

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: Wastell Builders (London) Inc.
Part Lot Control
1245 Michael Street, Blocks 1 and 2, 33M-745

Meeting on: September 24, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, with respect to the application by Wastell Builders (London) Inc., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to exempt Blocks 1 and 2, Registered Plan 33M-745 from the Part Lot Control provisions of Subsection 50(5) of the Planning Act, for a period not exceeding three (3) years.

Executive Summary

Summary of Request

This report is a request for approval to exempt Blocks 1 and 2 in Registered Plan 33M-745 from the Part-Lot Control provisions of the *Planning Act*.

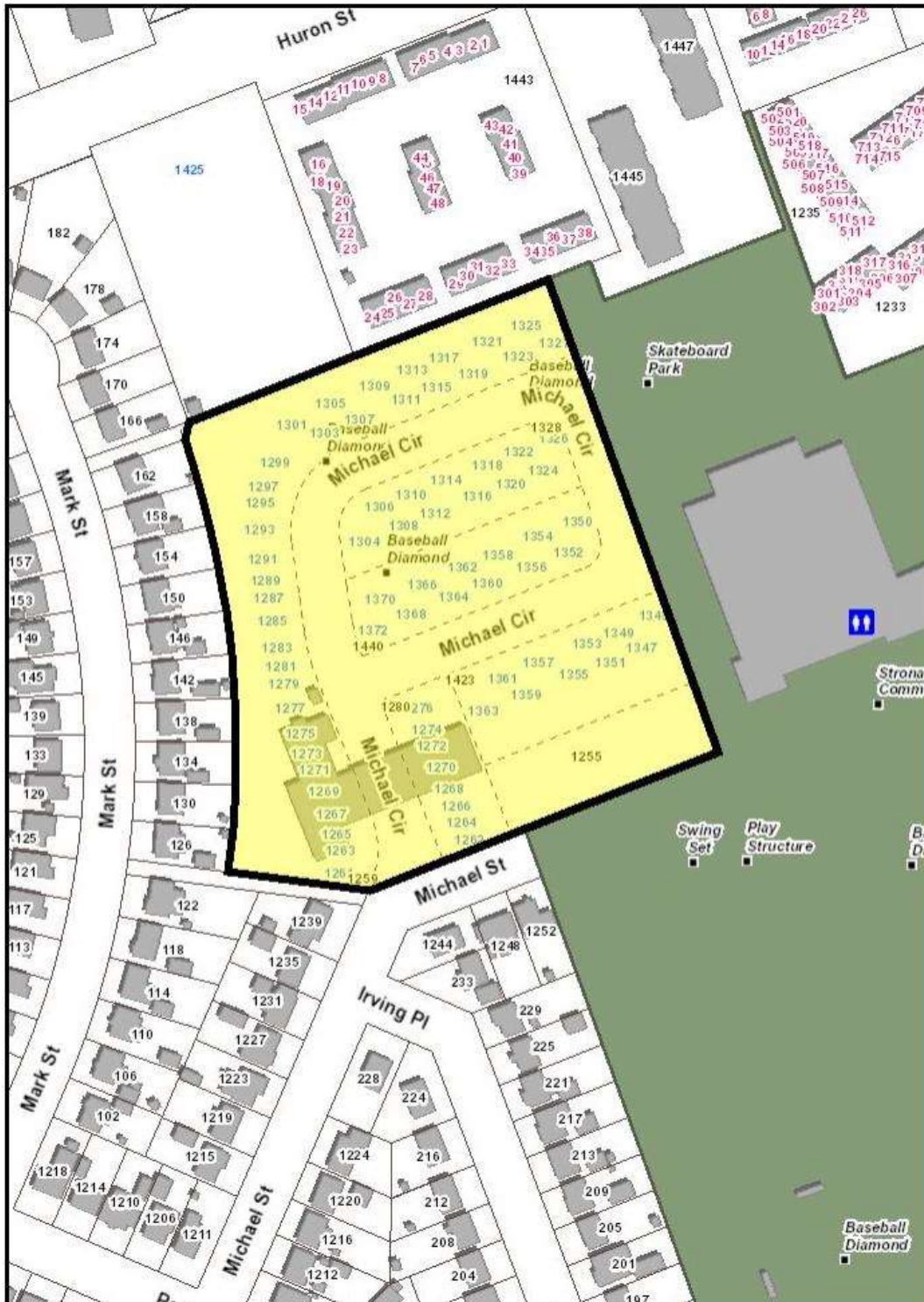
Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will allow the developer to divide the blocks into freehold townhouse lots, consisting of forty-six (46) attached townhomes, with access provided via a public street (Michael Circle).

