

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council  
**From:** Urvi Prajapati, Team Leader – Community Planning  
**Date:** December 4, 2024  
**Subject:** Part Lot Control Application (PLC-03-2024) – Giorgi Subdivision

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### Recommendation

Approve the application for exemption for Part Lot Control for Lots 10-14; 18-22; and 28-52, on Registered Plan 12M-698 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 123-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

### Background

The subject lands known as the “Giorgi Subdivision” is currently under development. The lots will be serviced by municipal water. Sanitary sewage was allocated and reviewed as part of the subdivision approval process. The plan consists of: 37 lots for single detached residential use; 70 semi-detached dwelling units, 3 blocks (73, 74, and 75) for reserves, and road dedications. The Municipality and the developer entered into a subdivision agreement which was registered on title on February 21, 2023 as instrument number CE1123769.

The plan received final approval from the County of Essex on March 22, 2023 and was registered on March 27, 2023 as Plan 12M-698 (File # 37-T-22005). The subject lands under consideration are located on the south side of Summit Street, west of Marla Crescent and north of the Fletcher Crescent. (See Appendix A).

The developer has submitted a request for a Part Lot Control Exemption to divide some of the lots to permit semi-detached dwellings. These are shown as parts on Reference Plan 12R-29950 (See Appendix B) and a Draft Reference Plan 12R (See Appendix C).

The site is designated 'Residential' in the Lakeshore's Official Plan and is zoned, Residential - Medium Density (R2) and Residential – Medium Density Zone Exception 26 (R2-26), which permits single detached dwelling, semi-detached dwelling, duplex, triplex, townhouses, and accessory uses. A rezoning application relating to 5 Lots in the Registered Plan will come forward to Council in the new year that were not captured during the site-specific rezoning for R2-26 to permit increased side yard setback and increased lot coverages. These 5 Lots include: Lot 4, Lot 5, Lot 27, Lot 53, and Lot 72. These lots are not impacted by the part lot control exemption request.

This part lot control application applies to portion of the plan consisting of Lots 10-14 (inclusive), Lots 18-22 (inclusive), and Lots 28-52 (inclusive) on Registered Plan 12M-698, to further divide into parts as shown on Reference Plan 12R-29950 and a Draft Reference Plan for semi-detached units (Appendix B and C).

## Comments

The *Planning Act* under Subsection 50(7) 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. Passage of the part lot control by-law would permit the owner to convey all or portions of a Lot of Block in a registered Plan of Subdivision. Applications of this type are not subject to public hearings or appeal. Final approval of the by-law rests with the County of Essex, the subdivision approval authority.

### *Provincial Planning Statement (PPS)*

The part lot control application is consistent with the applicable policies of the PPS. The subject lands are located within an identified Primary Settlement Area. Although it can be stated that the proposal supports and implements many of the document's policies, the following important policies specifically apply to the proposal:

- Section 2.2, Housing – this section speaks to planning authorities providing for a range of mix housing options and densities, and this entire section is applicable.
- Section 2.3.1 General Policies for Settlement Areas is applicable to this proposal as this section talks about the growth of Settlement Areas and the role of Municipalities in encouraging efficient use of land and resources. Specifically, the following sections apply the most to the proposal.
- Section 2.3.1(1), General Policies for Settlement Areas, of the PPS states "Settlement areas shall be the focus of growth and development."
- Section 2.3.1(2a & b), General Policies for Settlement Areas, of the PPS states "Land use patterns within settlement areas should be based on densities and a mix of land uses which:
  - a) Efficiently use land and resources;

b) Optimize existing and planned infrastructure and public service facilities...”

- Section 2.3.1(3) “Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”
- Section 2.4 Strategic Growth Areas – this section also speaks on intensification to encourage complete communities by providing a mix and range of housing.

Considering the policies above, the proposed subdivision development and part lot control request is consistent with the applicable policies of the PPS.

*County of Essex Official Plan*

The subdivision is located within the Primary Settlement Area. The proposal conforms to the County of Essex Official Plan.

*Lakeshore Official Plan*

The lands are designated ‘Residential’ in the Lakeshore Official Plan and the proposal conforms to the applicable policies.

*Zoning*

As noted, the subject lands are zoned for Residential Uses in accordance with the site-specific zoning of Residential - Medium Density (R2) and Residential – Medium Density Zone Exception 26 (R2-26), which permits single detached dwelling, semi-detached dwelling, duplex, triplex, townhouses, and accessory uses in the Municipality of Lakeshore Zoning By-law.

*Conclusion*

Administration supports the part lot control request as it is in keeping with the number and type of units approved through the draft plan approval process and the subdivision agreement. It is recommended that Council approve the application for exemption for Part Lot Control for Lots 10-14; 18-22; and 28-52, on Registered Plan 12M-698 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 123-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

**Financial Impacts**

There are no financial impacts resulting from the recommendation.

**Attachments**

- Appendix A – 12M 698
- Appendix B – Reference Plan 12R-29950
- Appendix C – Draft 12 R (Lots 18-22)

**Report Approval Details**

Document Title:	Part Lot Control Application (PLC-03-2024) - Giorgi Subdivision.docx
Attachments:	- Appendix A - 12M 698.pdf - Appendix B - 12R 29950.pdf - Appendix C - Draft 12 R (Lots 18 - 22).pdf
Final Approval Date:	Dec 5, 2024

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

- Prepared by Urvi Prajapati
- Submitted by Daniel Mercer and Tammie Ryall
- Approved by Justin Rousseau