



## MUNICIPALITY OF THAMES CENTRE

**REPORT NO.** PDS-027-24

**FILE NO.** PLC-1-24

**TO:** Mayor and Members of Council  
**FROM:** Director of Planning & Development Services  
**MEETING DATE:** May 27, 2024  
**SUBJECT:** **Application for Part Lot Control Exemption; 1732435 Ontario Limited (c/o Shawn Elliott), Lot 15 on Plan 33M-829, Elliott Estates Subdivision (Phase 1), Thorndale**

### RECOMMENDATION:

**THAT** Application for Part Lot Control Exemption (PLC-1-24) by 1732435 Ontario Limited (c/o Shawn Elliott) for lands located on the west side of Shirley Street south of Patrick Street in the village of Thorndale and legally described as Lot 15 on Plan 33M-829 be **APPROVED**;

**AND THAT** the implementing by-law be **ADOPTED** as included in the by-law portion of the agenda;

**AND THAT** the adopted by-law be forwarded to the County of Middlesex for consideration of approval.

### PURPOSE:

The purpose of this application is to exempt certain lands from the *Planning Act* provisions with respect part lot control to allow the further subdivision of the lands to facilitate the development of free-hold semi-detached dwelling units on separate lots.

### BACKGROUND:

Located in Thorndale and part of the Elliott Estates Subdivision, the subject property is situated on the west side of Shirley Street just south of Patrick Street. The property has a frontage of 17.6 metres (57.6 ft) and an area of approximately 660 square metres (0.16 ac). The lands are designated Residential under the Thames Centre Official Plan and zoned site-specific Residential Second Density (R2-6) which permits semi-detached dwellings.

Surrounding land uses are primarily vacant with future development proposed in the form of semi-detached dwellings and single detached dwellings. The only exception is a retirement

home (Nissouri Manor) located on the west side of Fairview Road which is situated east of the subject property.

The applicant is in the process of constructing a semi-detached dwelling with the foundation poured and the common wall separating the dwelling units coinciding with the proposed lot line as shown on the attached plan. The servicing design of the site has been approved and included as part of the subdivision works through the subdivision agreement.

To allow for the ownership of individual dwelling units on separate lots, the applicant is requesting an exemption from part lot control. The *Planning Act* permits municipalities to pass by-laws to exempt lots or blocks within a registered plan of subdivision from part-lot control, so further subdividing of individual lots or blocks can occur. Exemptions from part-lot control are typically applied to semi-detached and townhouse developments where a lot line is created along a common wall. An exemption to part lot control is necessary since a part of a lot or block cannot be conveyed to another party without a planning approval. Council has the authority to pass such by-laws however it does not come into full force and effect until the County of Middlesex issues a decision which has been delegated to their Director of Planning.

## ANALYSIS:

The Provincial Policy Statement (PPS) states that settlement areas shall be the focus of growth and development. Thorndale is a designated Urban Settlement Area according to both the County and Municipal Official Plans. The PPS also states that municipal water and municipal sanitary sewage services are the preferred form of servicing for settlement areas. The subject property is on full municipal services. The proposed lotting and layout would also ensure conformity with the requirements of the R2-6 zone.

Although there is no legislative requirement for public or agency consultation for part lot control exemptions, the approved site works for this development are captured under the subdivision agreement which included clearances from the Director of Public Works, the Drainage Superintendent, the Chief Building Official and the Upper Thames River Conservation Authority. Furthermore, the lands were rezoned to allow the development of semi-detached dwellings consistent with the planning framework and subject to public and agency consultation.

To avoid subsequent transfers without a Planning Act consent, the part lot control exemption would expire in one year. As the subject application meets the requirements for part lot control exemption and is consistent with the planning framework, it is respectfully recommended that the requested by-law be approved and subsequently forwarded to the County of Middlesex for approval.

## CONSULTATION:

Director of Public Works  
Chief Building Official

## FINANCIAL IMPLICATIONS:

None.

## STRATEGIC PLAN LINK

**Pillar:** *Smart Planning*

**Goal:** *Make smart planning decisions to grow the community, while maintaining a "hometown feel"*

## ATTACHMENTS:

Location Map

Plan 33R-21873

Prepared by: M. Bancroft, Director of Planning and Development Services

Reviewed by: D. Barrick, Chief Administrative Officer