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: 1245 Michael Street
 Applicant: Wastell Builders (London) Inc.
 File Number: P-8858
 Created By: Nancy Pasato
 Date: 9/6/2018
 Scale: 1:2000

Legend

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

Corporation of the City of London



Analysis

At its meeting held on September 18, 2018, Municipal Council resolved:

“That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Wastell Builders (London) Inc. to exempt lands from Part Lot Control:

- (a) *pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Blocks 1-5, Plan 33M-745 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 NOTED** that the Applicant has requested that three separate exemption by-laws/reference plans for approval be brought forward to future meetings of the Planning and Environment Committee and Council;*
- (b) *the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control Bylaw for Blocks 1-5, Plan 33M-745 as noted in clause (a) above:*
 - i. *The Applicant submit a draft reference plan to Development Services 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. 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;*
 - iii. *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;*
 - iv. *The Applicant submit 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;*
 - v. *The Applicant shall enter into any amending subdivision agreement with the City, if necessary;*
 - vi. *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;*
 - vii. *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;*
 - viii. *The Applicant shall obtain approval from Development Services for each reference plan to be registered prior to the reference plan being registered in the land registry office;*
 - ix. *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;*
 - x. *The site plan and development agreement be registered prior to passage of the exemption from part lot control by-law;*
- (c) *the Approval Authority (Municipal Council) **BE REQUESTED** to approve this by-*

law; and,

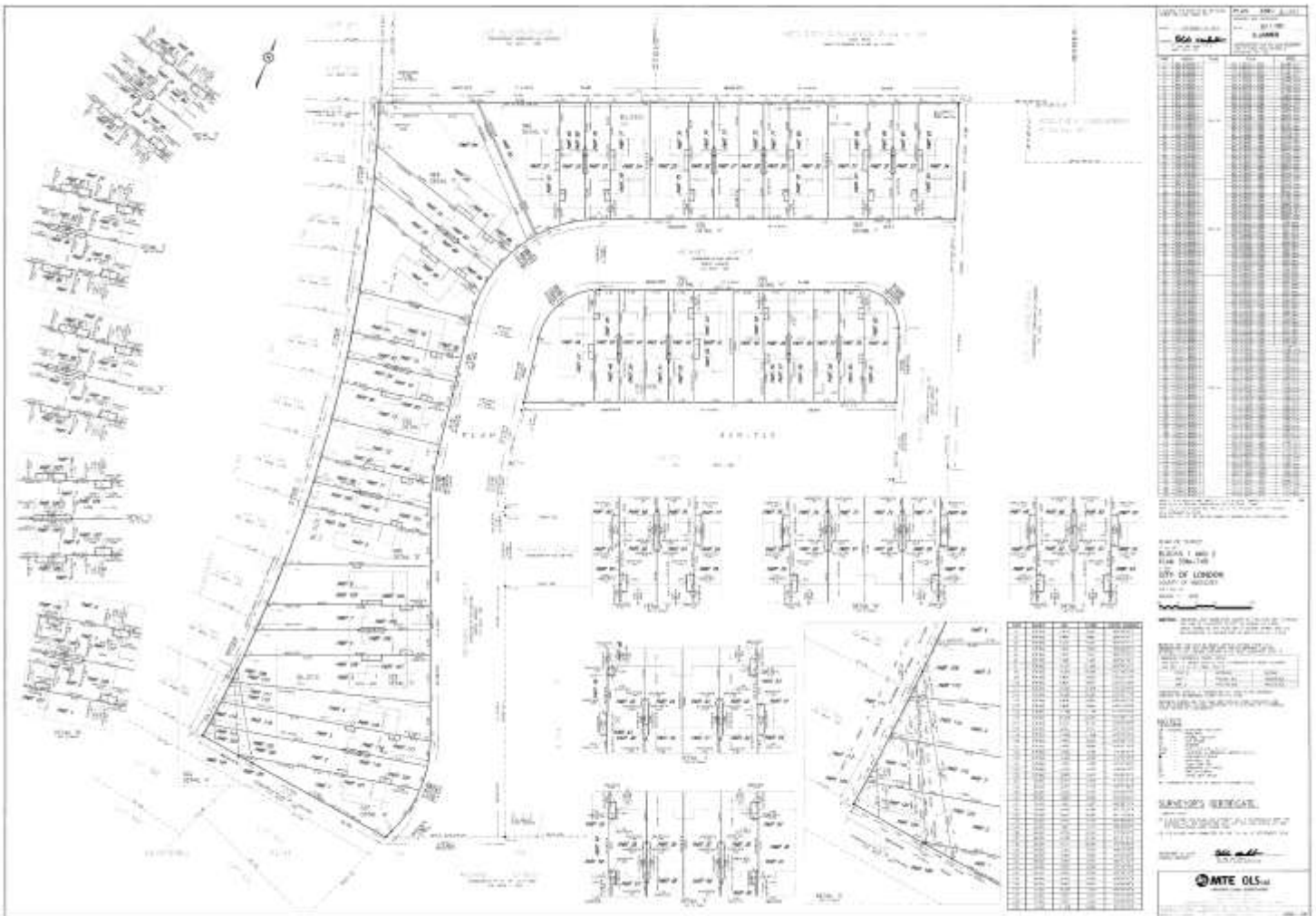
- (d) the Applicant **BE ADVISED** that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy.”

The exemption from Part Lot Control will allow for lot lines for individual units (lots) to be established on registered blocks in a registered plan of subdivision. The conditions noted above have been satisfied as follows:

- zoning is in place;
- the proposed lots comply with the approved zoning;
- a reference plan and digital copy of the plan have been deposited with the Land Registry Office and received by the City;
- municipal addressing has been assigned;
- sign off from London Hydro has been provided;
- no amendment is required to the subdivision agreement;
- no revised lot grading or servicing plan is required; and,
- the development agreement has been registered for the site.

The attached recommended by-law to implement Council’s September 18, 2018 resolution will allow the conveyance of individual lots within Blocks 1 and 2, Plan 33M-745, as per the attached reference plan. This development proposal will consist of forty-six (46) attached townhouse lots with access via a public street (Michael Circle).

Reference Plan 33R-20211



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:	Nancy Pasato, MCIP, RPP Senior Planner, Development Services
Reviewed by:	Lou Pompili, MCIP RPP Manager, Development Planning (Subdivision)
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
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.	

September 17, 2018
NP/

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Michael Street (NP)\draft 1245 Michael Street Part Lot Control By-law Blocks 1 and 2.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 Michael Circle, north of Michael Street, formerly known as 1245 Michael Street, legally described as Blocks 1 and 2 in Registered Plan 33M-745, more accurately described as Parts 1-126 inclusive on Reference Plan 33R-20211 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 Wastell Builders (London) Inc., it is expedient to exempt lands located on Michael Circle, north of Michael Street, formerly known as 1245 Michael Street; being composed of all of Blocks 1 and 2 Plan 33M-745 from Part Lot Control;

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

1. Lands located on Michael Circle, north of Michael Street, formerly known as 1245 Michael Street, being composed of all of Blocks 1 and 2, Plan 33M-745, in the City of London and County of Middlesex, more accurately described as Parts 1 to 126 inclusive on Reference Plan 33R-20211, 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.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on October 2, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 2, 2018
Second Reading – October 2, 2018
Third Reading – October 2, 2018

Appendix B – Relevant Background

Additional Reports

39T-16509/Z-8664- Planning and Environment Committee Meeting on January 23, 2017 – Report on application by Wastell Builders (London) Inc. requesting approval of a draft plan of subdivision to permit 76 street townhouses on a public street and associated zoning by-law amendment at 1245 Michael Street.

P-8858 – Planning and Environment Committee Meeting on September 10, 2018 – Report on application by Wastell Builders (London) Inc. requesting an exemption from Part Lot Control for Blocks 1-5 Plan 33M-745, known municipally as 1245 Michael Street.