

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application by: Spriet Associates London Limited
613 and 629 Sovereign Road
Deeming By-law

Date: July 26, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Spriet Associates London Limited relating to the properties located at 613 and 629 Sovereign Road;

- (a) the proposed by-law attached as Appendix "A", **BE INTRODUCED** at the Municipal Council meeting on August 10, 2021 to deem Lot 26 and Lot 27, Registered Plan No. 33M-251, save and except part of Lot 27, Registered Plan No. 33M-251 designated as Part 1, Plan 33R-17747, City of London, County of Middlesex, not to be a registered plan of subdivision for the purposes of subsection 50(3) of the Planning Act;
- (b) the City Clerk **BE DIRECTED** to provide notice of the by-law passing and undertake registration of the Deeming By-law, in accordance with the provisions in subsections 50(28) and 50(29) of the Planning Act; and,
- (c) the applicant **BE REQUIRED** to pay for any costs incurred to register the deeming by-law at the Land Registry Office.

Executive Summary

The purpose of the recommended action is to consolidate two contiguous properties known municipally as 613 and 629 Sovereign Road into one parcel by deeming the subject lands not to be within a registered plan of subdivision. This action will effectively remove the lot line between the two parcels and allow for a proposed expansion of an existing industrial building.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

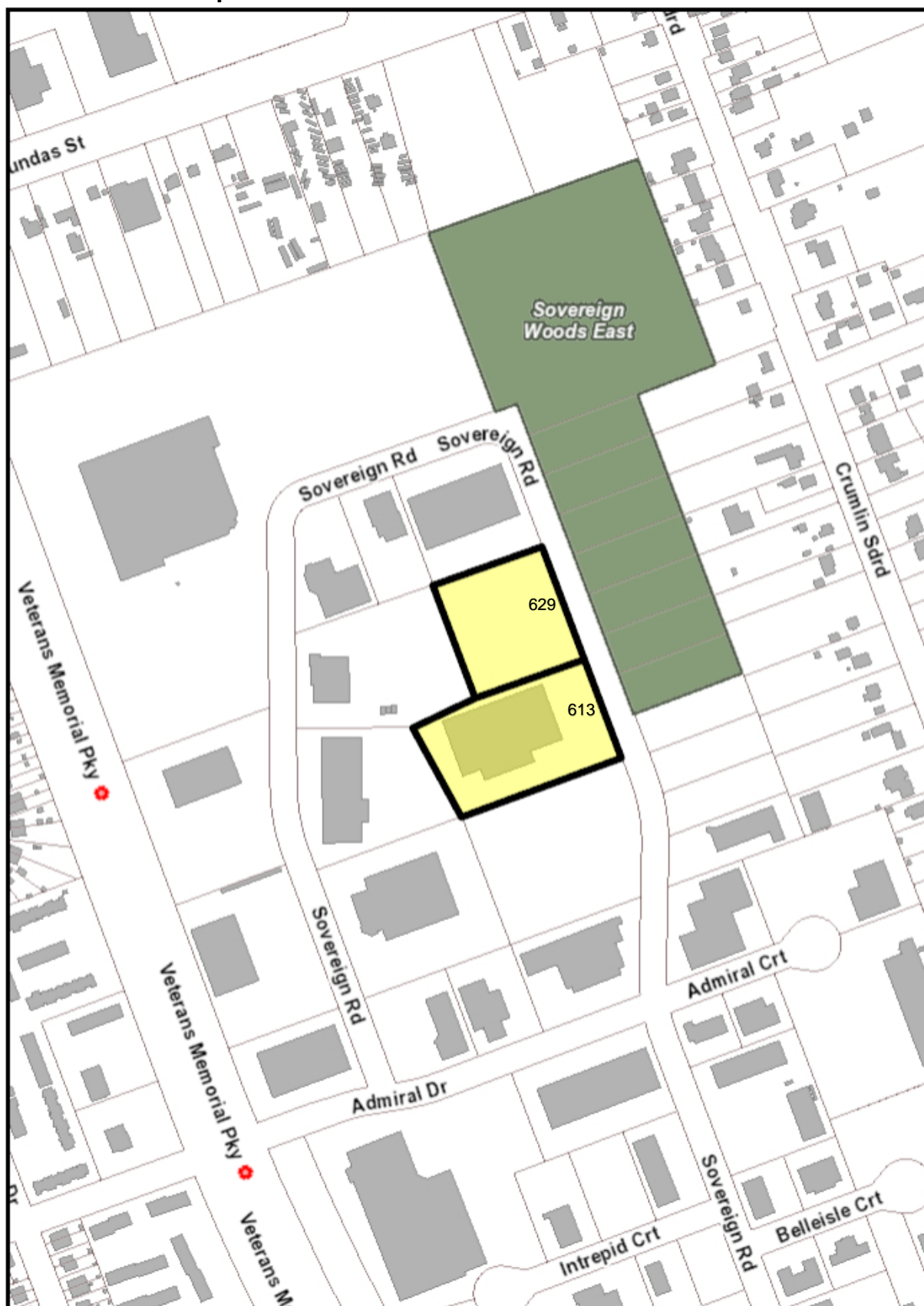
1.0 Background Information

1.1 Previous Reports Related to this Matter

October 8, 2013 – Report to Planning and Environment Committee – 613 Sovereign Road - Application for Removal of Holding Provisions – City of London (File No. H-8234).

June 18, 2012 – Report to Planning and Environment Committee – 585, 613, 687 & 604-650 Sovereign Road - Application for Approval of Official Plan and Zoning By-law Amendments – City of London (File No. OZ-8034).






1.2 Location Map



Location Map

Project Title: Deeming By-law
 Description: 613 & 629 Sovereign Road
 Created By: Larry Mottram
 Date: 6/28/2021
 Scale: 1:4000

Legend

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

Corporation of the City of London

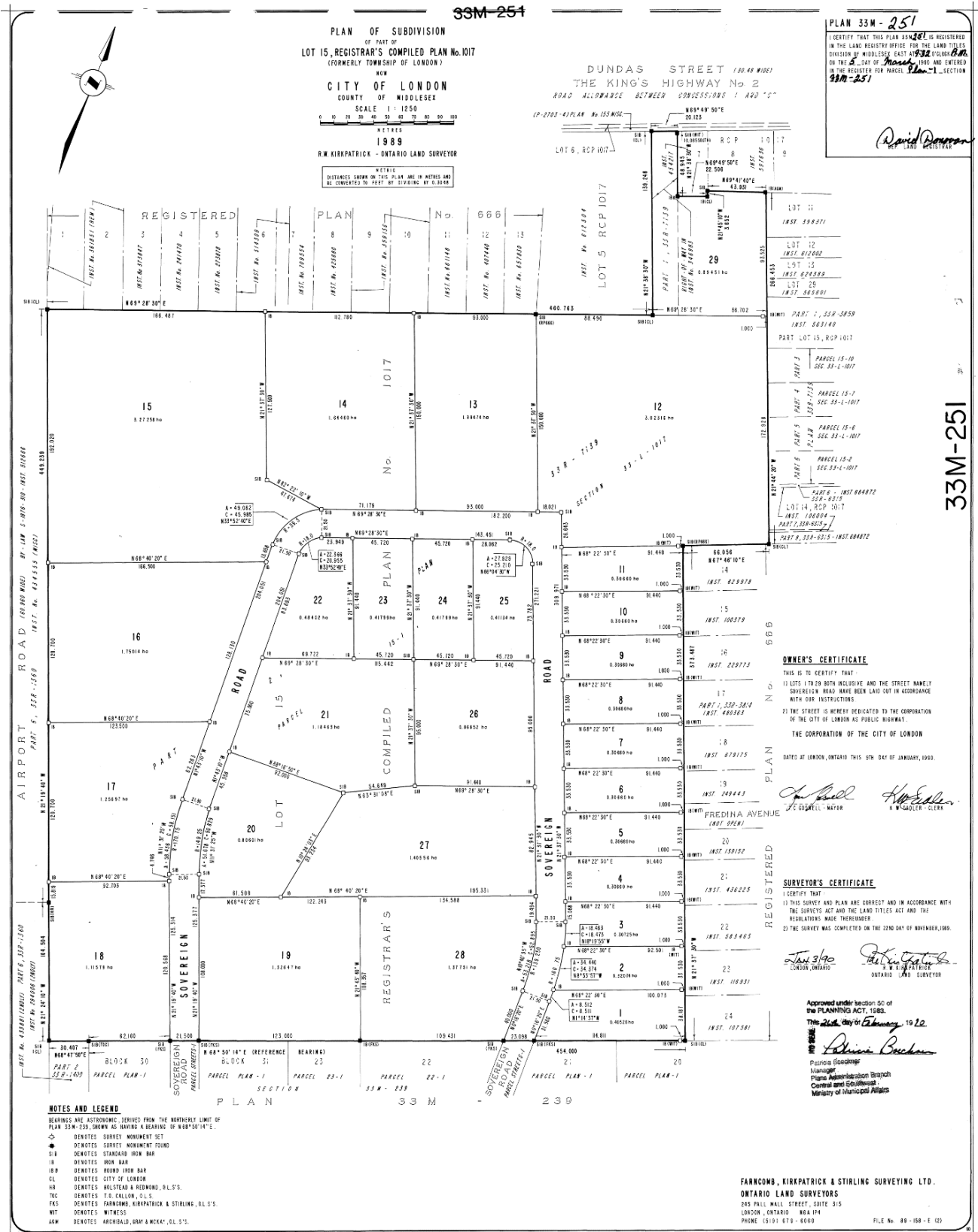


2.0 Discussion and Considerations

2.1 Property Description

The subject properties are located on the west side of Sovereign Road within the City of London's Trafalgar Industrial Park Subdivision. The subdivision plan was registered on March 5, 1990 as Registered Plan No. 33M-251. The property at 613 Sovereign Road (described as Part of Lot 27 Plan 33M-251) is approximately 1.16 hectares in area and is occupied by an existing 4,200 square metre industrial building. The property at 629 Sovereign Road (described as Lot 26 Plan 33M-251) is approximately 0.87 hectares in area and is currently vacant. Both properties are zoned Light Industrial (LI2/LI7).

2.2 Registered Plan 33M-251



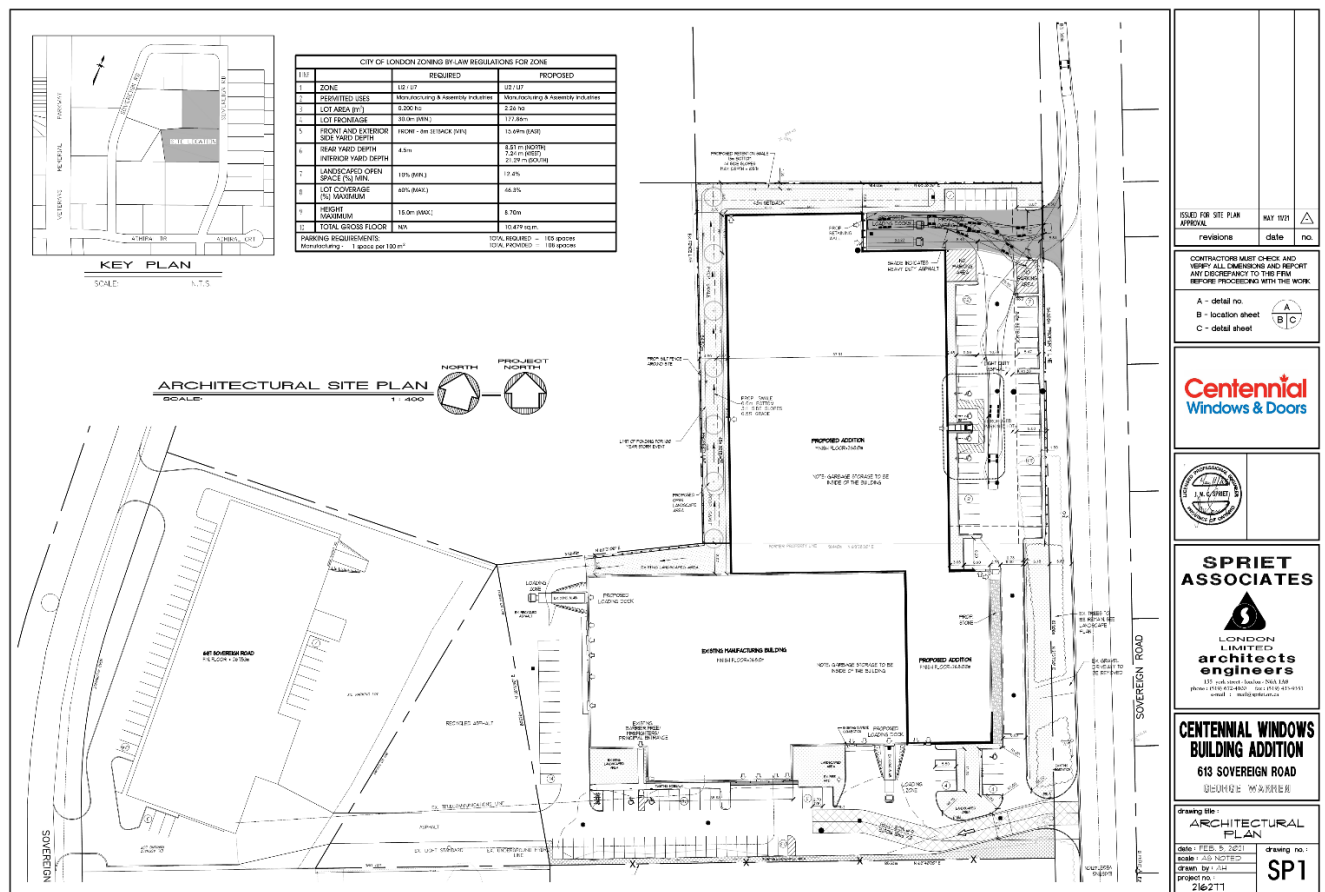
3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1. Proposed Development

The City has received an application for Site Plan Approval for a 6,283 square metre building addition to the existing manufacturing facility owned by Centennial Windows and Doors. The development plans propose to utilize the vacant lands to the north in order to accommodate the expansion of the site which more than doubles the floor area of the existing building.



By-laws can be enacted pursuant to Section 50(4) of the Planning Act for the purpose of deeming any plan of subdivision or part thereof, which has been registered for eight (8) years or more, not to be a registered plan of subdivision. The London Plan contains a similar provision under the Our Tools section (Section 1695_). The effect of a deeming by-law would be to merge the two parcels that are within a registered plan of subdivision into one legally conveyable lot.

Deeming by-laws are often used to merge lots from old plans of subdivision which no longer meet current development or zoning standards. The merging of the two parcels into one will meet the current zone standards for minimum lot area of 2000 square metres and minimum lot frontage of 30.0 metres under the Light Industrial (LI2/LI7) Zone. Approval of a deeming by-law will provide for development of the lands that is in conformity with existing zoning.

No notice or hearing is required prior to the passing of a deeming by-law under subsection 50(4) of the Planning Act. Notice of the passing of the by-law must be given within 30 days to the assessed owner of any land to which the by-law applies, and the owner can make representations to Council concerning the by-law within 20 days of issuance of the notice.

Conclusion

The application for approval of a by-law to deem the subject lands at 613 and 629 Sovereign Road not to be part of a registered plan of subdivision under the *Planning Act* is appropriate and will allow site development plans to proceed for a proposed expansion to an existing industrial building in conformity with the Zoning By-law.

Prepared by: **Larry Mottram, MCIP, RPP**
Senior Planner, Subdivisions and Condominiums

Reviewed by: **Bruce Page, MCIP, RPP**
Manager, Subdivision Planning

Recommended by: **Gregg Barrett, AICP**
Director, Planning and Development

Submitted by: **George Kotsifas, P. Eng.**
**Deputy City Manager, Planning and Economic
Development**

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, Subdivisions and Condominiums
Bruce Page, Manager, Subdivision Planning
Michael Pease, Manager, Site Plans

July 16, 2021
GK/GB/BP/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2021 PEC Reports\10 - Jul 26\613 & 629 Sovereign Rd - Deeming By-law - PEC (LM).docx

Appendix A

Bill No. (Number to be inserted by
Clerk's Office)
2021

By-law No. _____

A by-law to deem a portion of
Registered Plan No. 33M-251 not to be
a registered plan of subdivision for the
purposes of subsection 50(3) of the
Planning Act, R.S.O. 1990, c. P13.

WHEREAS subsection 50(4) of the *Planning Act* provides that the Council of a local municipality may by by-law designate any plan of subdivision or part thereof that has been registered for eight years or more, and deem it not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*;

AND WHEREAS Lot 26 and Lot 27, Registered Plan No. 33M-251, save and except part of Lot 27 designated as Part 1, Plan 33R-17747, City of London, County of Middlesex, are currently separate lots within a registered plan of subdivision;

AND WHEREAS Registered Plan No. 33M-251 has been registered for more than eight years;

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

1. That Lot 26 and Lot 27, Registered Plan No. 33M-251, save and except part of Lot 27 designated as Part 1, Plan 33R-17747, City of London, County of Middlesex, shall be deemed not to be a registered plan of subdivision for the purposes of Section 50(3) of the *Planning Act*.
2. This By-law shall come into force on the day it is enacted by the Council of the Corporation of the City of London, subject to the provisions of subsection 50(27) of the *Planning Act*.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021