



MUNICIPALITY OF THAMES CENTRE

REPORT NO. PDS-041-24

FILE NO. PLC-02-24

TO: Mayor and Members of Council

FROM: D. FitzGerald, MCIP RPP, Manager of Planning, Middlesex County

MEETING DATE: July 15, 2024

SUBJECT: **Application for Part Lot Control Exemption Sifton Properties Limited (Applicant) Rosewood Subdivision- Phase 2, Thorndale Block 72 On Plan 33M-832**

RECOMMENDATION:

THAT Application for Part Lot Control Exemption (PLC-02-24) by Sifton Properties Limited for lands located on the north side of Purple Beech Street and on the west side of Blue Spruce Avenue in the village of Thorndale and legally described as Block 72 on Plan 33M-832 **BE APPROVED**;

AND THAT the implementing by-law, as shown in the by-law portion of the agenda be considered by Council.

PURPOSE:

The purpose of this application is to extend an exemption of certain lands from the *Planning Act* provisions with respect part lot control to allow the further subdivision of lands to facilitate the development of free-hold street townhouses.

BACKGROUND:

An application was previously heard by Council to exempt these lands on October 16, 2023. The by-law was passed and forwarded onto the County of Middlesex for approval. Due to market conditions, the owner is requesting an extension to the part lot control by-law, which expires on October 16, 2024. The extension would be for three (3) additional years, expiring on July 15, 2027.

The lands are located on the north side of Purple Beech Street and on the west side of Blue Spruce Avenue and maintains a frontage of approximately 157 metres (515 ft) and an area of approximately 0.42 hectares (1 ac). The lands are designated Residential under the Thames Centre Official Plan and zoned site-specific Residential Third Density (R3- 10).

The site is designed to develop into three (3) street townhouse blocks, each supporting six (6) units, or a total of eighteen (18) housing units, as per the attached plan. The servicing design of the site has been approved and is included as part of the subdivision works through the Phase 2 Subdivision Agreement.

To allow for the ownership of individual townhouse units on separate lots, the applicant is requesting an extension to the previously issued exemption by-law. 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 commonly applied for 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. Typically 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, however in this case, since the existing exemption has not expired, there is no requirement for County approval.

Surrounding land uses are vacant however future developments are proposed for the block to the west to accommodate proposed stacked townhouse dwellings adjacent to Nissouri Road (County Road 27), single detached residential lots to the south and east, and a townhouse condominium complex to the north.

ANALYSIS:

The Provincial Policy Statement (PPS) states that settlement areas shall be the focus of growth and development. Thorndale is a designated Community Area according to the County and an Urban Settlement Area according to the Municipal Official Plan. 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 to be serviced by full municipal services. The proposed lotting and layout shown on the attached plan would also ensure conformity with the requirements of the R3-10 zone.

Although there is no legislative requirement for public or agency consultation for part lot control exemptions, the approved site works for this proposed development are captured under the Phase 2 subdivision agreement which has received clearance from all departments and agencies. Furthermore, the lands were rezoned to allow the development of street townhouse 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 three (3) years. 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 bylaw be approved.

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

Prepared by: D. FitzGerald, Manager of Planning, Middlesex County

Reviewed by: A. Storrey, Interim Director of Planning and Development Services

Reviewed by: J. Nethercott, Director of Legislative Services/ Clerk