



**Date:** June 27, 2022

**To:** Mayor and Council

**Author:** Richard Wyma, Director of Community and Development Services

**RE:** PLC/01/16 - Exemption from Part Lot Control  
1364674 Ontario Limited  
Lot 11 on Plan 12M-587  
72 & 74 York Boulevard  
York Boulevard Subdivision - Phase 4A

**Report No.:** CaDS 08-22

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## **RECOMMENDED ACTION**

1. That Lots 10 and 11 on Registered Plan 12M-587 **BE EXEMPT** from Section 50(5) of the Planning Act as per Part Lot Control Exemption By-law 116-2016;
2. That By-law 37-2022 being a by-law to exempt certain lands from Part Lot Control (York Subdivision, Phase 4A – 12 M-587) be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
3. Council authorize and direct Development Services to register By-law 37-2022 on title, subject to the following conditions:
  - a. A revised lot grading plan be completed and submitted to the Town for approval.
  - b. A revised lot servicing plan where each lot has its own service connections (storm, sanitary & water).
  - c. Applicant to provide proof of separate service connections for Plan 12M-587, Lot 11, Parts 1 and 2

## **BACKGROUND**

The PLC exemption application applies to lot 11 on Plan 12M-587, which is part of the ongoing development of the York subdivision, Phase 4A, located at the south end of

Conservation Boulevard on Meghan Agosta Drive. Plan 12M-587 was registered on September 30, 2013.

For a location map of the above, please refer to **Figure 1** in Appendix A.

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. If granted, the applicant may create the proposed semi-detached dwellings by way of a reference plan. 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 subject lands in place accommodates the revised lot fabric. The nature of this application is a common approach for adjusting lot lines within a plan of subdivision, particularly once an approval has been registered.

## **DISCUSSION**

The subject properties are designated Lakeshore “Residential West Official Plan” within the Town of Kingsville Official Plan, February 2012 and zoned “Lakeshore Residential Exemption 22 (LR-22)” under the Town of Kingsville Comprehensive Zoning By-law, April 2020. The subject site consists of one lot intended for the development of two semi-detached dwellings.

Initially the applicant proposed to create 4 lots through PLC exemption. After reconsideration it was decided to create larger lots, resulting in a request for 3 lots. The owner of the adjacent lands (PLC/03/16) has partnered with the applicant together to construct semi-detached dwelling units along Meghan Agosta Drive.

Currently, the applicant is applying for a PLC exemption to renew previous Part Lot Control Exemption By-Law No. 12-2019, registered as instrument No. CE880085 which expired on January 28, 2022. This new application is for the purpose of a new PLC exemption as it relates to Lot 11, Plan 12M-587 to subdivide the property that is currently municipally known as 72 and 74 York Boulevard. The semi-detached dwellings have now been constructed as freehold units. In order to undertake the conveyance of each of the individual units, an exemption from the PLC is required. This exemption allows the developer to convey the units via completion of a reference plan.

For a draft reference plan, please refer to **Figure 2** in Appendix A.

## **FINANCIAL CONSIDERATIONS**

With the addition of a lot to the subject lands there will be an increase to assessment value.

## **ENVIRONMENTAL CONSIDERATIONS**

There are no environmental considerations.

## CONSULTATIONS

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

Technical Advisory Committee noted requirement to have shared central driveway and ensure separate servicing/connections and lot grading plans in place for both properties

*Chidinma Azubuike*

Chidinma Azubuike, B.U.R.PI  
Urban Planner,  
WSP Canada Inc.

## REVIEWED BY:



Richard Wyma, CSLA  
Director of Community and Development Services,

## LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

Manage growth through sustainable planning.

## Link to Council 2021-2022 Priorities

- COVID-19 and the health and safety of the community
- Customer Service: Training, Technology, Staff, Review Standards/Level of service
- Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- Programming Increase: Youth and Seniors
- A development plan for Downtown Kingsville / Main Street
- Financial savings: Schools closings, Migration Hall
- Economic Development: strengthen tourism/hospitality
- COVID - economic recovery

- Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- Committees / Boards: Review and Report
- Policy Update: Procedural Bylaw
- Economic Development: diversify the economy, create local jobs, industrial, Cottam
- Infrastructure (non-Municipal): Union Water expansion & governance
- Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit
- No direct link to Council priorities