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To: Mayor and Council

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Manager, Planning Services

RE: Application for Part Lot Control – PLC/01/19
York Subdivision Phase 4A & 4B, (correction and update)

Report No.: PDS 2019-004

AIM

To provide the Mayor and Council with information on a necessary correction and update to two-part lot control by-laws approved in 2016.

BACKGROUND

In 2016 two applications were filed for approval of part lot control in the York Subdivision. Application PLC/01/16 was the initial application that requested the approval to make minor adjustment to Lots 10 and 11, Plan 12M 587, which were part of Phase 4A of the subdivision. Eventual development on these lots would be for semi-detached dwellings. The subsequent application, PLC/03/16 was submitted for approval on Lot 9, Plan 12M 587 and Lots 19 through 36, Plan 12M 619, the majority of which was part of Phase 4B of the York Subdivision however Lot 9 was part of Phase 4A. The purpose of this application was for the subdivision of semi-detached dwellings into individual units once constructed on the south side Megan Agosta and to make adjustments to the lots on the north side of the road for the development of single detached dwellings. Both forms of development are permitted under the current zoning. Each of the applications was approved by Council. In order to finalize the enacting of the part lot control by-laws they must be forwarded to the County for final approval.

DISCUSSION

Part lot control involves two parts; first Council enacts a part lot control by-law which is prepared by Planning Services; second planning staff prepare a package with prescribed material to be forwarded to the County for final approval. Once the by-law is approved it is registered on titled and remains in place for a period of three years. If development is not

completed within that timeframe the developer my request extensions on any remaining lots until the plan is fully built out.

The two noted applications in this case unfortunately were not forwarded to the County for final approval until recently. In doing so the County Planner noted a reference error in the by-law for application PLC/03/16. It included a reference to Lot 9 which was not actually part of Plan 12M 619 but rather Plan 12M 587. Because of the age of the by-law the County planner suggested that Council repeal the original by-law make the correction and forward the corrected by-law for final approval.

The other application in this case was also not forwarded for approval so again the County Planner suggested that as part of the correction noted above that the Town could also repeal that by-law and combine the correction and update in one amalgamated by-law given that this by-law was also due to expire in about a year.

Staff has made the necessary changes and combined both former application requests into one updated and corrected by-law. (Appendix A) It will also be necessary to repeal the existing approved by-laws in order to replace them with the updated and corrected one.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

There are no financial consideration for the correction and update.

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:

repeal by-laws 116-2016 and 117-2016.

enact Part Lot Control Exemption By-law 12-2019 to allow Lots 9, 10 and 11 inclusive on Plan 12M 587 and Lots 19 through 36, inclusive on Plan 12M 619 to be exempt from Section 50(5) of the Planning Act, and that Council authorize staff to forward the by-law for approval to the County of Essex Planner and register the final approved by-law on title.

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Peggy Van Mierlo-West

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