

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Community Planning



To: Mayor & Members of Council

From: Urvi Prajapati, BEDP, MES,
Planner II

Date: February 1, 2024

Subject: Extension of the Expiry of Part Lot Control Exemption By-Law for River Ridge Phase 6 (PLC-01-2024)

Recommendation

Approve the extension of exemption for Part Lot Control for Part of Lots 63, 67, 68, 71, 75, 80, 82 to 85 (inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 20-2024 during the “Consideration of By-laws”, all as presented at the February 27, 2024 Council meeting.

Background

The applicant has come forward with an application to extend the Part Lot Control Exemption for Part of Lots 63, 67, 68, 71, 75, 80 and 82 to 85 (inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore (See Appendix 2), By-law 22-2021 as it expires on March 9, 2024.

The subject lands are part of “River Ridge Phase 6” and are located on the south side of the River Ridge Phase 6 Plan of Subdivision (See Appendix 3). It was approved by County of Essex on March 18, 2019 and the subdivision agreement was entered into by the municipality and the developer on March 6, 2018.

The extension will continue to exempt the above mentioned lands in the River Ridge Phase 6 Plan of Subdivision from Part Lot Control. The site is designated ‘Residential’ in the Municipality’s Official Plan and is zoned (R1-35), Residential – Low Density, which permits townhouses and accessory uses.

Comments

Section 50(7) of the *Planning Act* authorizes Council to pass a by-law to designate a part or parts of a registered plan of subdivision as not being subject to the part lot control provisions of Section 50(5) of the *Planning Act*, in effect allowing further subdivision of

the designated lands by means of a reference plan and without going through the consent or subdivision process.

Applications of this type are not subject to public hearings or appeal. Since this application is for an extension of an existing by-law prior to lapsing the County of Essex is not required to approve the by-law in accordance with Section 50(7.4) of the Planning Act.

Due to the current market conditions, the lots have not been sold; therefore the Developer is requesting an extension of the by-law.

The part lot control by-law will permit Block 21 to be conveyed to the municipality for the purpose of stormwater management. The Developer has begun the process to convey Block 21 (shown as Part 21 on Reference Plan 12R-28606) to the Municipality of Lakeshore.

Provincial Policy Statement and County of Essex Official Plan

The application conforms to *Section 1: Building Strong and Healthy Communities* of the PPS and raises no concerns.

It also conforms to Section 4.6.3 Part Lot Control Exemption By-Laws of the County of Essex Official Plan.

Lakeshore Official Plan

The proposal conforms to the Municipality of Lakeshore's Official Plan.

Zoning

The subject lands are zoned Residential – Low Density Zone Exception 35 (R1-35), which permits Residential Uses in accordance with site specific zoning in the Municipality of Lakeshore Zoning By-law.

Conclusion

Therefore, it is recommended that Council approve the extension and adopt By-Law 20-2024 as the application conforms to the PPS, Official Plan, and the Zoning By-Law. That the following recommendations be approved:

1. Council approve the application to extend the Part Lot Control Exemption for Part of Lots 63, 67, 68, 71, 75, 80 and 82 to 85 (both inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore; and
2. Council adopt By-law 20-2024.

Others Consulted

The County of Essex has stated that they do not need to be circulated as the application was submitted before the current by-law lapsed and the Municipality will process the extension of the by-law locally.

Financial Impacts

There are no financial impacts resulting from the recommendation.

Attachments

Appendix 1 – Key Map

Appendix 2 – 12M675

Appendix 3 – Plan 12R-28606

Appendix 4 – Coco Development request for extension

Report Approval Details

Document Title:	Extend Part Lot Control Exemption By-law (PLC-01-2024) River Ridge Phase 6 .docx
Attachments:	- Appendix 1 Site Map- PLC-01-2024 - River Ridge Phase 6.pdf - Appendix 2 Registered Plan12M657.pdf - Appendix 3 12R28606 - Red Outline.pdf - Appendix 4 Coco Development Request for extension.pdf
Final Approval Date:	Feb 22, 2024

This report and all of its attachments were approved and signed as outlined below:

Prepared by Urvi Prajapati

Submitted by Tammie Ryall

Approved by Justin Rousseau and Truper McBride