

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Rembrandt Meadowlilly Inc.
1005, 1021, 1051, 1065, 1213 and 1221 Meadowlark Ridge
City File: P-9609 Ward 14

Date: May 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application by Rembrandt Meadowlilly Inc. to exempt 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 proposed by-law attached as Appendix "A", **BE INTRODUCED** at the Municipal Council meeting on June 6, 2023, to exempt lands located at 1005, 1021, 1051, 1065, 1213 and 1221 Meadowlark Ridge, legally described as part of Blocks 1, 4 and 13 on Registered Plan 33M-603, and Parts 5, 6, 25, 26, 27, 28, 32 and 35 on Plan 33R-20017, from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed two (2) years;
- (b) the applicant **BE ADVISED** that the cost of registration of the above-noted By-law is to be borne by the applicant, in accordance with City policy.

Executive Summary

The application request is for approval to exempt a portion of blocks within a registered plan of subdivision from the Part Lot Control provisions of the Planning Act. Exemption from Part Lot Control will allow the applicant to complete home construction and sales of the remaining single detached residential lots previously approved for this phase of the subdivision.

The applicant will not be required to satisfy conditions prior to the passing of the Exemption from Part Lot Control By-law as all conditions were satisfied through a previous exemption by-law which expired on April 20, 2023. A reference plan of survey was also previously approved and deposited at the Land Registry Office. Rembrandt Meadowlilly Inc. has been advised the cost of registration of the by-law is to be borne by the applicant, in accordance with City policy.

Linkage to the Corporate Strategic Plan

A well planned and growing community - London's growth and development is well-planned and considers use, intensity, and form.

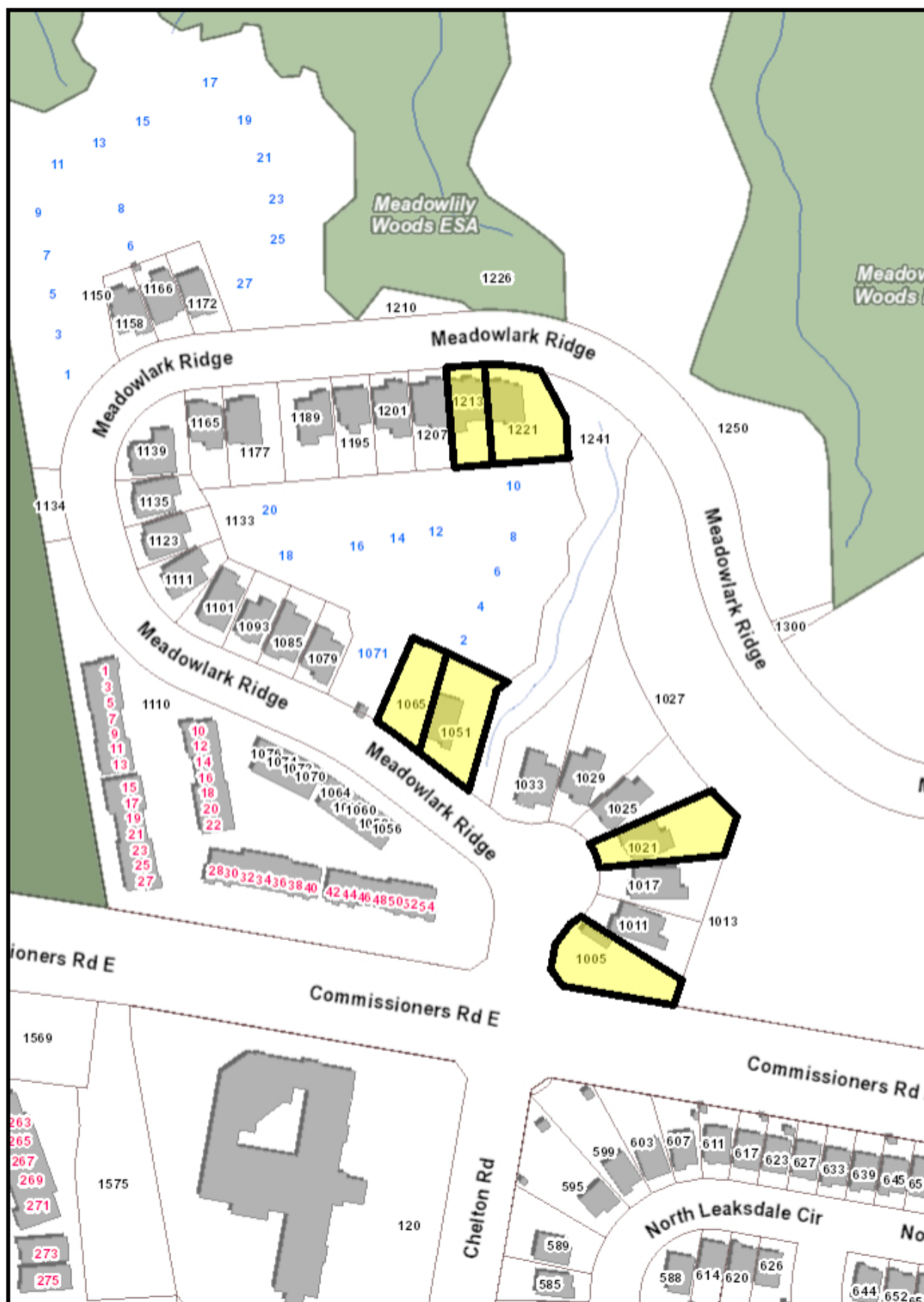
Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

December 2, 2019 – Report to Planning and Environment Committee – 1013, 1133, 1170 and 1250 Meadowlark Ridge (Blocks 1, 3, 4 and 13 in Plan 33M-603 more particularly described as Parts 1-35 in Plan 33R-20017) - Application for Exemption from Part Lot Control – Rembrandt Meadowlilly Inc. (File No. P-8727).






1.2 Location Map



Location Map

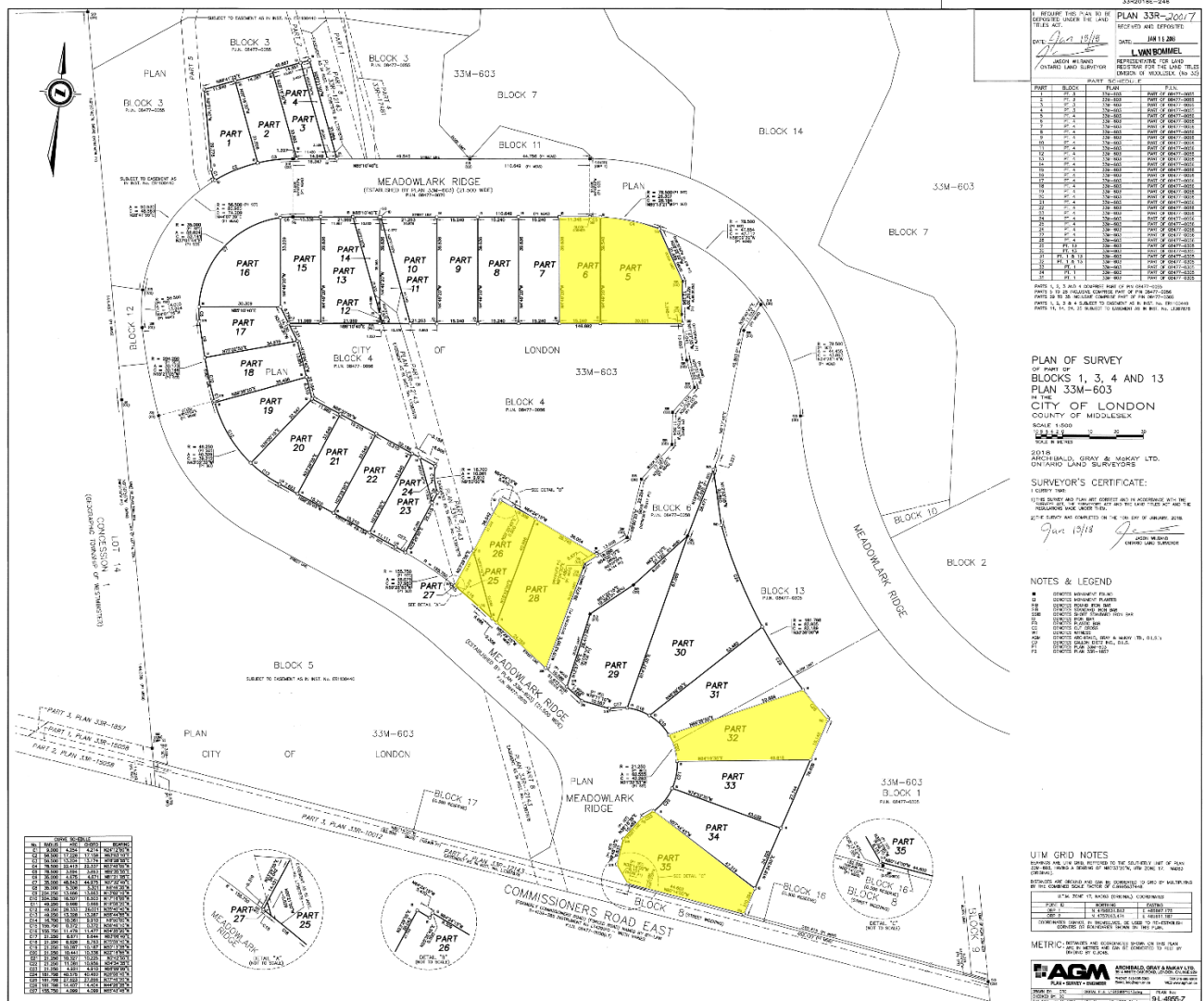
Project Title: P-9609
 Description: Meadowlark Ridge Subdivision - Phase 1
 Created By: Larry Mottram
 Date: 5/2/2023
 Scale: 1:2000

Legend

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



1.3 Reference Plan No. 33R-20017



2.0 Discussion and Considerations

2.1 Property Description

The subject lands are part of Phase 1 of the Meadowlark Ridge development by Rembrand Meadowlilly Inc. consisting of single detached residential and multi-family development blocks. All the single detached lots and multi-family blocks in Phase 1 have been serviced and Meadowlark Ridge constructed as a public road. A Certificate of Conditional Approval has been issued for all 28 single detached lots to allow full building permits to be issued.

2.2 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 subdivision was registered as Plan 33M-603.

On January 18, 2017, applications for a Zoning By-law Amendment and Exemption to Part Lot Control to facilitate the creation of twenty-eight (28) single detached dwelling lots fronting Meadowlark Ridge 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 the by-law. The by-law was passed by Council on April 10, 2018 for a two year period from the date of registration.

On December 10, 2019, Council passed a by-law for Exemption from Part Lot Control further extending the expiry date for a period of three (3) years.

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. Part Lot Control Exemption Request

The previous Part Lot Control By-law expired on April 20, 2023. All conditions of the previous by-law were satisfied, revised engineering drawings accepted, and an amending subdivision agreement was entered into with the City. The applicant's agent advised that presently all but six of the 28 single detached dwelling lots have been sold and of these four homes have been built, one is under construction, and construction on the sixth lot is to commence this spring.

Due to a decline in market demand, home sales have not been as strong as anticipated. This combined with additional engineering and construction of required infrastructure for this phase has resulted in delays in completing full build out of lots within the Part Lot Control Exemption area. Out of an abundance of caution, the applicant has requested an Exemption from Part Lot Control by-law for two (2) years to ensure there is plenty of time to complete construction and transactions of the remaining single detached homes, and avoid the need for further extensions. No changes are proposed to the lot fabric originally proposed and included in the previous by-law.

