



Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From: Kent Randall, B.E.S., MCIP, RPP (EcoVue Consulting)

Position: Township Planning Consultant

Title / Subject: 01-2019-PtLtCon Approval for Removal of Part Lot Control (Hoban)

Date of Report: November 16, 2021

Date of Meeting: November 22, 2021

Report No: 2021-CO-052

1.0 Issue / Origin

The goal of this report is to provide an overview of the application for Removal of Part Lot Control related to the lands located at 38-30 St. John Street (Cannington) and recommend approval of this Part Lot Control exemption. **Attachment 1** contains a Site Location Sketch of the subject lands.

The Township of Brock received an application for a Removal of Part Lot Control (assigned file number 01-2019-PtLtCon) in January 2020 from Barbara and Randall Hoban (applicant). The subject lands are currently occupied by a side-by-side duplex. The purpose of this application is to remove part lot control in order to create a new lot line along the common wall and sell the units individually.

In the time since the submission, the application has been reviewed by the Township and the Region. Staff have determined that all concerns have been addressed and the application should move forward for Council's Consideration.

2.0 Background

A Pre-consultation meeting for this request was held in November 2019. The landowners submitted an application for Removal of Part Lot Control in January 2020. The application was circulated to the appropriate outside agencies and internal staff for review. Comments from reviewing agencies have been addressed.

As noted, the purpose of the application is to "split" an existing duplex by creating a lot line between the units. Since the subject property was created through Plan of Subdivision under Section 51 of the Planning Act, Section 50(5) of the Planning Act (Part Lot Control) applies. Part Lot Control ensures that lots created under the Planning Act cannot be further subdivided, merged, or altered in any way. However, Section 50(7) allows

municipalities to designate portions of a plan of subdivision from Section 50(5) in order to permit adjustments or further division of land. As such, the applicants have submitted an application for Removal of Part Lot Control that would allow the subject property to be severed.

The applicants also submitted an application for a Minor Variance to recognize an existing deficient front yard setback. This application was approved on July 14, 2021 and will ensure that the newly created lots will meet the Township of Brock Zoning By-law.

The applicants were also required to provide a Site Screening Questionnaire as part of the application for Part Lot Control Exemption.

3.0 Analysis

Below is an analysis of the proposed Part Lot Control Exemption in the context of the applicable land use planning policies.

3.1 Provincial Policy Statement (2020)

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. All planning decisions within the province shall be consistent with the PPS.

The PPS directs growth to settlement areas (Section 1.1.3) where there is existing municipal infrastructure and public service facilities to support development. Development in settlement areas should be at a density that does not require the uneconomical expansion of such municipal infrastructure and public service facilities.

The proposed exemption request is taking place within the urban settlement boundary (Cannington) and will utilize existing services. Therefore, the proposed development appears to be consistent with the 2020 PPS.

3.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The Township of Brock is located within the Greater Golden Horseshoe and is subject to the 2019 Place to Grow: Growth Plan for the Greater Golden Horseshoe (GPGGH), prepared under the *Places to Grow Act* (2006). The GPGGH provides a framework for implementing the province's vision for building stronger, prosperous and complete communities by better managing growth to 2041. It provides policy direction that encourages more compact settlement and development patterns, as well as diversity of opportunities for living, working and enjoying culture. The GPGGH also directs a majority of this growth to settlement areas that offer municipal water and wastewater systems.

The proposed development is located within the built boundary of the Cannington Urban Area and will utilize existing municipal water and wastewater systems. Therefore, the Part Lot Control exemption request conforms to the policies of the Growth Plan.

3.3 Region of Durham Official Plan

The subject lands are designated "Living Areas", according to Schedule "A – Map A1" to the Region of Durham Official Plan. As per Section 8B1.1, each community shall be developed to incorporate the widest possible variety of housing types, sizes and tenure to provide living accommodations that address various socio-economic factors. Section 8B.2.1, also states Living Areas shall be predominately for housing purposes.

As the proposed exemption request would allow for the duplex to be rented or sold as separate units providing a different form of housing type for current and future residents.

Therefore, it is the opinion of the undersigned that the proposal is consistent with the policies of the Region of Durham Official Plan.

3.4 Township of Brock Official Plan

The property is designated Residential Area according to Map 2A to the Township of Brock Official Plan. The goal of the Residential Area is to provide a variety of housing types, densities and tenure to satisfy the socio-economic needs of existing and future residents. The Part Lot Control exemption request will allow for each unit of the duplex to be rented or sold separately. Providing a different form of housing type to existing and future residents. As such it is our opinion that the proposal is consistent with the policies of the Township of Brock Official Plan.

3.5 Township of Brock Zoning By-law

The Township of Brock Zoning By-law, zones the subject property in the Residential Type 2 (R2) Zone, according to Map A4. As there is no development associated with this application, the R2 zone will remain on the property. All provisions and regulations are still applicable to the subject lands. During the pre-consultation meeting it was determined that a Minor Variance application would need to be applied for the recognize the deficient front yard setback that exists on the property.

As such, the applicants submitted a Minor Variance application, to bring the two new properties into conformity with the R2 Zone. It was approved on July 14, 2021. As such, it is our opinion that the proposal conforms to the policies of the Brock Zoning By-law.

4.0 Related Policies / Procedures

N/A

5.0 Financial / Budget Assessment

N/A

6.0 Climate Change Impacts

N/A

7.0 Communications

On-going communication with all appropriate agencies and internal staff has been continuous throughout the process.

Comments were received from the Region of Durham in March of 2020. The Region noted a requirement for the property to meet applicable zoning provisions, and that a Site Screening Questionnaire be completed. As discussed, both of these items have been addressed by the applicant.

8.0 Conclusion

The undersigned and staff are providing Council with the proposed Part Lot Control exemption for the above-noted property. It is our opinion that the proposal is consistent with the Provincial Policy Statement, and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the Region of Durham Official Plan and the Township of Brock Official Plan and Zoning By-law.

9.0 Recommendation

That Council approve application 01-2019-PtLtCon HOBAN and endorse for approval By-law 3089-2021 to exempt Part of Lot 21, Concession 11 Cannington from Part Lot Control.