



Date: Wednesday, July 19, 2023
From: Michael Benner, MCIP RPP, Principal Planner
Subject: **Cobble Beach Block 65 Part Lot Control**
Report DEV2023-28

This document and its attachments are public and available in an accessible format upon request.

Recommendation

That Council receive staff report DEV2023-28 Cobble Beach Block 65 Part Lot Control for information, and;

That Council enact a By-law so as to remove Block 65, Registered Plan 16M79 from Part-Lot Control for a temporary period of two (2) years.

Background and Analysis

The lands subject to this report are part of the Algonquin Heights phase of development for the Cobble Beach community. Block 65 has a number of development agreements registered against the lands including the Master Development Plan/Agreement, dated August 17, 2007, the Master Subdivision Agreement, dated September 28, 2007 and a Pre-servicing Agreement, dated September 4, 2019. A subdivision agreement authorized by By-law 2020-089 was signed on September 16, 2020 and pertains to the residential development of the lands.

A part lot control exemption was approved for Block 65 in 2021 to create 3 parcels, Parts 1,2 and 3 on reference Plan 16R-11520, and approved by By-law 2021-023. For some reason, only one parcel (Part 3) was registered within the 2-year approval window. Now that approval has lapsed, Georgian Villas Inc. has submitted a new application to re-establish the remaining two parcels.

The attached Reference Plan details the individual lots (Parts 1 and 2) to be created.

Policies Affecting the Proposal

A Part Lot Control Exemption By-law (PLCEB) is a process that is generally used to permit further division of land under a registered plan of subdivision. The lots that will

Report DEV2023-28

Roll 420358000407693

Page 1 of 3



be created will be parts on a reference plan that may be individually conveyed once registered. Section 50(5) of the Planning Act provides that part of a lot within a registered plan of subdivision cannot be transferred without the approval of the Municipality. Part-lot control has the effect of preventing the further division of land in a registered plan of subdivision without municipal approval. Section 50(7) of the Planning Act authorizes municipalities to enact a By-law in order to remove lands within a registered plan of subdivision from part-lot control. This process is not subject to public participation or appeal.

The proposed Part-Lot Control By-law is intended to implement the approved use of the lands for single detached dwellings. This form of development is already recognized in the Plan of Subdivision and Subdivision Agreement.

Conclusion & Recommendation

The Exemption from Part-Lot Control process is commonly used in Ontario for the further creation and registration of individual lots within a block in a plan of subdivision. Part-Lot Control By-laws are typically subject to an expiry date of two (2) years from the date of registration. The two (2) year timeframe appears sufficient to finalize the lot creation and have the new lots registered with the registry office.

If passed by Council, this By-law will be forwarded to the County of Grey for final approval. As the approval authority for plans of subdivision and condominium, the County is also responsible for approval of Part-Lot Control applications and associated By-laws.

A draft By-law is also attached to this report.

The application for a Part Lot Control Exemption By-law is in accordance with the Master Subdivision Agreement, the Township Zoning By-law 2020-020 and the site-specific development provisions for Cobble Beach, it is recommended that Council approve the by-law with a specified sunset date of two years.

Respectfully Submitted:

Original signed by Michael Benner

Michael Benner, MCIP RPP

Attachment 1. Reference Plan 16R-11520
Attachment 2. Draft By-law

Report DEV2023-28

Roll 420358000407693



Report Approval Details

Document Title:	DEV2023-28 Cobble Beach Block 65 - Part Lot Control.docx
Attachments:	- 19-72Block65Rplan16R-11520.pdf - Draft By-law.pdf
Final Approval Date:	Jul 6, 2023

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

Niall Loble, Acting CAO/Director of Community Services