

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: July 14, 2020

Subject: Application for Exemption from Part Lot Control
PL202000048 - First Family Homes Inc.
Lanz Boulevard & Delft Court, Community of Blenheim (South Kent)

Recommendation

It is recommended that:

1. Exemption from Part Lot Control application File B-20/20 concerning Blocks 1-4, and Lots 7 & 8, Plan 24M-976, in the Community of Blenheim, be approved, and the implementing by-law be adopted.

Background

The subject lands are located on Lanz Boulevard and Delft Court, a new cul-du-sac off Lanz Boulevard, in the Community of Blenheim. The lands subject to the application include Blocks 1-4, and Lots 7 & 8 on Plan of Subdivision 24M-976. A copy of this Registered Plan of Subdivision is attached as Appendix A.

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 single-detached dwellings, semi-detached dwellings and row house dwellings. Semi-detached dwellings and row house dwellings are the planned type of development on the lands subject to this application.

Infrastructure and Engineering Services has confirmed that each of the row house dwelling units are individually serviced with water, sanitary and storm sewer service connections.

The purpose of this application is to provide the applicant the means to further subdivide each Lot and 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.

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

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. Each of the subject Lots and 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. Infrastructure and Engineering Services has confirmed that each of the row house dwelling units are individually serviced with water, sanitary and storm sewer service connections.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:

Reviewed by:



Greg Houston, CPT
Planner II, Planning Services



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:

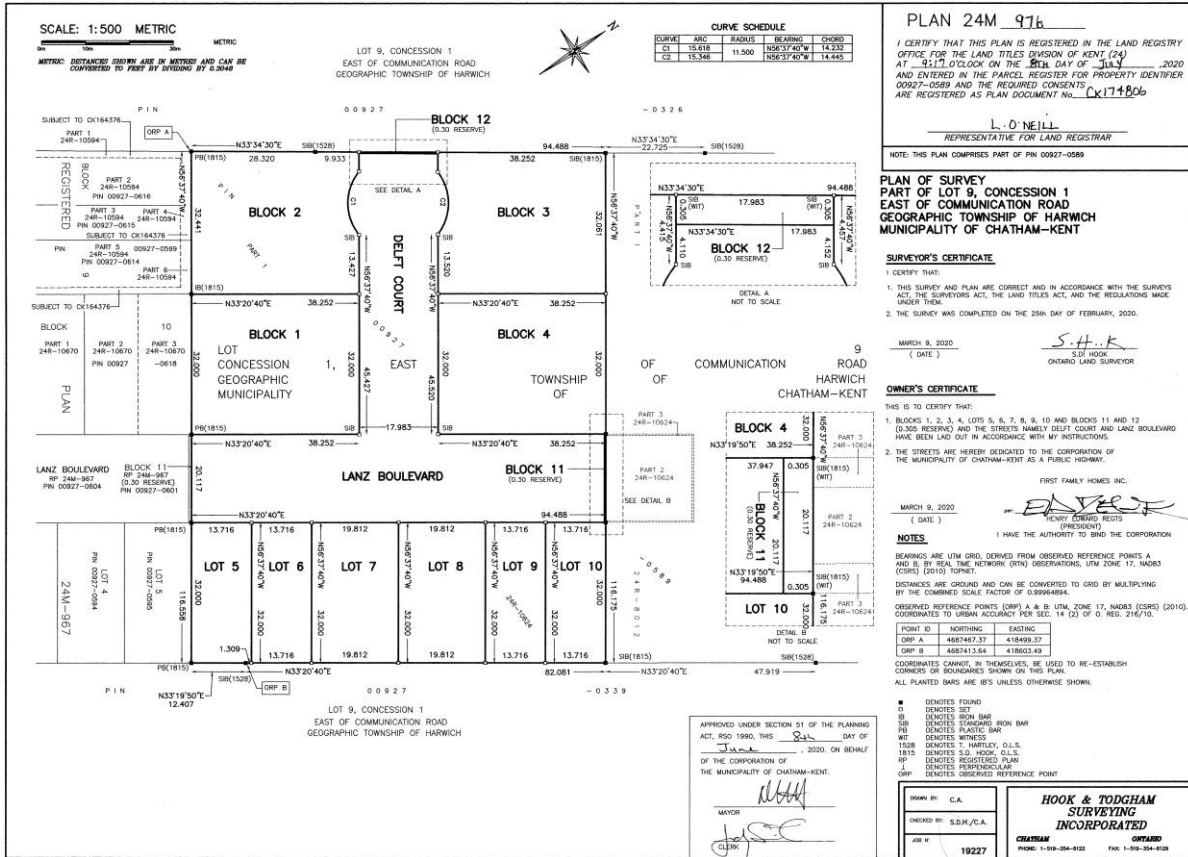
A handwritten signature in black ink, appearing to read "Bruce McAllister". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Bruce McAllister, MCIP, RPP
Acting General Manager,
Community Development
Director, Planning Services

Attachments: Appendix A – Plan of Subdivision 24M-976
Appendix B – Key Map
By-law to Exempt Part Lot Control

P:\RTC\Community Development\2020\Planning Services\Aug 10-20 First Family
Homes Inc Report.docx

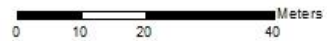
Appendix A – Plan of Subdivision 24M-976



Appendix B – Key Map



This is not a plan of survey.
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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 and Delft Court – Blenheim

(First Family Homes Inc.)

CityView # PL202000048

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 August 10, 2030. 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 1-4, and Lots 7 & 8, Plan 24M-976, 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 10th day of August, 2020.

Mayor – Darrin Canniff

Clerk - Judy Smith