

Municipality of Lakeshore - Report to Council

Community & Development Services

Development Services



To: Mayor & Members of Council

From: Aaron Hair, MCIP, RPP, Planner III

Date: April 16, 2021

Subject: Part Lot Control Exemption By-law (PLC-3-2021) New Centre Estates

Recommendation

Approve the application for exemption for Part Lot Control for Blocks 48 - 66 (inclusive) on Registered Plan 12M-668 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 38-2021 during the "Consideration of By-laws".

Background

The subject lands known as the "New Centre Estates" received final approval from the County of Essex on March 9, 2020. The subject lands under consideration are located on the east side of the New Centre Estates Plan of Subdivision (See Appendix A – Phase 3A).

The developer has submitted a request for a Part Lot Control Exemption for Blocks 48 – 66 (inclusive) on Registered Plan 12M-668 in the Municipality of Lakeshore (See Appendix B). The purpose of the part-lot control by-law is to allow the blocks on the Registered Plan to be divided into smaller parcels to develop 6 semi-detached dwelling units and 48 townhouse units. A subdivision agreement was entered into by the municipality and the developer on November 5, 2019.

The site is designated 'Residential' in the Lakeshore Official Plan and is zoned (R2-16), Residential – Medium Density, which permits single detached dwelling, semi-detached dwelling, townhouses and accessory uses.

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 Subsection 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 or Block in a registered Plan of

Subdivision. Applications of this type are not subject to public hearings or appeal. Public notice has already occurred through the subdivision approval process. Final approval of the by-law rests with the County of Essex, the subdivision approval authority.

The application will facilitate the development of semi-detached and townhouse dwellings, which will increase the range and mix of new residential units in the Municipality, implementing Section 4.3.1.3 i) of the Official Plan which states that the Municipality will encourage:

“supporting increased residential densities in appropriate locations and a full range of housing types, adequate land supply, redevelopment and residential intensification, where practical.”

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 Lakeshore Official Plan.

Zoning

As noted, the subject lands are zoned for Residential Uses in accordance with the site specific zoning of R2-16, Residential – Medium 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 Blocks 48 - 66 (inclusive) on Registered Plan 12M-668 in the Municipality of Lakeshore; and
2. Council adopt By-law 38-2021.

Others Consulted

The County of Essex has been forwarded the draft by-law for comment.

Financial Impacts

There are no financial impacts resulting from the recommendation.

Appendix A - Key Map

Appendix B - Plan of Survey

Report Approval Details

Document Title:	Part Lot Control Exemption Report for Direction (PLC-3-2021) New Centre Estates.docx
Attachments:	- Appendix A - Key Map RE PLC-3-2021.jpg - Appendix B - Plan of survey RE PLC-3-2021.pdf
Final Approval Date:	May 3, 2021

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

Aaron Hair

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride