

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: Extension to Exemption of Part Lot Control
Rembrandt Meadowlilly Inc.
1013, 1133, 1170 and 1250 Meadowlark Ridge

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rembrandt Meadowlilly Inc. to extend the exemption of 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 attached by-law **BE INTRODUCED** at the Municipal Council on December 10, 2019, to extend the exemption of 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603, more particularly described as Parts 1-35 in Plan 33R-20017 in the City of London and County of Middlesex from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed three (3) years;
- (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.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect is for the extension from exemption of the Part Lot Control provisions of the *Planning Act* for a three (3) year period years in order to address the engineering conditions and to facilitate the building and sale of the single detached building lots.

Rationale of Recommended Action

1. The requested three (3) year extension of exemption for Part Lot Control is reasonable, and should allow the applicant sufficient time to address all engineering concerns, and facilitate the building and sale of the residential building lots.

Analysis

1.0 Background

1.1 Planning History

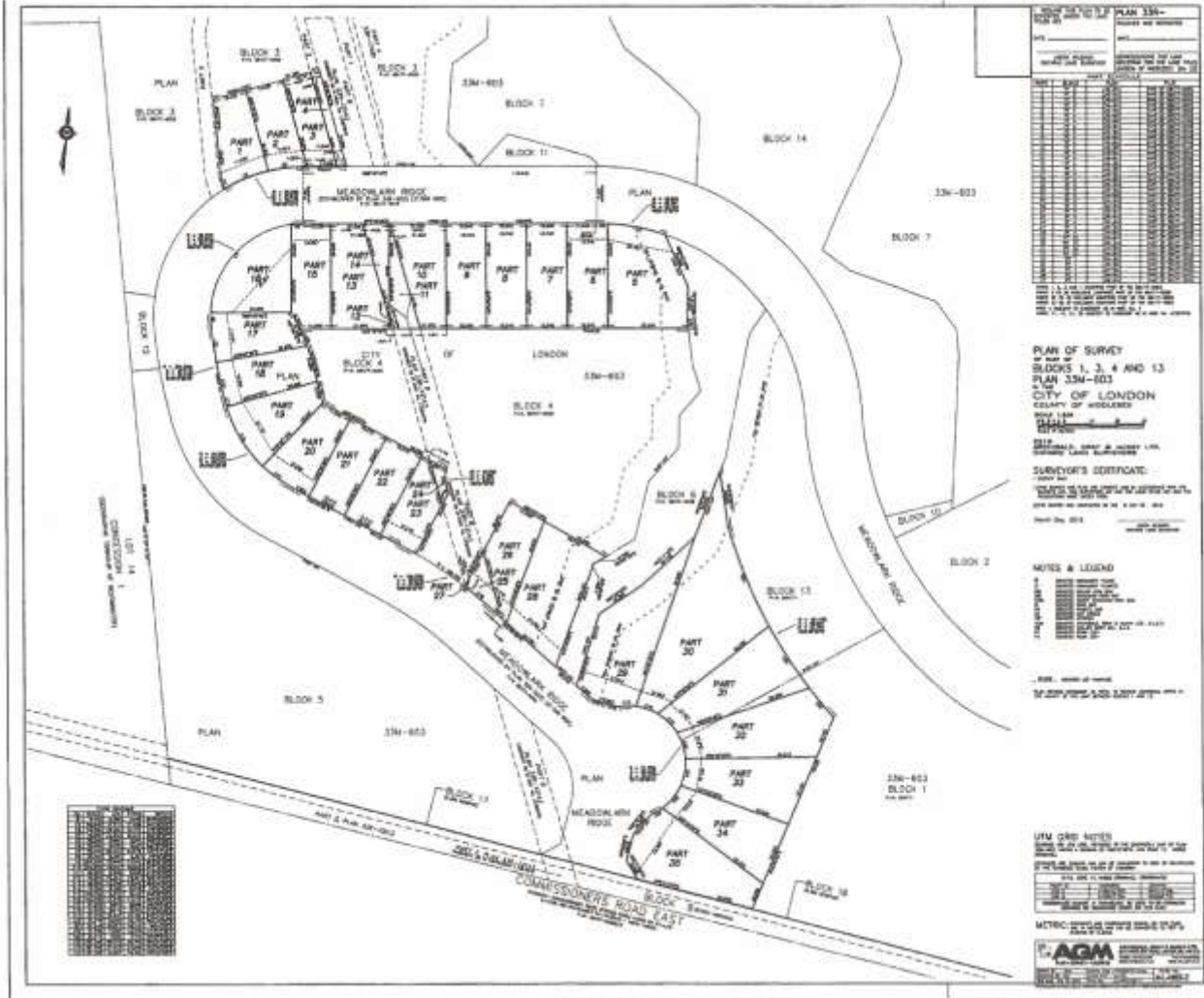
On May 21, 2004 the City of London Approval Authority granted draft plan approval for this subdivision, consisting of five (5) multi-family medium density and low density residential cluster blocks, two (2) open space blocks, three (3) access blocks and one (1) road widening block, all served by one internal road. Final approval was granted December 8, 2008 and the plan was registered as 33M-603.

On January 18, 2017, applications for a zoning by-law amendment and for an exemption to Part Lot Control for twenty-eight (28) single detached dwelling lots was accepted by the City. The request was considered by Planning and Environment Committee on April 3, 2018, with a number of conditions to be met, prior to the passing of the by-law. The by-law was passed by Council on April 10, 2018 for a two year period expiring April 10, 2020.

2.0 Site at a Glance

2.1 Property Description

The subject sites are located at 1013, 1133, 1170 and 1250 Meadowlark Ridge, part of Registered Plan 33M-603. These lands are located northeast of Highbury Ave and Commissioners Road East.



2.2 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Residential R1 (R1-4(31))

2.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – N/A
- Depth – N/A
- Area – N/A
- Shape – Irregular

2.4 Surrounding Land Uses

- North – Proposed Residential, Meadowlilly Woods ESA, Thames River
- South – Residential, Institutional
- East – Vacant
- West – City Wide Sports Park

2.5 Location Map



<p>LOCATION MAP</p> <p>Subject Site: 1013 Meadowlark Ridge Applicant: Rembrandt Meadowlark Inc. File Number: Z-8726 Planner: Alanna Riley Created By: Allister MacLean Date: 2017-03-15 Scale: 1:5000</p> <p>Corporation of the City of London Prepared By: Planning and Development</p>	<p>LEGEND</p> <ul style="list-style-type: none">Subject SiteParksAssessment ParcelsBuildingsAddress Numbers
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3.0 Description of Proposal

3.1 Request

The future development of this site consists of twenty-eight (28), single detached dwellings. The applicant has applied for a three (3) year extension in order to have more time to address additional engineering conditions and to allow for sufficient time for full build out and sales of the lots.

3.2 Policy Context

Chapter 19(24) of the Policy Manual for the Corporation of the City of London relates to Part-Lot Control Exemption by-laws. The policies are as follows:

- (a) *appropriately zoned lots and blocks of registered plans of subdivision may be exempted from part-lot control for the purpose of establishing individual properties for conveyance or other purposes where municipal services or agreements for extension of services are in place;*
- (b) *exemption from part-lot control is used to implement the intended lotting of a portion of a registered plan where the complete division of land was not practical at the time of subdivision approval and registration;*
- (c) *the nature and character of the subdivision are not to be changed by part-lot control exemption from that which was established by the subdivision plan and zoning by-law;*
- (d) *the removal of part-lot control is appropriate when a series of land divisions is necessary to allow sale of the constructed buildings and associated part-lots;*
- (e) *references will be made to the land severance guidelines, guidelines for private streets, and other pertinent policies when considering the appropriateness of exemption; and*
- (f) *the registration costs of by-laws passed at the request of the developer or subdivider, to exempt lands from part-lot control, will be borne by the applicant.*

The subject lands are located within a “Neighbourhood” Place Type and Meadowlark Ridge, which provides access to the blocks in the subdivision, is identified as a “Neighbourhood Street” in The London Plan. Single detached, semi-detached, duplex and townhouse dwellings (between one and 2.5 storeys in height) are primary permitted uses in this location.

The subject lands are designated Multi-Family Medium Density Residential in the Official Plan which permit single detached dwellings. The subject lands are zoned a Residential R1 Special Provision (R1-4(31)) Zone which permit single detached dwellings.

4.0 Key Issues and Considerations

4.1 Is it appropriate to approve an extension for the Part Lot Control Exemption on these lands?

In an effort to facilitate the creation of the free hold single detached residential lots, Rembrandt Meadowlilly Inc. has requested the extension of exemption of Part Lot Control. The consideration of the exemption of Part Lot Control was assessed in accordance with Council Policy 19(24) adopted in December of 1983. On April 10, 2018, Municipal Council passed the by-law for exemption of Part Lot Control for these lands.

Since that time, there have been some on-site issues during the alteration of the site grading that has impacted some of these lots. A slope remediation and stabilization needs to occur at the north end of the site with the addition of retaining walls to stabilize the remaining portion and protect the adjacent properties with sufficient erosion and sedimentation control. Also, the applicant has indicated that there is a delay in the full build out, given that the market demand in the area is not as strong as originally anticipated.

Upon review of the request against the Official Plan and Council policy, it is determined that the request for an extension for exemption from Part Lot Control for a period of three (3) years provides a reasonable timeframe to address all engineering conditions to allow the transfer the lots into separate ownership before the Part Lot Control Restriction is re-instated, and ensures the transfer of land occurs in a timely manner and in accordance with the approved proposal.

The applicant is responsible for all costs associated with the Exemption to Part Lot Control.

5.0 Conclusion

The applicant is requesting an extension for exemption of the Part Lot Control provisions of the *Planning Act* to allow for sufficient time to address all engineering conditions and facilitate the building and sales of the remaining lots. No changes are proposed for the existing lot fabric, and allowing for an extension is appropriate and represents sound land use planning.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services
Recommended 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	

November 25, 2019

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Lou Pompili, MPA, RPP, Manager, Development Planning
cc: Ted Koza, Manager Development Engineering
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Appendix A

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

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

A by-law to exempt from Part Lot Control lands located at 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603.

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 Rembrandt Meadowlilly Inc., it is expedient to exempt lands located at 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603, from Part Lot Control;

AND WHEREAS it is deemed expedient to amend the By-law;

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

1. 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603, more particularly described as Parts 1-35 in Plan 33R-20017 in the City of London and County of Middlesex, 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 single detached dwellings in conformity with the Residential R1 Special Provision (R1-4(31)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 December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk