

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2018-074

Date: September 25, 2018

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: Ward 11

Subject: An application for Part-Lot Control Exemption (D05-18-003) under Section 50(5) of the Planning Act for Part Park Lot D1, Plan 8P, being Part 21, Reference Plan 57R-9184, 110-120 Mary Street West, former Town of Lindsay, now the City of Kawartha Lakes, Grimesway Construction Ltd.

Author and Title: Anna Kalnina, Planner II

Recommendation(s):

That Report PLAN 2018-074, entitled “Grimesway Construction Ltd. – D05-18-003” be received for information;

That a By-law to exempt Part Park Lot D1, Plan 8P, being Part 21, Reference Plan 57R-9184, 110-120 Mary Street West, former Town of Lindsay from Part-Lot Control, substantially in the form attached as Appendix “C” to Report PLAN2018-074, be approved and adopted by Council; and

That the Mayor and City Clerk be authorized to execute any documents and agreements required by the approval of this application and decision.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Proposal:	The land subject to this application fronts Mary Street West in Lindsay (See Appendix “A”). This application proposes that Part 21 on Reference Plan 57R-9184 be exempt from the part-lot control provisions of Section 50(5) of the Planning Act. The exemption will permit Part 21 on Reference Plan 57R-9184 to be further subdivided into six (6) lots, with each lot containing one semi-detached dwelling (See Appendix “B”)		
Owner:	Grimesway Construction Ltd.		
Legal Description:	Part Park Lot D1, Plan 8P, being Part 21, Reference Plan 57R-9184, former Town of Lindsay, City of Kawartha Lakes		
Official Plan:	Residential on Schedule ‘A’, Town of Lindsay Official Plan		
Zone:	Residential Three Exception Sixteen (R3-S16) Zone, Town of Lindsay Comprehensive Zoning By-law 2000-75, as amended		
Site Size:	Address:	Area:	Frontage:
	110 Mary Street West:	262 sq. m.	7.81 m
	112 Mary Street West:	259 sq. m.	7.62 m
	114 Mary Street West:	259 sq. m.	7.62 m
	116 Mary Street West:	259 sq. m.	7.62 m
	118 Mary Street West:	259 sq. m.	7.62 m
Site Servicing:	120 Mary Street West:	312 sq. m.	9.45 m
	Full municipal services		
Existing Uses:	Semi-detached dwellings under construction		

Rationale:

Request for Part-Lot Control Exemption

The owner has applied for an exemption from Part-Lot Control for Part Park Lot D1, Plan 8P, and being Part 21, on Plan 57R-9184 which is currently being developed with six (6) semi-detached dwelling units. The purpose of an exemption from Part-Lot Control is to permit the further division of the subject part lot into transferable lots. The owner would then transfer ownership of each lot and respective semi-detached dwelling to subsequent purchasers. The proposed exemption will permit these transfers to occur.

Part-Lot Control is provided as an alternative process to Consent under the Planning Act and is used where the subject lands are included in a Plan of Subdivision and described either as a Lot or a Block:

- where the subject land is covered by a zoning by-law that clearly establishes the minimum lot frontage and the minimum lot area for the proposed use; and
- where the subject land is covered by a subdivision agreement registered on title that will be in effect during the time of the Part-Lot Control By-law is in effect and which provides for the passing of a Part-Lot Control By-Law under Section 50(7) of the Planning Act.

The subject land complies with all of the above criteria. The proposed By-law exempting these part lots from Part-Lot Control is contained in Appendix “C”.

Other Alternatives Considered:

While the owner could apply to the Committee of Adjustment for Consents, staff considers Part-Lot Control Exemption a more appropriate and efficient process to create these lots.

Financial/Operation Impacts:

There are no financial considerations as Council’s approval or refusal to grant the Part-Lot Control Exemption cannot be appealed to the Local Planning Appeal Tribunal.

Servicing Implications:

The servicing for each of the proposed lots has already been approved and is being constructed in accordance with the City approved engineering drawings and the respective registered Subdivision Agreement.

Attachments:

The following attached documents may include scanned images of Appendices, maps, and photographs. If you require an alternative format, please contact Anna Kalnina, Planner II at 705-324-9411 x 1393

Appendix ‘A’ – Location Map



Appendix A -
Location Map.pdf

Appendix 'B' – Proposed Lot Pattern



Appendix B -
Proposed Lot Pattern

Appendix 'C' – Proposed Part-Lot Control By-law



Appendix C - Part
Lot Control By-law.pc

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D05-18-003