



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: Allen Burgess, Supervisor of Planning & Development Services

Department: Development & Strategic Initiatives

Date of Report: July 20, 2020

Report Number: DS-27-2020

Subject: Part Lot Control By-law Application – T-04-2019, and the closing of a portion of Mia Anne Street

Recommendation

That the report of the Supervisor of Planning & Development Services of LaSalle dated July 20, 2020 (DS-27-2020) regarding Part Lot Control Application T-04-2019 and the closing and sale of a portion of Mia Anne Street be approved.

Report

Background:

This report is intended to provide members of Council with land use planning comments and recommendations regarding a Part-Lot Control By-law application that was submitted for approximately 3.9 hectares of land located west of D'Amore Drive and north of Gabrielle Street, as depicted on Figure 1.

The applicant (Head/D'Amore Developments) has requested a Part Lot Control By-Law exemption for Blocks 1 to 7 on Registered Plan 12M-662. The affected lands are depicted on Figure 2, and are locally known as Phase 8 of the Heritage Estates Subdivision.

If approved, these Part-Lot Control By-law exemptions will further divide the 7 blocks into 35 single detached building lots.

Attached, is a copy of the reference plan 12R-28042 depicting the individual lots that were originally proposed, based on Mia Anne Street being completed to D'Amore Drive. (see Figure 3).

Unfortunately the developer was unable to negotiate an acceptable solution to complete the crossing of the Plains Midstream pipeline. As a result, the Applicant is now requesting to remove the services from this portion of the street and allow the development of one single detached dwelling. Attached is the Applicant's request to close a portion of Mia Anne Street. The developer previously dedicated this portion of road allowance as part of the approval of Plan 12M-662.

Attached, is a copy of the draft reference plan 12R- depicting the reconfigured lots that the Applicant is now applying to create at this location. (see Figure 4).

The Planning Act includes provisions that allow municipalities to pass Part-Lot Control By-laws to re-subdivide existing legally conveyable blocks that have already been created on recently approved and registered Plans of Subdivision. 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 the Ministry of Municipal Affairs subdivision approval authority. Subsection 50(7) of the Planning Act also allows Council to attach an expiration date to a Part-Lot Control By-law, and further provides for extensions to be granted to such expiration dates should it be necessary to grant an extension.

Comments and Discussion

The subject lands are designated "Residential" in the Town's Official Plan, and are zoned Residential Three Zone - "R3" in the Town's implementing zoning by-law.

On October 02, 2019 the County of Essex granted final approval to this residential plan of subdivision, known locally as Phase 8 of Heritage Estates Subdivision. In assessing the merits of the Applicant's re-subdivision request, we are pleased to report that:

- i) All of the proposed lots meet and/or exceed the requirements as set out in the corresponding zone regulations;
- ii) The proposed re-subdivision of the subject lots conforms to the applicable Official Plan policies and is in keeping with the Council approved zoning by-law regulation that is already in effect;

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- iii) The Part-Lot Control By-law exemption will include a 5-year expiration date, to allow sufficient time for the new dwelling units to be built and sold on the subject lands. 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 “property lines” that correspond to the re-subdivided lot lines.
 - iv) The closure of the portion of Mia Anne Street is acceptable based on the conclusions contained in a recent traffic impact memo submitted by Dillon Consulting;
 - v) In order to advance the approval of majority of lots, staff are recommending the approval of two part lot control by-laws. The first appearing on your agenda, is a by-law to exempt parts 1 to 6, 11 to 38 and part 40 on 12R-28042 from part lot control. This by-law, if approved, will be sent for County approval and registration. Upon registration, 32 lots will be available for building permits.
 - vi) The Second part lot control by-law will create the remaining three lots. This by-law will come before Council once the road closure is complete, the draft 12R plan is registered and the applicant enters into an amending subdivision agreement to ensure that the:
 - 1. Installation of a 3m asphalt trail within the proposed part 4 on the draft 12R plan, has been completed;
 - 2. Installation of a 1.2m heavy duty chain link between parts 3 and 4 on the draft 12R plan, and along D’Amore Drive, has been completed;
 - 3. Installation of all required service connections for the proposed lots, has taken place.
 - vii) The passing of both by-law and the subsequent County approval will result in the creation of 35 new building lots in total.

Recommendations

Based on the comments that are contained within this staff report, and subject to further input from Council, it is recommended that:

- i) Council adopt the Part-Lot Control By-law for Parts 1 to 6, 11 to 38 and Part 40 on 12R-28042, and include a 5-year expiration date;
- ii) Council forward a copy of the adopted By-law, together with a copy of the reference plan and a copy of this staff report to the County of Essex for approval, in accordance with subsection 50(7) of the Planning Act;
- iii) Council approved the closure of a portion of Mia Anne Street and the sale to the applicant for relotting purposes.
- iv) Once all of the items as set out in the staff report are complete, that Council adopt the Part Lot Control By-law for the remaining lots.

Consultations

None

Financial Implications

Increased assessment

Prepared By:



Supervisor, Planning and Development

Allen Burgess, MCIP, RPP

Link to Strategic Priorities

Yes	Expanding and diversifying our assessment base
	Effectively communicating the activities and interests of the Town
	Managing our human and financial resources in a responsible manner
	Promoting and marketing LaSalle
	Promote a healthy and environmentally conscious community

Communications

Yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

Notifications

Name	Address	Email

Report Approval Details

Document Title:	T-04-2019.docx
Attachments:	<ul style="list-style-type: none">- Road Closure App.pdf- T-04-19 FIG 1.pdf- T-04-19 FIG 2.pdf- T-04-19 FIG 3.pdf- T-04-19 FIG 4.pdf
Final Approval Date:	Jul 22, 2020

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



Director, Development and
Strategic Initiatives

Larry Silani



Chief Administrative Officer

Joe Milicia