reading – May 8, 2018

Appendix B – Relevant Background

Additional Reports

File No. P-8762 – Planning and Environment Committee Meeting on July 17, 2017 – Report from the Managing Director, Development & Compliance Services and Chief Building Official with respect to an application by Sifton Properties Limited requesting an exemption from Part Lot Control for Block 1 Plan 33M-721, located on the east side of Kains Road, north of Shore Road, known as Riverbend Golf Community Phase 9.