



Date: October 11, 2022

To: Mayor and Council

Author: George Robinson, MCIP, RPP

RE: PLC-03-22 - Application for extension to Part Lot Control bylaw for Blue Jay Crescent

Report No.: CADS 2022-22

RECOMMENDED ACTION

That Council **APPROVE** the further extension of Part-lot Control exemption, By-law 83-2017, to allow Lots 46 to 48 (inclusive) on Plan 12M-598 to continue to be exempt from Section 50(5) of the *Planning Act*, and

that Council **AUTHORIZE AND DIRECT** Planning Services to register the by-law (55-2022) on title.

BACKGROUND

The subject lands for By-law 83-2017 consisted of forty-two (42) plan lots within the Royal Oak at the Creek Subdivision originally intended for the development of single detached dwellings. The developer requested exemption from part lot control to reconfigure lots 10 to 16, 28 to 41 & 45 to 51 into 20 blocks for development of semi-detached dwellings, eventually to be subdivided into 40 individual freehold units. Servicing needs and storm water were reviewed and no issues identified. The Part Lot Control exemption also applied to lots 17 to 27 and 42, 43 and 44 to make minor lot line adjustments to better align the single detached lots with the existing lots along Woodycrest Ave., however no additional lots were created as a result of these adjustments.

The lands are currently subject to a Part-lot Control exemption under By-law 83-2017, which was passed on October 23rd, 2017. The lands have not yet been fully developed and the by-law will expire in October 23rd 2022, as such an extension is required. There is no change in the original proposed lot configuration. The subject lands are intended for the development of semi-detached dwellings which is consistent with existing development in the area. The applicant has made extension request for only 3 of the originally approved lots which are the only ones which remain under construction (location map attached as Appendix A).

DISCUSSION

The subject properties are designated 'Residential' in the Official Plan and zoned 'Residential Zone 2 Urban Exception 6 (R2.1-6)' under the Kingsville Comprehensive Zoning By-law. The subject lands for the original Part Lot Control by-law consisted of forty-two (42) plan lots within the Royal Oak at the Creek Subdivision. The applicant has made extension request for only 3 of the originally approved lots which are shown as Part 27 and Part 28 on 12R-27206 (plan attached as Appendix B).

Once each semi-detached dwelling is constructed they are subdivided into individual freehold units. Exemption from part lot control is required to provide the developer the ability to convey the individual units via completion of a reference plan rather than individual consents (severance) on each parcel. This was the original intent at the time of the draft plan of subdivision and is the final step in the build out of the subject lands.

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 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 permit the use. This is a common approach for within a plan of subdivision for the creation of individual lots for semi-detached dwelling units.

FINANCIAL CONSIDERATIONS

There will be an increase in assessment value with the completion of the development.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

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

Kingsville Technical Advisory Committee was circulated for comments with no concerns raised.



George Robinson, MCIP, RPP
Manager of Planning

REVIEWED BY:



Richard Wyma, CSLA
Director of Community and Development Services

LINK TO STRATEGIC PLAN

Manage residential 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