

Date: April 21, 2017

To: Mayor and Council

Author: Kristina Brcic, MSc, BURPI, Town Planner

RE: PLC/01/17 – Exemption from Part Lot Control
Amico Properties INC.
1,3,5,7,9,& 11 Woodland Street
Lots 74-79, Plan 12M-552
Roll Nos. 3711 350- 05974 / 05975 / 05976 / 05977 / 05978 / 0979

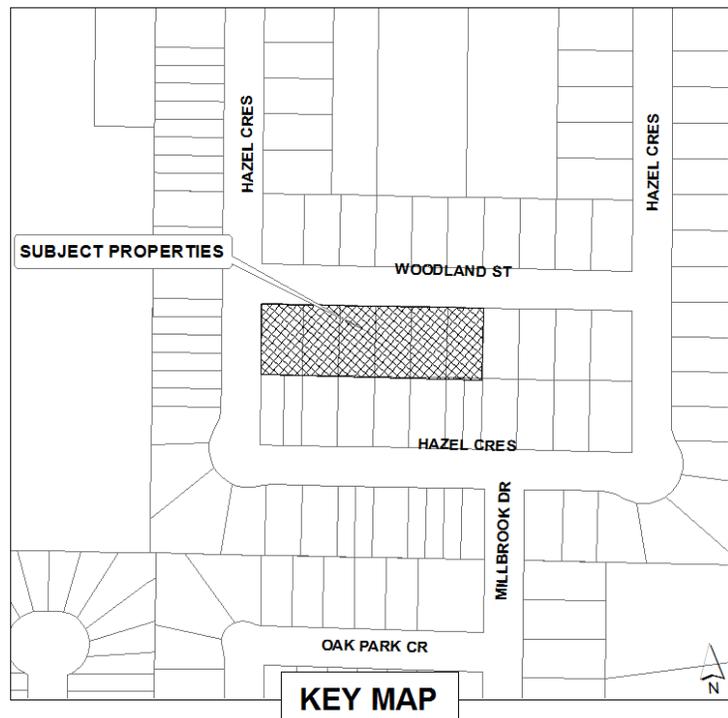
Report No.: PDS-2017-017

AIM

To provide the Mayor and Council with information on an application for lands in the Millbrook Subdivision, Stage II Phase 1, for exemption from part lot control.

BACKGROUND

The application applies to lots 74-79 on Plan 12M-552, which are part of the ongoing development of the Millbrook Subdivision, Stage II Phase 1. The subject lots are located on Woodland Street, situated between Hazel Crescent. Plan 12M-552 was registered in 2007. The lands are currently vacant and extension of Woodland Street will be the first step in proceeding with actual development. Part of the neighbourhood is already developed including the lots directly behind the subject properties is already built up with semi-detached dwellings.



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 2 Urban Exception 6 (R2.2-6)' under the Kingsville Comprehensive Zoning By-law. The subject lands consist of six (6) plan lots within the Millbrook Subdivision intended for the development of semi-detached dwellings. Once constructed, the semi-detached dwelling is then subdivided into individual freehold units. Exemption from part lot control is required which then provides the developer the ability to convey the individual 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. If granted, the exemption would allow for a total of 12 lots versus the 6 originally proposed. The applicant can create the proposed semi-detached dwellings by way of 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 lands is in place to accommodate the revised lot fabric. That is the nature of this application. This is a common approach for adjusting lot lines within a plan of subdivision, particularly once an approval has been registered.

LINK TO STRATEGIC PLAN

There is no specific link to the strategic plan.

FINANCIAL CONSIDERATIONS

With the addition of 6 lots to the subject lands there will be increase assessment value created and dwelling construction.

CONSULTATIONS

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

RECOMMENDATION

It is recommended that Council enact Part Lot Control Exemption By-law 56-2017 to allow Lots 74-79 on Plan 12M-552 to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Development Services to register the by-law on title.

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