

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



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| Report to: | Mayor and Council Members | Priority: | <input type="checkbox"/> High <input checked="" type="checkbox"/> Low |
| Submitted by: | Glenn McGlashon, MCIP, RPP Director, Planning & Development Division Planning Department gmcglashon@cobourg.ca | Meeting Type: | Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/> |
| Meeting Date: | August 23, 2021 | | |
| Report No.: | Planning and Development-032-21 | | |
| Submit comments to Council | | | |

Subject/Title: Application for Part Lot Control Exemption – East Village
Phase 5 Stage 1 – Stalwood Homes (File: Z-09-21PLC)

RECOMMENDATION:

THAT this Report be received for information purposes; and,

THAT the By-law as shown in **Figure 3** attached to this Report be endorsed and presented to Council for final approval which exempts Blocks 30-44 inclusive on Plan 39M-944 (Hayward St. & Joseph Gale Street) in Stage 1 of the East Village Phase 5 subdivision from the Part Lot Control provisions of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

1. STRATEGIC PLAN

N/A

2. PUBLIC ENGAGEMENT

The *Planning Act R.S.O 1990, c.P. 13, as amended* does not prescribe any statutory public notice or engagement requirements for exemptions to Part Lot Control, as these particular applications are recognized as being a technical review of matters relating to the preparation of larger Lots/Blocks for the construction and conveyance of individual homes in a registered plan of subdivision.

The East Village Phase 5 subdivision has undergone an open, public consultation and review process in accordance with the provisions of the *Planning Act* and Council procedures, culminating with the registration of a plan of subdivision and subdivision agreement. As part of this proposal, the Planning Department provides

a written report of the application for Part Lot Control Exemption to Council, and the report is considered by Council in open session prior to final approval.

3. PURPOSE

The purpose of this report is to advise Council and the public of the submission of a request by Stalwood Homes for an exemption to Part Lot Control in Stage 1 of the East Village Phase 5 subdivision, and to recommend that Council approve this technical procedure to permit the construction and conveyance of individual dwellings on Lots/Blocks within a registered plan of subdivision.

4. ORIGIN AND LEGISLATION

Sections 50(3) and 50(5) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, contains relevant provisions regarding land subdivision and part lot control. The Municipality is authorized under Section 50(7) of the Act to enact a By-law to exempt certain lands from the Part Lot Control provisions of the *Planning Act* to permit conveyance of individual parcels of land in a registered plan of subdivision.

5. BACKGROUND

In May of 2020, Cobourg Municipal Council approved the development known as East Village Phase 5 comprising a total of 334 dwelling units on the 11.87 ha property on the north side of King Street East (see **Figure 1 - Context Map**) and, following a lengthy pre-servicing program by the developer JMCD Holdings Ltd., the plan of subdivision and subdivision agreement were registered on title in April of 2021. Stalwood Homes, the builder of dwellings in the subdivision, has requested an exemption to the Part Lot Control provisions of the *Planning Act* for the Stage 1 development to permit specific Lots/Blocks to be further subdivided for the purpose of constructing homes on the individual parcels and conveying them to purchasers in fee simple. The subdivision has been pre-planned for this procedure and the proposed exemption to Part Lot Control is a standard administrative process which will facilitate modest changes to existing lots and blocks and permit the conveyance of individual lots and blocks in a registered plan of subdivision.

6. ANALYSIS

Stalwood Homes is currently in the process of applying for and constructing new homes in the East Village subdivision on a phased basis with a mix of single detached, semi-detached, townhouse and multi-unit residential 10-plex's totalling 334 units. Phase 5 Stage 1 has now been released for construction and is comprised of 93 dwelling units.

A Part Lot Control Exemption By-law is required for Blocks 30-44 inclusive on Plan 39M-944 in order to permit the construction of individual semi-detached and townhouse dwellings and the subsequent conveyance of these lots to purchasers. Please refer to **Figure 2 – Subdivision Staging Plan**. The proposed lot and block configuration is consistent with the approved subdivision development plan and zoning and is appropriate in order to facilitate orderly development and property transactions on the lands.

As the above-referenced Blocks are located within a registered plan of subdivision, the separation of these parcels can be implemented via a Part Lot Control Exemption By-law approved by the Municipality under Section 50(7) of the Planning Act, R.S.O. 1990, c. P 13, as amended (see draft by-law attached as **Figure 3 – Part Lot Control Exemption By-law**).

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The applicant will be responsible for all legal, survey and registration costs. The owner has submitted an applicable fee and deposit of \$4,505.00 for the request.

8. CONCLUSION

The request for approval of a Part Lot Control Exemption By-law is a common procedure for making modest changes to existing lots and/or blocks on a registered plan of subdivision. The proposed exemption for Blocks 30-44 inclusive on Plan 39M-944 in Stage 1 of the East Village Phase 5 subdivision represents an appropriate adjustment in the existing parcel fabric to implement the overall development plan, would not impose any significant impacts on adjacent land uses and meets all applicable standards and criteria.

Report Approval Details

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| Document Title: | East Village Phase 5 Stage 1 - Part Lot Control Exemption.docx |
| Attachments: | - FIGURE 1 - CONTEXT MAP.pdf - FIGURE 2 - SUBDIVISION STAGING PLAN.pdf - FIGURE 3 - PART LOT CONTROL EXEMPTION BY-LAW.pdf |
| Final Approval Date: | Aug 13, 2021 |

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

Tracey Vaughan, Chief Administrative Officer - Aug 13, 2021 - 1:19 PM