

## 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 3, 4 and 5, 33M-745

**Meeting on:** March 18, 2019

## 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 March 26, 2019 to exempt Blocks 3, 4 and 5, 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 3, 4 and 5 in Registered Plan 33M-745 from the Part-Lot Control provisions of the *Planning Act*.

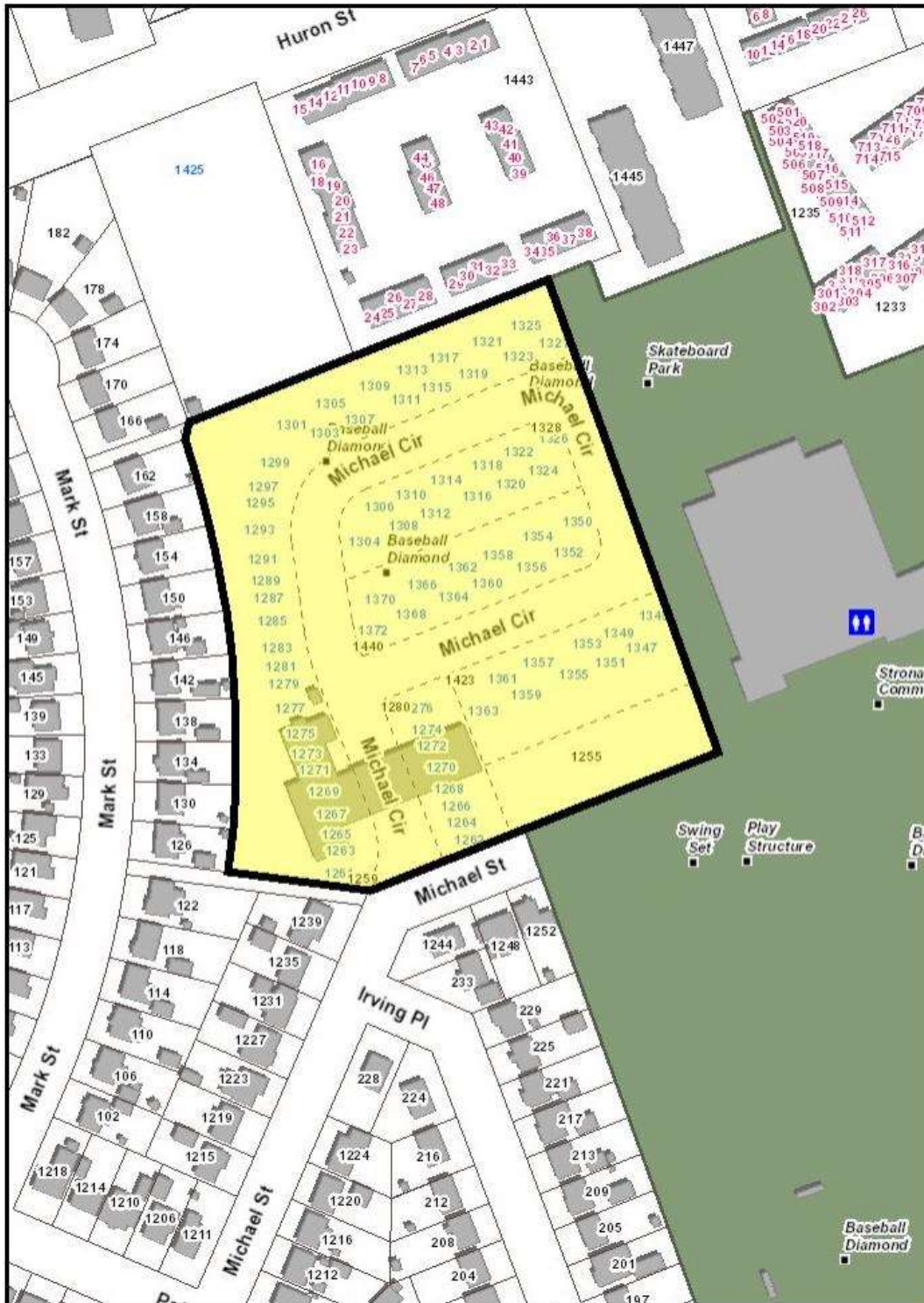
### Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will allow the developer to divide the blocks into freehold townhouse lots, consisting of thirty (30) 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		Legend	
Subject Property:	1245 Michael Street		Subject Property
Applicant:	Wastell Builders (London) Inc.		Parks
File Number:	P-8858		Assessment Parcels
Created By:	Nancy Pasato		Buildings
Date:	9/6/2018		Address Numbers
Scale:	1:2000		

Corporation of the City of London

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## 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;*

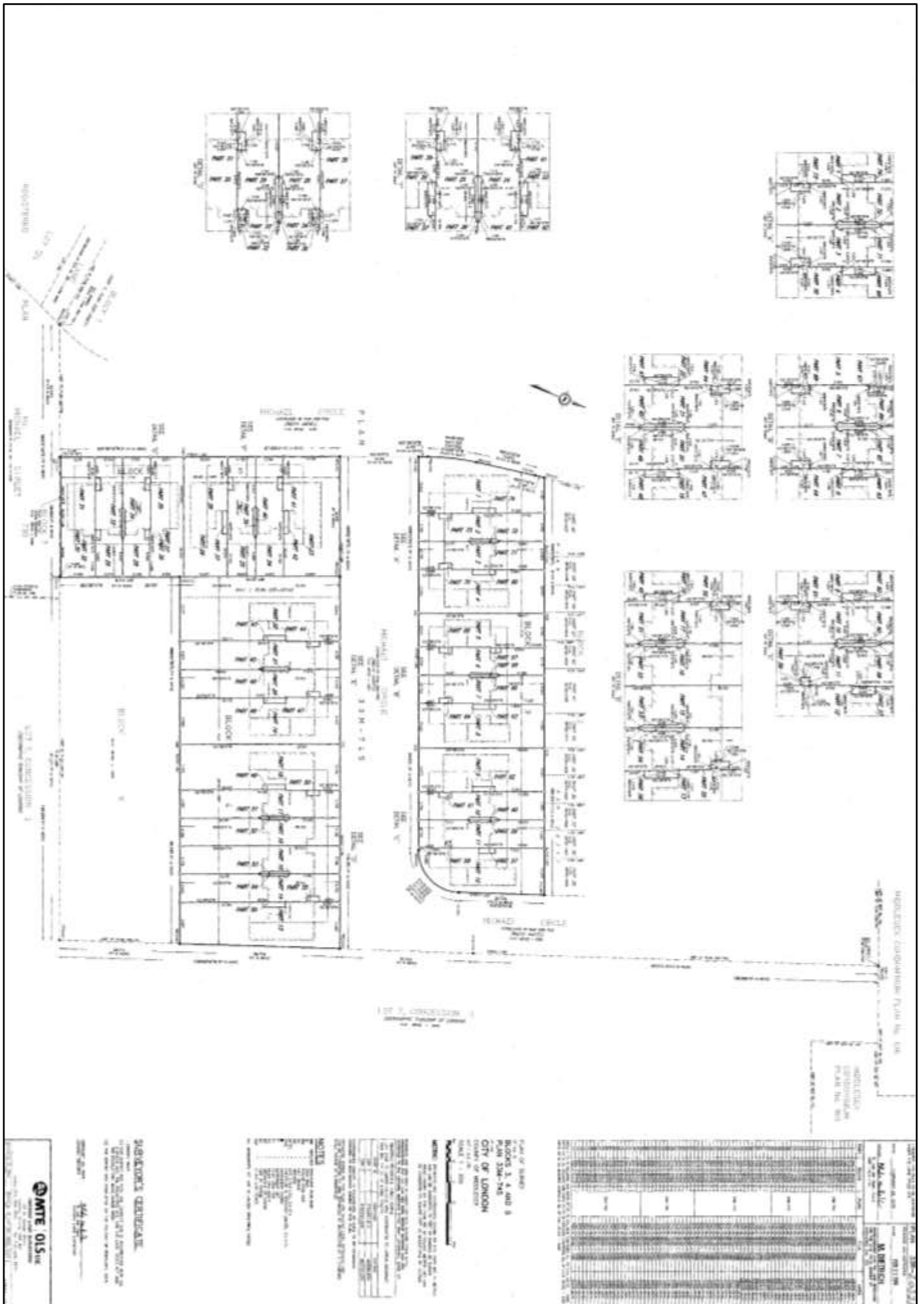
- x. *The site plan and development agreement be registered prior to passage of the exemption from part lot control by-law;*
- (c) *the Approval Authority (Municipal Council) **BE REQUESTED** to approve this by-law; and,*
- (d) *the Applicant **BE ADVISED** that the cost of registration of this by-law 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 3, 4 and 5, Plan 33M-745, as per the attached reference plan. This development proposal will consist of thirty (30) attached townhouse lots with access via a public street (Michael Circle).

Reference Plan 33R-20235



Project No.	33R-20235
Sheet No.	11111
Scale	1/8" = 1'-0"
Author	M. BIRCH
Check	
Date	

Room No.	Area (sq. ft.)	Volume (cu. ft.)	Notes
1	1000	10000	
2	1000	10000	
3	1000	10000	
4	1000	10000	
5	1000	10000	
6	1000	10000	
7	1000	10000	
8	1000	10000	
9	1000	10000	
10	1000	10000	
11	1000	10000	
12	1000	10000	
13	1000	10000	
14	1000	10000	
15	1000	10000	
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39	1000	10000	
40	1000	10000	
41	1000	10000	
42	1000	10000	
43	1000	10000	
44	1000	10000	
45	1000	10000	
46	1000	10000	
47	1000	10000	
48	1000	10000	
49	1000	10000	
50	1000	10000	

ROOMS 1 & 2  
 PLAN 33R-20235  
 CITY OF LONDON  
 COUNTY OF MIDDLESEX  
 DATE: 1/1/00

NOTES:  
 1. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BRITISH STANDARDS INSTITUTION (BSI) STANDARDS.  
 2. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BRITISH STANDARDS INSTITUTION (BSI) STANDARDS.  
 3. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BRITISH STANDARDS INSTITUTION (BSI) STANDARDS.  
 4. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BRITISH STANDARDS INSTITUTION (BSI) STANDARDS.  
 5. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BRITISH STANDARDS INSTITUTION (BSI) STANDARDS.

SHARON'S CERTIFICATE  
 I hereby certify that the above is a true and correct copy of the original drawing as submitted to me for certification.  
 SHARON'S CERTIFICATE  
 1/1/00

MTE OLS  
 1/1/00



## 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>Nancy Pasato, MCIP, RPP Senior Planner, Development Services</b>
<b>Reviewed by:</b>	<b>Lou Pompili, MPA 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.	

March 11, 2019  
NP/

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## Appendix A

Bill No. (number to be inserted by  
Clerk's Office)  
2019

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 3, 4 and 5 in Registered Plan 33M-745, more accurately described as Parts 1-74 inclusive on Reference Plan 33R-20235 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 3, 4 and 5 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 3, 4 and 5, Plan 33M-745, in the City of London and County of Middlesex, more accurately described as Parts 1 to 74 inclusive on Reference Plan 33R-20235, 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 (R4-2(2)) Zone of the City of London Zoning By-law No. Z.-1, covering the subject area.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on March 26, 2019.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk



First Reading – March 26, 2019  
Second Reading – March 26, 2019  
Third Reading – March 26, 2019

## 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.

**P-8858** - Planning and Environment Committee Meeting on September 24, 2018 – Report on application by Wastell Builders (London) Inc. request for approval to exempt Blocks 1 and 2 in Registered Plan 33M-745 from the Part-Lot Control provisions of the *Planning Act*.