

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: May 5, 2021

Subject: Application for Exemption from Part Lot Control
PL202100123 – Maple City Homes Ltd.
38, 42, 46 & 50 Llydican Avenue, Community of Chatham (City)

Recommendation

It is recommended that:

1. Exemption from Part Lot Control application File B-67/21, concerning Lots 3, 4 & 5, Plan 57, in the Community of Chatham (City), be approved, and the implementing by-law be adopted.

Background

The subject lands are through lots with frontage on Llydican Avenue and Florence Street, and are located between Forest Street and Amelia Street, in the Community of Chatham (City). The lands are approximately 2,006 sq. m (21,600 sq. ft.) in area and are currently vacant. The lands are comprised of three (3) separate subdivision lots (Lots 3, 4 & 5, Plan 57). The property is designated Residential Area in the Chatham-Kent Official Plan and zoned Residential Low Density Third-1539 (RL3-1539). A key map showing the location of the subject property is attached as Appendix A. Photographs of the subject property are attached as Appendix B.

At the January 18, 2021 Council meeting, the property was rezoned to permit development of several housing types, including Single Detached Dwellings, Semi-Detached Dwellings, Semi-Detached Dwelling Units, Row House Dwellings & Row House Dwelling Units. (Zoning By-law Amendment application File No. D-14 C/47/20/B). The property has since changed ownership. The new owner is moving forward with the construction of two (2) semi-detached dwellings, which is a permitted use. Site plans of the proposed semi-detached dwellings are attached as Appendix C.

The purpose of the application is to provide the applicant the means to further subdivide the lots for future sale of each semi-detached 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 the lands designated in the by-law. Therefore, the by-law allows the applicant to create lots for each semi-detached dwelling unit by way of a Reference Plan. This ensures that the dividing lot line is placed directly along the mid-point of the shared wall. Each unit is required to be serviced with separate water and sanitary sewer connections.

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

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 Low Density Third-1539 (RL3-1539) which permits Semi-Detached Dwellings and Semi-Detached Dwelling Units. The proposal complies with all regulations of the Zoning By-law.

Conclusion

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

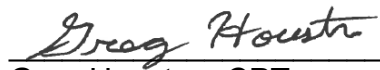
Consultation

There was no consultation required as part of this application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



Greg Houston, CPT
Planner II, Planning Services

Reviewed by:



Ryan Jacques, MCIP, RPP
Director, Planning Services

Reviewed by:

A handwritten signature in black ink, appearing to read "Bruce McAllister", is written over a horizontal line.

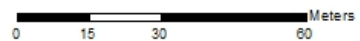
Bruce McAllister, MCIP, RPP
General Manager, Community Development

Attachments: Appendix A – Key Map
Appendix B – Site Photos
Appendix C – Site Plans
By-law to Exempt Part Lot Control

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Homes Ltd Report.docx

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Appendix B – Site Photos



Looking southwest at Lot 4 and Part of Lot 4 (38 & 42 Llydican Avenue).



Looking southwest at Part of Lot 4 & Lot 5 (46 & 50 Llydican Avenue).

"THE WILLOW SEMI"

46 & 50 LLYDICAN AVENUE
CHATHAM-KENT

UNIT 'A' LOT COVERAGE

NAME	AREA
LOT	1302.24 SQ. FT.
PROPERTY AREA	1302.24 SQ. FT.
HOME	1218.80 SQ. FT.
COVERED PORCH	83.44 SQ. FT.
TOTAL FOOTPRINT	1302.24 SQ. FT.
TOTAL COVERAGE	22.55%

UNIT 'B' LOT COVERAGE

NAME	AREA
LOT	1302.24 SQ. FT.
PROPERTY AREA	1302.24 SQ. FT.
HOME	1218.80 SQ. FT.
COVERED PORCH	83.44 SQ. FT.
TOTAL FOOTPRINT	1302.24 SQ. FT.
TOTAL COVERAGE	22.55%

SITE PLAN UNIT 'A'

SITE PLAN UNIT 'B'

LOT 'A'

LOT 'B'

LOT 'C'

LOT 'D'

LOT 'E'

LOT 'F'

LOT 'G'

LOT 'H'

LOT 'I'

LOT 'J'

LOT 'K'

LOT 'L'

LOT 'M'

LOT 'N'

LOT 'O'

LOT 'P'

LOT 'Q'

LOT 'R'

LOT 'S'

LOT 'T'

LOT 'U'

LOT 'V'

LOT 'W'

LOT 'X'

LOT 'Y'

LOT 'Z'

LOT 'AA'

LOT 'AB'

LOT 'AC'

LOT 'AD'

LOT 'AE'

LOT 'AF'

LOT 'AG'

LOT 'AH'

LOT 'AI'

LOT 'AJ'

LOT 'AK'

LOT 'AL'

LOT 'AM'

LOT 'AN'

LOT 'AO'

LOT 'AP'

LOT 'AQ'

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LOT 'AT'

LOT 'AU'

LOT 'AV'

LOT 'AW'

LOT 'AX'

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LOT 'IR'

By-law Number _____

Of The Corporation
of the Municipality of Chatham-Kent

A By-law to Exempt Certain Lands from Part Lot Control on Llydican Avenue – Chatham

(Maple City Homes Ltd.)

CityView # PL202100123

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 May 31, 2031. 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:

Lot 3, Plan 57

Lot 4, Plan 57

Lot 5, Plan 57

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 31st day of May, 2021.

Mayor – Darrin Canniff

Clerk - Judy Smith