

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2017-058

Date: September 26, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: Ward 13

Subject: An application for Part-Lot Control Exemption under Section 50(5) of the Planning Act (D05-17-003) for Part of Lot 10, Plan 70, 60 and 62 Helen Street, former Village of Bobcaygeon, now City of Kawartha Lakes, Jasmina Savic and Dragutin Milosevic

Author Name and Title: Sherry L. Rea, Development Planning Supervisor

Recommendation(s):

RESOLVED THAT Report PLAN2017-058, entitled "Jasmina Savic and Dragutin Milosevic - D05-17-003" be received for information;

THAT a By-law to exempt Part Lot 10, Plan 70, Helen Street, former Village of Bobcaygeon from Part-Lot Control, substantially in the form attached as Appendix "C" to Report PLAN2017-058, 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:

Corporate Services Director / Other:

Chief Administrative Officer:

Background:

Proposal:	The lots subject to this application front Helen Street in Bobcaygeon. See Appendix “A”. This application proposes that Part of Lot 10, Registered Plan 70 be exempt from the part-lot control provisions of Section 50(5) of the Planning Act. The exemption will permit the lot to be further subdivided into two (2) lots, with each lot containing one semi-detached dwelling. See Appendix “B”.		
Owner:	Jasmina Savic and Drugutin Milosevic		
Legal Description:	Part Lot 10, West of Helen Street, Registered Plan 70, being Part 2, on Plan 57R-10004, former Village of Bobcaygeon, City of Kawartha Lakes		
Official Plan:	Urban Settlement Area on Schedule A-5, City of Kawartha Lakes Official Plan		
Zone:	Urban Residential Type Two Special Ten (R2-S10) Zone, Village of Bobcaygeon Comprehensive Zoning By-law 16-78, as amended		
Site Size:	Address:	Area:	Frontage:
	60 Helen Street:	0.05 ha.	8.84 m
	62 Helen Street:	0.05 ha.	8.84 m
Site Servicing:	Full municipal services		
Existing Uses:	Semi-detached Dwelling under construction		

Rationale:

Request for Part-Lot Control Exemption

The applicant has applied for an exemption from Part-Lot Control for Part Lot 10, West of Helen Street, Registered Plan 70, being Part 2, on Plan 57R-10004 which is currently being developed with a semi-detached dwelling. 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 alternate 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(5) 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 Considerations:

There are no financial considerations as Council's approval or refusal to grant the Part-Lot Control Exemption cannot be appealed to the Ontario Municipal Board.

Servicing Comments:

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 Sherry Rea, Development Planning Supervisor 705.324.9411 x 1331.

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' - Draft
Part Lot Control By-law

Department Head E-Mail: cmarshall@city.kawarthalakes.on.ca

Department Head: Chris Marshall

Department File: D05-17-003