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**Date:** September 12, 2018

**To:** Mayor and Council

**Author:** Kristina Brcic, MSc, BURPI, Town Planner

**RE:** Application for Part Lot Control Exemption  
HTM Management  
27, 29 & 31 Mettawas Lane  
Pt Lots 1, 2, 3, 4, 30, 31 & Part of Private Drive, Plan 12M 965  
Roll No. 3711 180 000 05205

**Report No.:** PDS 2017-049

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## **AIM**

To provide the Mayor and Council with information on an application for lands in the Mettawas Subdivision, for exemption from part lot control.

## **BACKGROUND**

This lot in the Mettawas Subdivision is to be developed similarly to the other dwellings found on Mettawas Lane. The subject lands consist of a single plan lot intend for the development of a townhouse, which will be made up of three units. Once constructed, the dwelling is then subdivided into individual freehold units. In order to undertake conveyance of each of the individual units exemption from part lot control is required which then provides the developer the ability to convey the units via completion of a reference plan. This report recommends the Part lot Control be approved for three (3) years to allow the time for the completion of the development.

For a Location Map of the above, please refer to Appendix A.

## **DISCUSSION**

The subject properties are designated Residential in the Official Plan and zoned 'Residential Zone 3 Urban Exception 17 (R3.1-17)' under the Kingsville Comprehensive Zoning By-law.

The subject lands consist of one plan lot intended for the development of a townhouse. Once constructed, the townhouse is then subdivided into individual freehold units. In order

to undertake convey of each of the individual units, exemption from part lot control is required, which then provides the developer the ability to convey the units via completion of a reference plan.

For a Sketch of the Proposed Lots, please refer to highlighted lots in Appendix B.

Subsection 50(7) of the *Planning Act* authorizes Council to pass a by-law providing that the part lot control provisions of Section 50(5) of the said Act do not apply to lands designated in the by-law. The exemption will allow for the existing townhouse dwelling to be subdivided into three individual units. The application is not subject to a public hearing or appeal because Council has already approved the entire subdivision in principle and the zoning of the lands is in place to accommodate the final lot fabric. This is a common approach for creation of individual townhouse units within a plan of subdivision, particularly once an approval has been registered. This is the final step in allowing the full build out on the subject lands.

### **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

### **FINANCIAL CONSIDERATIONS**

There will be an increase in assessment value as a result of the completed development.

### **CONSULTATIONS**

No public or agency consultation is required by the *Planning Act* when considering a Part Lot Control Exemption By-law.

## RECOMMENDATION

It is recommended that Council enact Part Lot Control By-law 108-2018 to allow Pt. Lots 1, 2, 3, 4, 30, 31 & Part of Private Drive, Plan 12M 965 to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to forward the by-law to the County of Essex for final approval, subject to the following conditions:

The applicant provide a lot servicing plan to confirm both individual servicing of each lot and the final alignment of the services consistent with the proposed lot fabric and to the satisfaction of the Town, prior to final approval of the Part Lot Control by-law by the County of Essex.

*Kristina Brcic*

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Town Planner

*Robert Brown*

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Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning & Development Services

*Peggy Van Mierlo-West*

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Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer