

## 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: Rockwood Homes c/o Andrea McCreery,  
Stantec Consulting Ltd.  
2674 Asima Drive

**Meeting on:** November 12, 2018

## Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application by Rockwood Homes c/o Andrea McCreery, Stantec Consulting Ltd. the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to exempt part of Block 55 in Plan 33M-699 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 the approval to exempt Block 55 in Registered Plan 33M-699 from the Part-Lot Control provisions of the *Planning Act*.

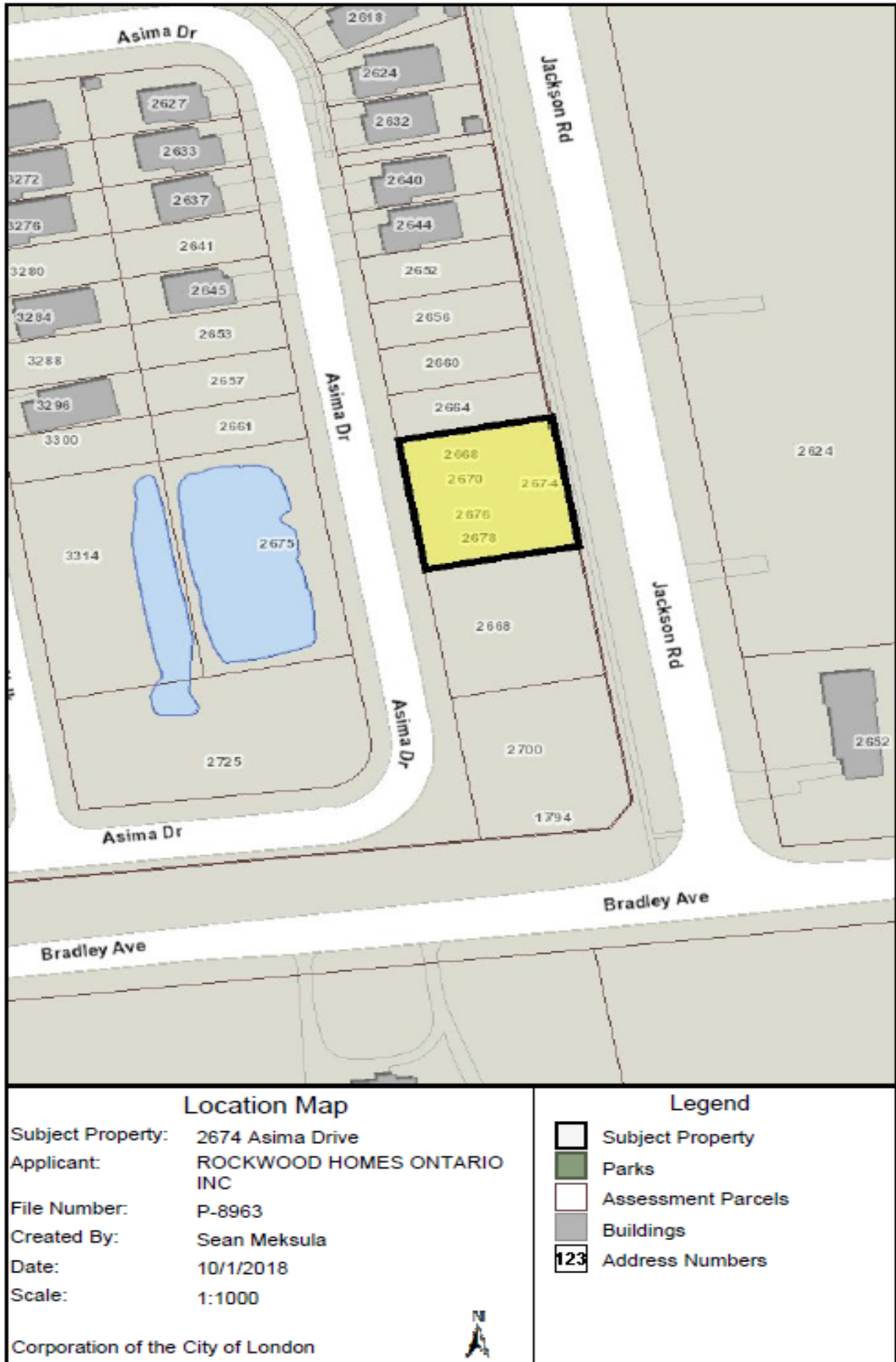
### Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will allow the developer to create 4 street townhouse units, with access provided via Asima Drive.

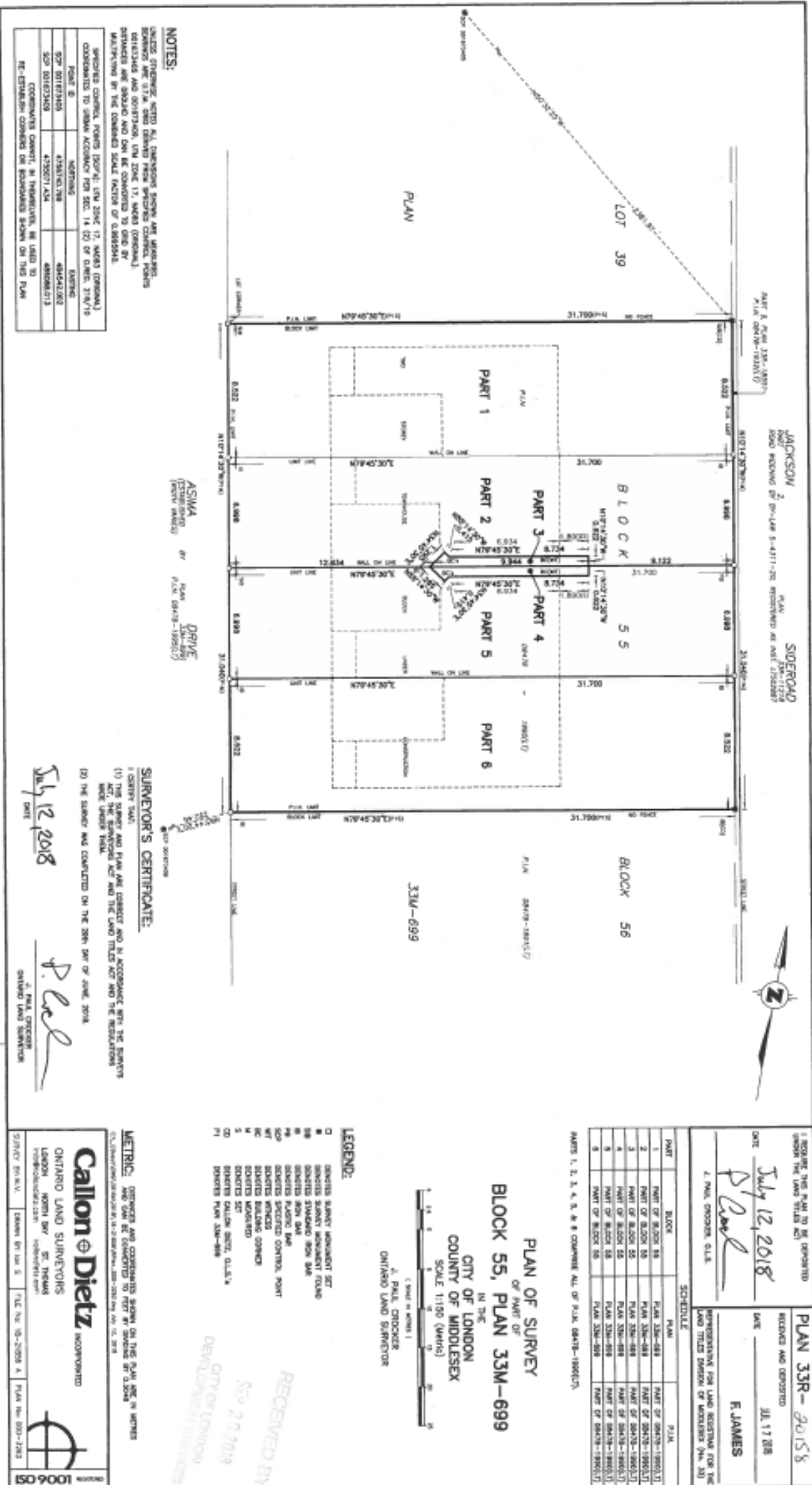
### Rationale for Recommended Action

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



Site Plan



**PLAN 33M-699**

I CERTIFY THAT THIS PLAN IS PREPARED IN THE LAND SURVEYOR OFFICE FOR THE LAND SURVEYOR OF ONTARIO BY Callon & Dietz, SURVEYOR ON THE BASIS OF THE SURVEY DATA AND FIELD NOTES AND CALCULATIONS AND THAT THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND SURVEY REGULATIONS.

DATE OF SURVEY: 2014.05.14

DATE OF PLAN: 2014.05.14

DATE OF DEED: 2014.05.14

DATE OF RECORDING: 2014.05.14

DATE OF PLAN: 2014.05.14

DATE OF DEED: 2014.05.14

DATE OF RECORDING: 2014.05.14

**PLAN OF SUBDIVISION**  
**LOT 13, CONGRESSION 1**  
**(CONGRESSION TOWNSHIP OF YORK)**  
**LOTS 66, 67, 68, 69 AND 70**  
**BLOCK 54**  
**ASMA DRIVE**  
**ASMA DRIVE**  
**PLAN 33M-533**  
**CITY OF LONDON**  
**COUNTY OF MIDDLESEX**

**L. WIN ROMMEL**

REGISTRATION NO. 14560 (SINCE 2002)  
14560 (SINCE 2002)

2014-05-14

**APPROVED UNDER SECTION 51 OF THE SURVEY ACT THIS**  
**14.05.2014** DAY OF **MAY**, 2014.

*[Signature]*  
L. Win Rommel  
Land Surveyor

**LEGEND:**

- 1. SURVEYED BOUNDARY MONUMENT
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**MONUMENT NOTE:**  
ALL MONUMENTS ARE MADE BY THE SURVEYOR AND ARE TO BE USED AS SUCH.

**OWNER'S CERTIFICATE:**  
THIS IS TO CERTIFY THAT:  
1. THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY DRAWING.  
2. THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND SURVEY REGULATIONS.  
3. THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND SURVEY REGULATIONS.  
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5. THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND SURVEY REGULATIONS.

*[Signature]*  
L. Win Rommel  
Land Surveyor

**SURVEYOR'S CERTIFICATE:**  
I CERTIFY THAT:  
1. THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY DRAWING.  
2. THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND SURVEY REGULATIONS.  
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*[Signature]*  
L. Win Rommel  
Land Surveyor

