

**To:** COUNCIL

**Meeting Date:** 3/14/2023

**Subject:** 23-181-CD Part Lot Control Exemption – Blocks 170 to 175  
Plan 58M-684, Cachet Developments (CamWest) Inc.

**Submitted By:** Lisa Prime, Chief Planner

**Prepared By:** Rachel Greene, Senior Planner

**Report No.:** 23-181-CD

**File No.:** PTLT01-23

**Wards Affected:** Ward 5

**RECOMMENDATION(S):**

THAT Report 23-181-CD Part Lot Control Exemption – Blocks 170 to 175 Plan 58M-684, Cachet Developments (CamWest) Inc. be received;

AND THAT the By-law included as Appendix A to Report 23-181-CD be passed to permit Blocks 170 to 175 on registered Plan of Subdivision 58M-684 to be divided into 36 separate townhouse lots for individual sale.

**EXECUTIVE SUMMARY:**

**Purpose**

This report has been prepared to provide a recommendation on the proposed Exemption from Part Lot Control application for Blocks 170 to 175 on a registered Plan of Subdivision 58M-684 for the Cachet Developments (CamWest) Inc. subdivision, to permit the five blocks to be divided into 36 freehold townhouse lots for individual sale.

**Key Findings**

- The Blocks will be divided into 36 individual lots for the construction of 36 street fronting townhouse units. The Blocks were not required to go through site plan approval as the proposed development on these blocks front onto a municipal street and are not part of a condominium.
- The townhouse units are under construction and are close to being complete.
- The proposed by-law, if passed by Council, will permit the creation of 36 lots within the registered Plan of Subdivision for individual sale for up to two (2) years.

## Financial Implications

- The planning application fee for Part Lot Control Exemption in the amount of \$11,180 has been paid to the City to process the application.
- There are no additional financial impacts due to this application. The financial impacts have been addressed through the previous plan of subdivision.

## STRATEGIC ALIGNMENT:

- ☐ Strategic Action; or  
☒ Core Service

**Objective(s):** PLANNING FOR GROWTH - Provide for a mix of development, uses and amenities in order to meet the needs of a changing and diverse population

**Strategic Action:** Not Applicable

**Program:** Development Approvals

**Core Service:** Part Lot Control Exemption Applications

## BACKGROUND:

### Property:

The subject lands are Blocks 170, 171, 172, 173, 174, and 175 on Registered Plan 58M-684. Block 170-172 front onto Bismark Drive, Block 173 fronts onto Steadman Street, and Blocks 174-175 front onto Crossmore Crescent. These blocks were created through the approval and registration of the Cambridge West subdivision (file number 30T-16103). These blocks in the subdivision were planned for street fronting townhouses with the intention that individual lots would be created through a future Part Lot Control Exemption application.

The City granted building permits for the townhouses and the construction of these units is underway. Building permits can be granted as soon as a subdivision is registered.

Applications for Exemption from Part Lot Control are usually submitted after construction begins and building foundations are approved. This makes it easier to determine accurate property boundaries between units.

The subject lands are shown in Figure 1.

The subject lands are located within the Cambridge West Secondary Plan area. The blocks requesting exemption to part lot control are outlined in red below.



Figure 1 Aerial Map of Blocks 170-175

## EXISTING POLICY / BY-LAW(S):

### Planning Act

Section 50(7) of the Planning Act allows a municipality to pass a by-law that excludes lands within a Registered Plan of Subdivision from the Planning Act's Part Lot Control regulations. This allows a landowner to further divide a block within a registered Plan of Subdivision. Council approval of the by-law is required to allow the exemption from Part Lot Control for up to two (2) years.

### City of Cambridge Official Plan 2012 (as amended)

The lands are designated as Low Medium Density Residential.

### City of Cambridge Zoning By-law 150-85 (as amended).

The lands are zoned as follows:

Block 170-172: RM4R6 s.4.1.359.1

Blocks 173-175: RM3RM4(A) s.4.1.359.1

## **ANALYSIS:**

### **Part Lot Control General Information**

Part Lot Control Exemption is another form of land division in addition to plans of subdivision and severances. Section 50(7) of the Planning Act allows a municipality to pass a by-law that excludes lands within a registered Plan of Subdivision from the Planning Act's part lot control regulations. This allows a landowner to divide a block within a registered plan into individual lots for sale and conveyance. Exemption from Part Lot Control is appropriate when a number of land transactions are involved, but the resulting changes will not affect the nature or character of the subdivision or development.

This process can be used to create individual lots for single detached, semi-detached and townhouse dwelling units while ensuring that the common centre wall between two dwelling units is constructed on the property line.

A By-law approved by Council is in place for two (2) years. After that, the by-law expires, and the part lot control regulations of the Planning Act come back into effect and no further division of the land can occur without a severance application.

The proposed application for Exemption from Part Lot Control is consistent with the registered Plan of Subdivision and staff is recommending approval of this application.

If Council does not agree with staff's recommendation to approve the Part Lot Control exemption application and corresponding by-law, the property could not be divided into smaller freehold lots for individual sale and ownership. The townhouse units could continue as a cluster development on Blocks 170-175 on Registered Plan 58M-684 but could not be sold as individual freehold lots.

## **FINANCIAL IMPACT:**

There are no financial impacts due to this application. The financial impacts have been addressed through the previous plan of subdivision process.

## **PUBLIC VALUE:**

Not applicable.

**ADVISORY COMMITTEE INPUT:**

Not applicable.

**PUBLIC INPUT:**

This application does not require public notification or public input. This report has been posted publicly as part of the report process.

**INTERNAL / EXTERNAL CONSULTATION:**

The applicant provided the Planning Division with a draft copy of the reference plan for review. The draft reference plan was reviewed in conjunction with the registered plan of subdivision and deemed to be in conformity with the approved subdivision. The application was circulated to Building Services, Development Engineering Division, Legal Services and the Region of Waterloo. No comments or action items were raised in regard to the application.

Legal Services reviewed the Schedule A to the draft By-law and has confirmed the parts have been listed in accordance with the draft reference plan.

**CONCLUSION:**

City of Cambridge Development Planning Staff recommends that Council pass the attached by-law to permit Exemption from Part Lot Control on Blocks 170-175 in Registered Plan of Subdivision 58M-684 until March 14, 2025. The Part Lot Control Exemption application represents good planning and will create 36 freehold townhouse lots as was anticipated through the previously approved Plan of Subdivision process.

**REPORT IMPACTS:**

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

**APPROVALS:**

**This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:**

**Director**

**Deputy City Manager**

**Chief Financial Officer**

**City Solicitor**

**City Manager**

**ATTACHMENTS:**

**When naming attachments please use the following format:**

1. 23-181-CD Appendix A – Draft By-law Amendment
2. 23-181-CD Appendix B – Reference Plans
3. 23-181-CD Appendix C – Registered Plan of Subdivision 58M-684