



## Report to Council

Department: Development Services

Division: Planning

Date: April 7, 2025

Prepared by: Ian Rawlings, Junior Planner

Report Number: Planning-2025-05

Subject: Part Lot Control Exemption (PLCE) for Certain Lands within the 80 Maidstone Avenue West Subdivision

Number of Pages: 5 including attachments

### Recommendation(s)

**That** Planning Report-2025-05 entitled Part Lot Control Exemption (PLCE) for Certain Lands within the 80 Maidstone Avenue West Subdivision prepared by Ian Rawlings, Junior planner dated April 7, 2025, be received, and

**That** By-law Number 2430, Being a By-law to provide Part Lot Control Exemption (PLCE) for certain lands within Registered Plan 12M-712, be read a first, a second, and a third time and finally passed on April 07, 2025.

### Purpose

Council approval by By-law is required to provide relief from Part Lot Control restrictions under subsection 50 (5) of the Planning Act for lands within a Registered Plan of Subdivision.



detached dwelling units, town-home dwelling units, minor boundary adjustments, and the establishment of easement lands for access and utility corridors.

An exemption from subsection 50 (5) of the Planning Act is required for the 80 Maidstone Avenue West residential subdivision to facilitate the sale of individual lots on the registered plan of subdivision, 12M-712. A copy of 12M-712 is **attached to this report**. The exemption is being requested for lots 1 to 10 which will consist of twenty (20) semi-detached dwelling units, and for Blocks 11 to 15 which will consist of twenty-two (22) townhome dwelling units. The draft reference plan detailing the individual lots to be conveyed is **attached to this report**.

Under By-Law 1037, the Town's Comprehensive Zoning By-law, a "*Semi-Detached Dwelling*" means a building separated vertically into two (2) dwelling units attached by a common interior wall. Each dwelling unit has a separate entrance at street level and each dwelling unit is on a separate lot. A "*Semi-Detached Dwelling Unit*" is one unit of a Semi-Detached Dwelling. A "*Townhome Dwelling*" means one (1) building separated vertically into three (3) or more dwelling units attached by common interior walls. Each dwelling unit has a separate entrance at street level and each dwelling unit is on a separate lot. A "*Townhome Dwelling Unit*" means one unit of a Townhome Dwelling.

Blocks 16, 17 and 18 were excluded from By-law Number 2430 as the lands will be used for the storm water management ponds. Blocks 19 and 20 were excluded from By-law Number 2430 as the lands are used for greenspace and day-light corner purposes.

To grant an exemption from subsection 50 (5) of the Planning Act, the Town of Essex and the Manager of Planning Services for the County of Essex (approval authority) must be satisfied that the proposed lots are serviced appropriately, and the proposed lot configuration was approved at a previous public meeting with respect to a previous Planning Act application.

Municipal water, sanitary and storm services have been installed, and a roadway has been constructed for future conveyance to the Town of Essex. The intention and configuration of the lots were discussed at a public meeting to consider draft Plan of Subdivision on March 20, 2023.

A copy of the public meeting presentation is **attached to this report**. The proposed lots to be created by PLCE are consistent with the configuration of the lots identified at the Public Meeting.

By-law 2430 will apply to Lots 1-10 and Blocks 11-15 on Registered Plan 12M-712. The By-law will expire on April 7, 2028, but can be extended without County approval at any time before the expiration date following approval by Council. Following Council's approval, By-law 2430 will require approval from the Manager of Planning Services with the County of Essex. Following approval by the Town of Essex Council, all supporting material will be forwarded to the Manager of Planning Services at the County of Essex for final approval.

### **Financial Impact**

There is no financial impact because of the adoption of By-law Number 2430. Administrative costs have been recouped through the application fee. The cost of registering the By-law will be borne by the proponent.

### **Consultations**

Joseph A. Malandrucolo, Director, Legal and Legislative Services/Clerk

Kevin Girard, Director, Infrastructure Services

David McBeth, Manager, Capitol Works & Asset Management

Rita Jabbour, Manager, Planning Services

## **Link to Strategic Priorities**

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.
- Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

**Report Approval Details**

Document Title:	Part Lot Control Exemption for Lands within the 80 Maidstone Avenue W Subdivision - Planning-2025-05.docx
Attachments:	- PLCE-01-25 - By-law 2430.pdf - Registered Plan of Subdivision 12M-712.pdf - 20-48-157-03.pdf - Special Council Meeting Presentation.pdf
Final Approval Date:	Mar 31, 2025

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

**Rita Jabbour, Manager, Planning Services - Mar 31, 2025 - 11:43 AM**



**Lori Chadwick, Director, Development Services - Mar 31, 2025 - 12:15 PM**



**Doug Sweet, Chief Administrative Officer - Mar 31, 2025 - 1:42 PM**