**METRIC:** METERS

**PLAN 33M-699**

**Callon & Dietz**  
ONTARIO LAND SURVEYORS  
LONDON, ONTARIO  
1. 519-853-0320 F. 519-853-3665  
www.callonanddietz.com

**CURVE TABLE**

CHAIN	ARC	CHORD	BEARING
11	28.000	6.250	103.000
12	28.000	12.500	106.000
13	28.000	18.750	109.000
14	28.000	25.000	112.000
15	28.000	31.250	115.000
16	28.000	37.500	118.000
17	28.000	43.750	121.000
18	28.000	50.000	124.000
19	28.000	56.250	127.000
20	28.000	62.500	130.000
21	28.000	68.750	133.000
22	28.000	75.000	136.000
23	28.000	81.250	139.000
24	28.000	87.500	142.000
25	28.000	93.750	145.000
26	28.000	100.000	148.000
27	28.000	106.250	151.000
28	28.000	112.500	154.000
29	28.000	118.750	157.000
30	28.000	125.000	160.000
31	28.000	131.250	163.000
32	28.000	137.500	166.000
33	28.000	143.750	169.000
34	28.000	150.000	172.000
35	28.000	156.250	175.000
36	28.000	162.500	178.000
37	28.000	168.750	181.000
38	28.000	175.000	184.000
39	28.000	181.250	187.000
40	28.000	187.500	190.000
41	28.000	193.750	193.000
42	28.000	200.000	196.000
43	28.000	206.250	199.000
44	28.000	212.500	202.000
45	28.000	218.750	205.000
46	28.000	225.000	208.000
47	28.000	231.250	211.000
48	28.000	237.500	214.000
49	28.000	243.750	217.000
50	28.000	250.000	220.000
51	28.000	256.250	223.000
52	28.000	262.500	226.000
53	28.000	268.750	229.000
54	28.000	275.000	232.000
55	28.000	281.250	235.000
56	28.000	287.500	238.000
57	28.000	293.750	241.000
58	28.000	300.000	244.000
59	28.000	306.250	247.000
60	28.000	312.500	250.000
61	28.000	318.750	253.000
62	28.000	325.000	256.000
63	28.000	331.250	259.000
64	28.000	337.500	262.000
65	28.000	343.750	265.000
66	28.000	350.000	268.000
67	28.000	356.250	271.000
68	28.000	362.500	274.000
69	28.000	368.750	277.000
70	28.000	375.000	280.000

MANNING AND ASSOCIATES ENGINEERS INC. PREPARED THIS PLAN AND THE SURVEY DATA AND FIELD NOTES AND CALCULATIONS AND THAT THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND SURVEY REGULATIONS.

**DATE OF SURVEY:** 2014.05.14

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## Analysis

At its meeting held on November 6, 2018, Municipal Council resolved:

*That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the application by Rockwood Homes c/o Andrea McCreery, Stantec Consulting Ltd. 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 part of Block 55 in Plan 33M-699 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 these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z-1, which zoning permits street townhouse dwellings with a garage front yard depth of 5.5m, an exterior side yard depth for the main building minimum of 3.0m and an interior side yard depth minimum of 1.5m;*
- (b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control Bylaw for Blocks 55, Plan 33M-699 as noted in clause (a) above:*
  - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;*
  - ii. The applicant submit a draft reference plan to the 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;*
  - 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 assembled 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 submit to the City Engineer 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;*
  - vi. The applicant shall enter into any amending subdivision agreement with the City, if 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;*
  - viii. The applicant shall obtain confirmation from the 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;*

- ix. *The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;*
  - 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;*
  - xi. *The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;*
  - xii. *That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.*
- (a) *the Approval Authority (Municipal Council) BE REQUESTED to approve this by-law; and,*
- (b) *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 (33R-20158);
- 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 November 6, 2018 resolution will allow the conveyance of individual lots within part of Block 55 in Plan 33M-699, as per the attached reference plan. This development proposal will consist of four (4) street townhouse lots with access via a public street (Asima Drive).

## 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.

<b>Prepared &amp; Recommended by:</b>	<b>Lou Pompili, MCIP RPP Manager, Development Planning (Subdivision</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
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: Matt Feldberg, Manager, Development Services (Subdivisions)

October 26, 2018

LP/lp

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## Appendix A

Bill No. **Number inserted by Clerk's Office**  
2018

By-law No. C.P.- **Number inserted by Clerk's Office**

A by-law to exempt from Part-Lot Control, lands located on Asima Drive, west side of Jackson Road, legally described as Block 55 in Registered Plan 33M-699.

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 Rockwood Homes, it is expedient to exempt lands located on Asima Drive, west of Jackson Road, legally described as Block 55 in Registered Plan 33M-699, from Part-Lot Control;

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

1. Block 55 in Registered Plan 33M-699, located on Asima Drive, west of Jackson Road, 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 (R4-5(2)) Zone of the City of London Zoning By-law No. Z-1, covering the subject area.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on November 20, 2018

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading - November 20, 2018  
Second Reading – November 20, 2018  
Third Reading - November 20, 2018