



Municipality of North Grenville

Report No.
PD-014-2020

File No.
15M-15

Date:	May 19, 2020 – Council Meeting
Subject:	eQuinelle Phase 2B – Lifting Part Lot Control
Attachments	Appendix 1: Excerpt of Plan 15M-15 Appendix 2: By-Law 14-17 (expired)

RECOMMENDATION

The following recommendation is provided for Council's consideration:

That Council enact a by-Law to lift part lot control for the lands in Phase 2B of the eQuinelle Subdivision for a period of two (2) years.

BACKGROUND

Section 50(7) of the *Planning Act* allows local municipalities to pass By-Laws designating lands within a registered plan of subdivision as being exempt through part lot control. This allows parts of lots to be conveyed without having to go through the severance process. The Municipality uses this approach frequently to permit lots and blocks within registered plans of subdivision to be further subdivided in accordance with the approved draft plan.

Phase 2B of the eQuinelle Subdivision, is an approved plan for fifteen (15) blocks for the creation of twenty-four (24) freehold condominium units. The purpose of this request is to lift Part Lot Control for Block 4 for the creation of six (6) units, for Block 6 for the creation of six (6) units, and Block 7 for the creation of eight (8) units on Plan 15M-15 (**Appendix 1**) in order to accommodate the sale and transfer of individual residential units.

In February 2017, Council passed By-Law 14-17 (**Appendix 2**) to lift part lot control on these same lands. Part Lot Control By-Laws have built-in expiry dates and consequently By-Law 14-17 expired on February 13, 2020, before all of the approved land divisions could be completed. Therefore, the owner has brought forward this application to enact a part lot control By-Law for Blocks 4, 6 and 7 in this Phase of the subdivision.

DISCUSSION & CONCLUSION

Staff have reviewed this matter, and can confirm that the blocks affected have access to a public road and have appropriate zoning in place to control development on the lands. The lifting of part lot control to create freehold parcels will not alter the original servicing for the plan of the subdivision, and has been reviewed with the United Counties' Manager of Planning Services, who is the approval authority in this particular case, and is in agreement with this approach.

Therefore, it is the recommendation of staff that Council enact the By-Law to lift part lot control on Blocks 4, 6, and 7 of Plan 15M-15, on the basis that all of the related planning issues have been addressed through the subdivision process and the site specific Zoning By-Law. The By-Law to lift part lot control will not come into effect until it has been approved by the United Counties of Leeds & Grenville, who are approval authority.

FINANCIAL/STAFFING IMPLICATIONS

There is no financial obligation to the Municipality.

LINK TO COUNCIL'S WORK PLAN

The lifting of Part Lot Control is a technical and procedural matter related to the implementation of a registered plan of subdivision and does not fall within the priorities as established in the Council Work Plan.

Prepared by:

**Reviewed and
submitted by:**

**Reviewed and submitted
for Council/Committee
Consideration by:**

Original Signed By

Original Signed By

Original Signed By

**David Nanton
Planner II**

**Philip Gerrard
Director of Planning &
Development**

**Gary Dyke
CAO**



By-Law 14-17 (expired)

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

BY-LAW NO. 14-17

A By-Law to Exempt Certain Lands from Part Lot Control

WHEREAS Section 50(5) of the *Planning Act*, R.S.O. 1990, as amended, established Part Lot Control over all lands within plans of subdivision registered before or after the coming into force of the said section;

AND WHEREAS Subsection 50(7) of the *Planning Act*, R.S.O. 1990, as amended, authorizes a municipality to provide a by-law that Part Lot Control does not apply to land that is within such registered plans or parts thereof and that an expiry date may be specified in the by-law which can be extended prior to the expiration of the time period;

AND WHEREAS it is deemed expedient to exempt certain lands within Registered Plan Number 15M-15, in the geographic Township of Oxford-on-Rideau, Municipality of North Grenville, from Part Lot Control;

NOW THEREFORE the Council of the Municipality of North Grenville hereby enacts as follows:

1. Subsection 5 of Section 50 of the *Planning Act*, R.S.O., 1990, as amended, does not apply to those lands as are described in Schedule "A" attached hereto and forming part of this by-law.
2. This by-law shall be effective only to the extent necessary to permit:
 - a) the creation of twenty-four (24) freehold units, in accordance with Schedule "A" attached hereto and forming part of this By-law;
 - b) the creation of any easements, including rights-of-way, as contained in the transfers to each initial purchaser of each individual dwelling unit in accordance with Schedule "A" attached hereto and forming part of this By-law;
 - b) the creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged;
 - c) the conveyance of the individual dwelling units, together with appurtenant rights and easements in land associated therewith to each initial purchaser thereof, and to be charged and discharged.
3. No further subdivision of the aforementioned lands shall be undertaken upon completion of the original purpose for which this by-law is being passed and approved except by an application made pursuant to Section 50 of the *Planning Act*, R.S.O., 1990, as amended.
4. A conveyance or conveyances in favour of the Municipality of North Grenville shall not for the purpose of this by-law be considered to be a severance and this by-law shall also be deemed to permit the grant or release of easements held in favour of the Municipality of North Grenville on or with respect to the lands described above.

By-Law 57-17 - continued

5. That the Clerk is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
6. Registration of a certified copy of this by-law in the proper land registry office is authorized and this by-law shall thereupon become effective.
7. The Clerk of the Municipality of North Grenville is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule(s) as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Approved under S. 50 (7.1) of the Planning Act

This 7th day of April 2017

Cherie Mills

Cherie Mills, Manager of Planning Services
United Counties of Leeds and Grenville

8. This by-law shall come into force upon approval and shall expire on February 13th, 2020.

ENACTED AND PASSED
THIS 13TH DAY OF FEBRUARY, 2017.

David Gordon
DAVID GORDON
Mayor

CAHL POMINVILLE
CAHL POMINVILLE
Clerk