

Municipality of Lakeshore - Report to Council

Community & Development Services

Development Services



To: Mayor & Members of Council

From: Aaron Hair, Planner III

Date: February 19, 2021

Subject: Part Lot Control Exemption By-law (PLC-1-2021) River Ridge Phase 6

Recommendation

Approve the application for exemption for Part Lot Control for Part of Lots 63 to 87 (inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore;

Direct the Clerk to read By-law 22-2021; and,

Direct Administration to send By-law 22-2021 to the County of Essex for final approval, as presented in the March 9, 2021 Council report.

Background

The subject lands known as the “River Ridge Phase 6” received final approval from the County of Essex on March 18, 2019. The subject lands under consideration are located on the south side of the River Ridge Phase 6 Plan of Subdivision (See Appendix A).

The developer has submitted a request for a Part Lot Control Exemption for Part of Lots 63 to 87 (inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore (See Appendix A). A subdivision agreement was entered into by the municipality and the developer on March 6, 2018. An amended subdivision agreement will be brought forward to Council in the near future to deal with conveying the Part 21 to the Municipality, this will be completed once the County has granted final approval to the Part Lot Control By-law.

The site is designated ‘Residential’ in the Official Plan and is zoned (R1-35), Residential – Low Density, which permits townhouses and accessory uses.

The purpose of the Part Lot Control Application is so that the Developer can meet current Stormwater Management guidelines which came into effect after the original approvals. As a result of the new guidelines the developer is now required to convey a 6 metre wide strip of land to the Municipality for an outlet and a right-of-way allowing future infrastructure maintenance.

To accommodate the 6m strip and to keep the same amount of lots the developer is proposing to reduce the lot frontages from 15.24m frontage to 15 meter frontages along the south property line.

Comments

The *Planning Act* under Section 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 and without going through the consent or subdivision process. The part lot control by-law will permit Block 21 to be conveyed to the municipality for the purpose of stormwater management. 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.

Analysis

Provincial Policy Statement and County of Essex Official Plan

The application raises no concerns relative to the PPS and the proposal conforms to the County of Essex Official Plan.

Official Plan

The proposal conforms to the Official Plan.

Zoning

As noted, the subject lands are zoned for Residential Uses in accordance with the site specific zoning of R1-35, Residential – Low Density in the Municipality of Lakeshore Zoning By-law.

Conclusion

That the following recommendations be approved:

1. Council approve the application for exemption for Part Lot Control for Part of Lots 63 to 87 (inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore; and
2. Council adopt By-law 22-2021.
3. Direct Administration to send By-law 22-2021 to the County of Essex for final approval.

Others Consulted

The County of Essex has been forwarded the draft by-law and has advised that it is acceptable.

Financial Impacts

There are no financial impacts resulting from the recommendation.

Attachments: Appendix A - Key Map
 Appendix B - Frontage and Part Area Certificate
 Appendix C - Plan of Survey

Report Approval Details

Document Title:	Part Lot Control Exemption By-law (PLC-1-2021) River Ridge Phase 6 .docx
Attachments:	- Appendix A - Key Map.pdf - Appendix B - Frontage and Part Area Certificate.pdf - Appendix C - Plan of Survey.pdf
Final Approval Date:	Mar 3, 2021

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

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride