

Municipality Of Chatham-Kent
Community Development
Planning Services

To: Mayor and Members of Council

From: Ryan Jacques, MCIP, RPP
Manager, Planning Services

Date: January 17, 2019

Subject: Application for Exemption from Part Lot Control
PL201900008 – First Family Homes Inc.
Lanz Boulevard & Caleb Court, Community of Blenheim

Recommendation

It is recommended that:

1. Exemption from Part Lot Control application File B-10/19 concerning Blocks 6-10, Plan 24M-967, in the Community of Blenheim, be approved, and the implementing by-law be adopted.

Background

The subject lands are located at the north end of Lanz Boulevard, in the Community of Blenheim. The lands are approximately 1.07 ha (2.65 ac.) in area and are comprised of five (5) Lots and five (5) Blocks on a Plan of Subdivision. The subject lands are designated Residential Area in the Chatham-Kent Official Plan and zoned Residential Medium Density First-1355 (RM1-1355).

The RM1-1355 zone permits a range of low density residential uses, including semi-detached dwellings and row house dwellings, which are the proposed type of development for Blocks 6-10 on Registered Plan 24M-967. A copy of this registered Plan of Subdivision is attached as Appendix A.

The purpose of this application is to provide the applicant the means to further subdivide each Block for the future sale of each semi-detached dwelling unit and row house dwelling unit. 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. Therefore, the by-law allows the applicant to create lots for each semi-detached dwelling unit and row house dwelling unit by way of Reference Plan. This ensures that the dividing lot line is placed directly along the mid-point of the shared walls.

This is a common approach for establishing lot lines within a plan of subdivision, particularly for the creation of lots to establish freehold semi-detached units and row house dwelling units.

The lots on the same Plan of Subdivision will be developed with single detached dwellings, which is permitted as-of-right by the RM1-1355 zone.

A key map showing the location of the subject property is attached as Appendix B. Photographs of the subject property are attached as Appendix C.

Comments

Provincial Policy Statement (PPS)

The application does not raise any issues of provincial interest.

Official Plan

The application maintains the general intent and purpose of the Official Plan.

Zoning By-law

The subject lands are zoned Residential Medium Density First-1355 (RM1-1355) which permits single detached dwellings, semi-detached dwellings, and row house dwellings as-of-right. Each of the subject Blocks contain sufficient area and frontage to accommodate the proposed uses.

Conclusion

The proposed exemption from part lot control and corresponding by-law have been reviewed in the context of the Provincial Policy Statement, the Chatham-Kent Official Plan and Zoning By-law, and complies with these documents. Therefore, the application is being recommended for approval as noted in the Recommendation of this report.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

Internal

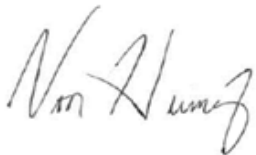
Technical Advisory Committee (TAC)

The Technical Advisory Committee supports the application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



