

Municipality of Chatham-Kent

Development Services

Planning Services

To: Mayor and Members of Council

From: Ryan Jacques, MCIP, RPP
Director, Planning Services

Date: August 30, 2023

Subject: Application for Exemption from Part Lot Control
PL202200104 – First Family Homes Inc.
Lanz Boulevard, Folkerts Court, Devito Court and Jennifer Street,
Community of Blenheim (South Kent)

Recommendation

It is recommended that:

1. Exemption from Part Lot Control application File B-89/23 concerning Blocks 15, 16, 23, 24, 25, & 26, Plan 24M-1002, in the Community of Blenheim, be approved, and the implementing by-law be adopted.

Background

The subject lands are located at the north end of Lanz Boulevard, in the Community of Blenheim. The lands subject to the application are comprised of six (6) Blocks on Plan of Subdivision 24M-1002, which makes up phases 3B and 4 of Lanz Park Subdivision development.

The subject lands are designated Residential Area in the Chatham-Kent Official Plan. Blocks 15, 23, 24 & 26 are zoned Residential Medium Density First-1355 (RM1-1355) which permits a range of residential uses, including single detached, semi-detached and row house dwellings. The development plan for these Blocks are three (3) unit row house dwellings. Blocks 16 & 25 are zoned Residential Medium Density First-1658 (RM1-1658) which permit a range of residential uses including multiple dwellings containing up to six (6) units, in addition to all the uses permitted in the RM1-1355 zone. The development plan on these Blocks are six (6) unit multiple dwellings.

A copy of this Registered Plan of Subdivision is attached as Appendix A.

The purpose of this application is to provide the applicant the means to further subdivide each Block for the future sale of each row house dwelling unit and multiple dwelling unit. Subsection 50(7) of the Planning Act authorizes Council to pass a by-law providing that

the part lot control provisions of Section 50(5) of the said Act do not apply to lands designated in the by-law. Therefore, the by-law allows the applicant to create lots for each dwelling unit by way of Reference Plan. This ensures that the dividing lot line is placed directly along the mid-point of the shared walls.

This is a common approach for establishing lot lines within a plan of subdivision, particularly for the creation of lots to establish freehold row house dwelling units and multiple dwelling units.

Comments

Provincial Policy Statement (PPS)

The application does not raise any issues of provincial interest.

Official Plan

The application maintains the general intent and purpose of the Official Plan.

Zoning By-law

Blocks 15, 23, 24 & 26 are zoned Residential Medium Density First-1355 (RM1-1355) which permits single detached, semi-detached and row house dwellings. Blocks 16 & 25 are zoned Residential Medium Density First-1658 (RM1-1658) which permit multiple dwellings containing up to six (6) units, in addition to all the uses permitted in the RM1-1355 zone. Each of the subject Blocks contain sufficient area and frontage to accommodate the proposed uses.

Conclusion

The proposed exemption from part lot control and corresponding by-law have been reviewed in the context of the Provincial Policy Statement, the Chatham-Kent Official Plan and Zoning By-law, and complies with these documents. Therefore, the application is being recommended for approval as noted in the Recommendation of this report.

Areas of Strategic Focus

This report supports the following areas of strategic focus:



Economic Prosperity	Healthy & Safe Community	People & Culture	Environmental Sustainability

Consultation

There was no consultation required as part of this application.

Communication

Communication is proposed to be through the inclusion of this report on the Council agenda and related communications.

Diversity, Equity, Inclusion and Justice (DEIJ)

This report does not have implications related to diversity, equity, inclusion or justice.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by: Greg Houston, Planner I, Planning Services

Reviewed by: Ryan Jacques, MCIP, RPP, Director, Planning Services

Reviewed by: Bruce McAllister, MCIP, RPP, General Manager, Development Services

Attachment: Appendix A – Plan of Subdivision 24M-1002

Appendix A – Plan of Subdivision 24M-1002

