



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** A. Burgess, MCIP, RPP, Supervisor of Planning & Development Services

**Department:** Planning & Development

**Date of Report:** November 22, 2023

**Report Number:** PD-42-2023

**Attachments:** Figure 1 - Subject Lands, Figure 2 - Conceptual Development Plan, Figure 3 - 12M-695 – Applicant Ownership Identified, Figure 4 – Applicants Draft Reference Plan, and Figure 5 – Land Subject to Part Lot Control By-law Plan

**Subject:** Part Lot Control Exemption for Silver Leaf Subdivision

**Application:** T-04-2023

**Applicant & Registered Owner:** BK Cornerstone Design Build Ltd. c/o Brent Klundert

**Agent/Planner:** Melanie Muir MCIP, RPP (Dillon Consulting)

**Location:** Located between Huron Church Line Road, Disputed Road and Sandwich West Parkway

### **Recommendation**

That the report prepared by the Supervisor of Planning and Development, dated November 22, 2023 (PD-42-2023), regarding the request for Part Lot Control Exemption for 16 semi-detached units and 63 townhouse units within the Silver Leaf Subdivision, be received;

And that Council adopt the Part Lot Control By-law for Blocks 12 to 40 on Registered Plan 12M-695 (subject lands) and include a 5-year expiration date, as well as clauses that require approval of the final reference plan by the Town of LaSalle prior to its registration;

And that Administration forward a copy of the adopted By-law, draft reference plan and this staff report to the County of Essex for approval, in accordance with subsection 50 (7) of the *Planning Act*.

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## Report

This report is intended to provide members of Council with land use planning comments and recommendations regarding a Part Lot Control Exemption By-law pertaining to approximately 1.9 hectares of land located between Huron Church Line Road, Disputed Road and Sandwich West Parkway, as depicted in Figure 1. The proposed subdivided lots are identified on the draft plan of subdivision for the Silver Leaf Subdivision, as shown in Figure 2. The subject lands are designated “Residential” in the Town’s Official Plan and are zoned Residential Two “R2” in the Town’s Comprehensive Zoning By-law 8600.

The *Planning Act* includes provisions that allow municipalities to pass Part Lot Control Exemption By-laws to re-subdivide existing legally conveyable lots and blocks that have already been created on recently approved and registered Plans of Subdivisions. With Council’s approval, Part Lot Control Exemption By-laws can be prepared and adopted by Council and submitted to the County of Essex for approval.

The County of Essex has been delegated by the Ministry of Municipal Affairs and Housing (MMAH) subdivision approval authority. Subsection 50 (7) of the *Planning Act* allows Council to attach an expiration date to a Part Lot Control Exemption By-law, and further provides for extensions to be granted to such expiration dates should it be necessary to grant an extension.

The applicant has requested Part Lot Control Exemption for Blocks 25 to 27 and 34 to 40 on Registered Plan 12M-695, shown in Figure 3. If approved, the applicants request would result in a total of thirty (30) townhouse units on Tullio Drive and Meo Boulevard, as shown in Figure 3. In reviewing the request, staff are recommending that the proposed by-law include the remaining blocks (Blocks 12 to 21 and 28 to 31 outlined in green in Figure 5) to avoid delays and the need to appear before Council with a similar request for the same plan of subdivision. This would result in part lot control exemption for Blocks 12 to 40 on 12M-695 to allow for the 16 semi-detached units and 63 townhouse units to be separately conveyed.

The Zoning By-law Amendment and Draft Plan of Subdivision for this development were previously approved by Council in 2022. At the time of this approval, the developer planned, engineered, and serviced the entire subdivision based on the development of 11 singles, 16 semi-detached, and 63 street townhouse units. There is no net increase in the number of dwelling units as a result of the part-lot control request. Figure 4 attached is a copy of the draft reference plan that further subdivides the approved blocks within the existing Plan of Subdivision into the lots shown on concept plans.

On August 11<sup>th</sup>, 2023, the County of Essex granted final approval to this residential plan of subdivision, known locally as Silver Leaf Subdivision. In assessing the merits of the applicant's request, we are pleased to report that:

- I. All of the proposed lots meet the requirements as set out in the corresponding zone regulations, in terms of lot frontage and area;
- II. The Part Lot Control application conforms to the applicable *Planning Act* requirements;
- III. The Part-Lot Control By-law includes a 5-year expiration date to allow sufficient time for the new dwelling units to be built and sold by the Applicant. At the end of the 5-year expiration period, the Part Lot Control By-law would cease to be in effect, and the new lot lines would become permanent based on the registered reference plan in effect at the time.

Should Council agree with this recommendation, we would ask that the Part-Lot Control By-law be adopted during the By-law section of tonight's Council Meeting.

## Consultations

Not Applicable

## Financial Implications

None

## Prepared By:



Supervisor, Planning and Development

Allen Burgess

**Report Approval Details**

Document Title:	Part Lot Control for Silver Leaf.docx
Attachments:	<ul style="list-style-type: none"><li>- Silverleaf FIG 1 PLC.pdf</li><li>- Silverleaf FIG 3 PLC NEW.pdf</li><li>- Silverleaf FIG 4 PLC.pdf</li><li>- Silverleaf FIG 2 PLC NEW.pdf</li><li>- Silverleaf FIG 5 PLC NEW.pdf</li></ul>
Final Approval Date:	Nov 27, 2023

This report and all of its attachments were approved and signed as outlined below:



Manager, Planning and Development

Kristina Brcic



Director of Planning and Development

Gudrin Beggs



Chief Administrative Officer

Joe Milicia