Noor Hermiz, CPT
Planner II, Planning Services

Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

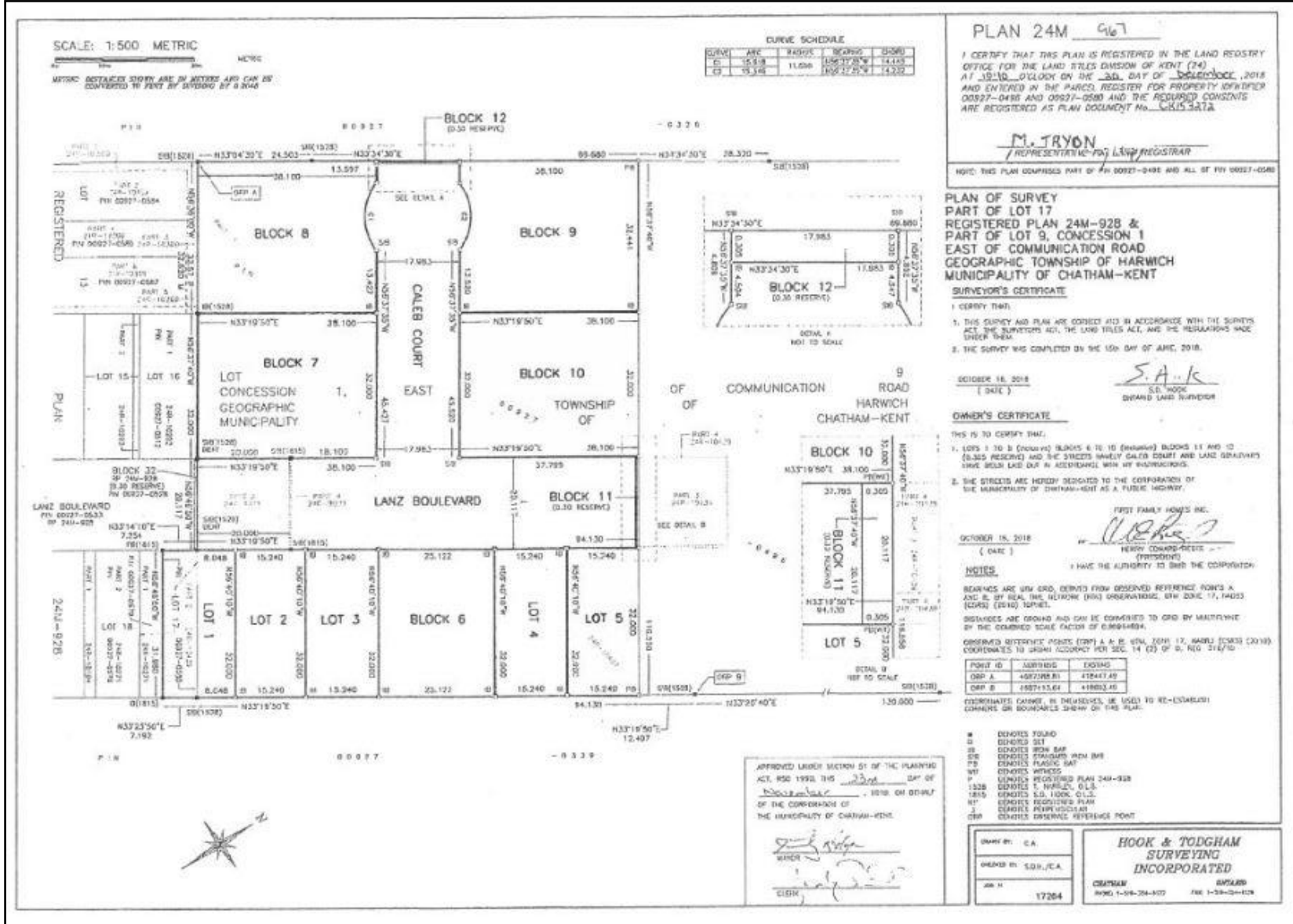
Reviewed by:

John Norton
General Manager
Community Development

Attachments: Appendix A – Plan of Subdivision 24M-967
Appendix B – Key Map
Appendix C – Site Photos
By-law to Exempt Part Lot Control

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Homes Inc Report.docx

Appendix A – Plan of Subdivision 24M-967



Appendix B – Key Map



Appendix C – Site Photos



Looking east towards the vacant subject property.



Existing single detached and semi-detached dwellings along Lanz Boulevard.
Example of type of development in subject area.



Existing row house (townhouse) dwelling in Lanz Park Subdivision. Example of type of development proposed on subject Blocks.



Row house (townhouse) dwelling development in Lanz Park Subdivision. Example of type of development proposed on subject Blocks.

By-law Number _____

Of The Corporation
of the Municipality of Chatham-Kent

A By-law to Exempt Certain Lands from Part Lot Control on

Lanz Boulevard & Caleb Court – Blenheim

(First Family Homes Inc.)

CityView # PL201900008

Whereas Section 50, sub-section (7) of the Planning Act R.S.O. 1990, c.P.13 provides that the Council of the Municipality may by by-law provide that the part lot control provisions of Section 50 of the Planning Act, R.S.O. 1990 c.P.13 do not apply to lands within a registered plan(s) of subdivision(s) or part(s) as designated in the by-law;

And Whereas it is deemed expedient that a by-law should be passed in accordance with the provision of Sub-Section (7) of Section 50 of the Planning Act R.S.O. 1990, c.P.13 with respect to the lands hereinafter described;

And Whereas Council, in accordance with Section 50 (7.3) of the Planning Act R.S.O. 1990, c.P.13 this by-law shall expire on February 11, 2029. However, Section 50 (7.4) will permit that Council may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

Now therefore be it and it is hereby enacted as By-law Number _____ of the Corporation of the Municipality of Chatham-Kent:

1. That Section 50(5) of the Planning Act, R.S.O, C.P.13 shall not apply to the lands within part of the registered plan of subdivision designated as follows:

Blocks 6-10, Plan 24M-967, in the Municipality of Chatham-Kent

This By-law shall come into force and effect upon the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990 Chapter. P.13, as amended.

Read a First, Second and Third Time the 11th day of February, 2019.

Mayor – Darrin Canniff

Clerk - Judy Smith