Through By-law No. CPOL.-392-153, Municipal Council has enacted a policy to guide the consideration of requests for exemption to Part-Lot Control. Requests for exemption to Part-Lot Control will be considered 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;*

The subject lots are located within a registered plan of subdivision (Plan 33M-603), and zoned Residential R1 Special Provision (R1-4(31)) permitting single detached dwellings. Full municipal services are in place and a subdivision agreement has been entered into.

- 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;*

This exemption request completes the single detached dwelling lots in Phase 1 of the subdivision established through previous part lot control exemptions.

- 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;*

The requested part lot control exemption does not change the nature or character of the subdivision, zoning or road alignment.

- 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;*

The requested part lot control exemption is appropriate and will allow completion of construction and sale of the remaining single detached homes in this phase.

- e) *references will be made to the land severance guidelines, guidelines for private streets, and other pertinent policies when considering the appropriateness of exemption;*

The subject lands are within the Neighbourhoods Place Type in The London Plan which permits a range of dwelling types fronting on a Neighbourhood Street, including single detached and townhouse dwellings, having minimum and maximum heights of 1 storey and 3 storeys, respectively. The proposal will facilitate development of the parcels in accordance with the form of development established through previously approved zoning and exemptions to part lot control. The proposed lots have access to municipal services and utilities. Access is provided by Meadowlark Ridge which is planned to extend to Phase 2 of this subdivision, and to future development lands further to the east.

- 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 recommendation in Part (b) of this report is that the applicant be advised that the cost of registration of the by-law is to be borne by the applicant, in accordance with City policy.

Conclusion

In accordance with the provisions of the *Planning Act*, Council may pass by-laws to exempt all, or parts of registered plans of subdivision from Part Lot Control. The recommended exemption is considered appropriate and in keeping with The London Plan and Z.-1 Zoning By-law. There are no conditions recommended to be imposed by Municipal Council prior to passing the Exemption from Part Lot Control By-law. Rembrandt Meadowlilly Inc. has been advised cost of registration of the by-law is to be borne by the applicant, in accordance with City policy.

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

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

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, 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: Peter Kavcic, Manager, Subdivisions and Development Inspections
Matt Davenport, Manager, Subdivision Engineering

May 15, 2023
SM/HM/BP/LM/lm

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Appendix A

Bill No. (Number to be inserted by
Clerk's Office)
2023

By-law No. (Number to be inserted by
Clerk's Office)

A by-law to exempt from Part Lot
Control lands located at 1005, 1021,
1051, 1065, 1213 and 1221 Meadowlark
Ridge; legally described as part of
Blocks 1, 4 and 13 on Registered Plan
33M-603, and Parts 5, 6, 25, 26, 27, 28,
32 and 35 on Plan 33R-20017, in the
City of London, 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 Rembrandt Meadowlilly Inc., it is expedient to exempt lands located at 1005, 1021, 1051, 1065, 1213 and 1221 Meadowlark Ridge; legally described as part of Blocks 1, 4 and 13 on Registered Plan 33M-603, and Parts 5, 6, 25, 26, 27, 28, 32 and 35 on Plan 33R-20017, from Part Lot Control;

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

1. Lands located 1005, 1021, 1051, 1065, 1213 and 1221 Meadowlark Ridge, legally described as part of Blocks 1, 4 and 13 on Registered Plan 33M-603, and Parts 5, 6, 25, 26, 27, 28, 32 and 35 on Plan 33R-20017, in the City of London, 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 two (2) 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.
2. This By-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on June 6, 2023.

Josh Morgan
Mayor

Michael Schulthness
City Clerk

First Reading – June 6, 2023
Second Reading – June 6, 2023
Third Reading – June 6, 2023