

# Municipality of Lakeshore

## Regular Council Meeting Addendum



Tuesday, December 10, 2024, 4:30 PM  
Essex County Council Chambers  
360 Fairview Avenue West, Essex

Pages

### 21. Addendum

**\*1. Part Lot Control Application (PLC-03-2024) – Giorgi Subdivision**

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**Recommendation:**

Approve the application for exemption for Part Lot Control for Lots 10-14; 18-22; and 28-52, on Registered Plan 12M-698 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 123-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

**\*2. By-law 123-2024, Being a By-law to exempt certain lands from Part Lot Control within Registered Plan 12M-698, consisting of lots 10-14 (inclusive), 18-22 (inclusive), and 28-52 (inclusive) (PLC-03-2024)**

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**Recommendation:**

By-law 123-2024 be read and passed in open session on December 10, 2024.

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council  
**From:** Urvi Prajapati, Team Leader – Community Planning  
**Date:** December 4, 2024  
**Subject:** Part Lot Control Application (PLC-03-2024) – Giorgi Subdivision

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### Recommendation

Approve the application for exemption for Part Lot Control for Lots 10-14; 18-22; and 28-52, on Registered Plan 12M-698 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 123-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

### Background

The subject lands known as the “Giorgi Subdivision” is currently under development. The lots will be serviced by municipal water. Sanitary sewage was allocated and reviewed as part of the subdivision approval process. The plan consists of: 37 lots for single detached residential use; 70 semi-detached dwelling units, 3 blocks (73, 74, and 75) for reserves, and road dedications. The Municipality and the developer entered into a subdivision agreement which was registered on title on February 21, 2023 as instrument number CE1123769.

The plan received final approval from the County of Essex on March 22, 2023 and was registered on March 27, 2023 as Plan 12M-698 (File # 37-T-22005). The subject lands under consideration are located on the south side of Summit Street, west of Marla Crescent and north of the Fletcher Crescent. (See Appendix A).

The developer has submitted a request for a Part Lot Control Exemption to divide some of the lots to permit semi-detached dwellings. These are shown as parts on Reference Plan 12R-29950 (See Appendix B) and a Draft Reference Plan 12R (See Appendix C).

The site is designated 'Residential' in the Lakeshore's Official Plan and is zoned, Residential - Medium Density (R2) and Residential – Medium Density Zone Exception 26 (R2-26), which permits single detached dwelling, semi-detached dwelling, duplex, triplex, townhouses, and accessory uses. A rezoning application relating to 5 Lots in the Registered Plan will come forward to Council in the new year that were not captured during the site-specific rezoning for R2-26 to permit increased side yard setback and increased lot coverages. These 5 Lots include: Lot 4, Lot 5, Lot 27, Lot 53, and Lot 72. These lots are not impacted by the part lot control exemption request.

This part lot control application applies to portion of the plan consisting of Lots 10-14 (inclusive), Lots 18-22 (inclusive), and Lots 28-52 (inclusive) on Registered Plan 12M-698, to further divide into parts as shown on Reference Plan 12R-29950 and a Draft Reference Plan for semi-detached units (Appendix B and C).

## Comments

The *Planning Act* under Subsection 50(7) authorizes Council to pass a by-law to designate a part or parts of a registered plan of subdivision as not being subject to the part lot control provisions of Section 50(5) of the *Planning Act*, in effect allowing further subdivision of the designated lands by means of a Reference Plan and without going through the consent or subdivision process. Passage of the part lot control by-law would permit the owner to convey all or portions of a Lot of Block in a registered Plan of Subdivision. Applications of this type are not subject to public hearings or appeal. Final approval of the by-law rests with the County of Essex, the subdivision approval authority.

### *Provincial Planning Statement (PPS)*

The part lot control application is consistent with the applicable policies of the PPS. The subject lands are located within an identified Primary Settlement Area. Although it can be stated that the proposal supports and implements many of the document's policies, the following important policies specifically apply to the proposal:

- Section 2.2, Housing – this section speaks to planning authorities providing for a range of mix housing options and densities, and this entire section is applicable.
- Section 2.3.1 General Policies for Settlement Areas is applicable to this proposal as this section talks about the growth of Settlement Areas and the role of Municipalities in encouraging efficient use of land and resources. Specifically, the following sections apply the most to the proposal.
- Section 2.3.1(1), General Policies for Settlement Areas, of the PPS states "Settlement areas shall be the focus of growth and development."
- Section 2.3.1(2a & b), General Policies for Settlement Areas, of the PPS states "Land use patterns within settlement areas should be based on densities and a mix of land uses which:
  - a) Efficiently use land and resources;

b) Optimize existing and planned infrastructure and public service facilities...”

- Section 2.3.1(3) “Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”
- Section 2.4 Strategic Growth Areas – this section also speaks on intensification to encourage complete communities by providing a mix and range of housing.

Considering the policies above, the proposed subdivision development and part lot control request is consistent with the applicable policies of the PPS.

*County of Essex Official Plan*

The subdivision is located within the Primary Settlement Area. The proposal conforms to the County of Essex Official Plan.

*Lakeshore Official Plan*

The lands are designated ‘Residential’ in the Lakeshore Official Plan and the proposal conforms to the applicable policies.

*Zoning*

As noted, the subject lands are zoned for Residential Uses in accordance with the site-specific zoning of Residential - Medium Density (R2) and Residential – Medium Density Zone Exception 26 (R2-26), which permits single detached dwelling, semi-detached dwelling, duplex, triplex, townhouses, and accessory uses in the Municipality of Lakeshore Zoning By-law.

*Conclusion*

Administration supports the part lot control request as it is in keeping with the number and type of units approved through the draft plan approval process and the subdivision agreement. It is recommended that Council approve the application for exemption for Part Lot Control for Lots 10-14; 18-22; and 28-52, on Registered Plan 12M-698 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 123-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

**Financial Impacts**

There are no financial impacts resulting from the recommendation.

## Attachments

Appendix A – 12M 698  
Appendix B – Reference Plan 12R-29950  
Appendix C – Draft 12 R (Lots 18-22)

## Report Approval Details

Document Title:	Part Lot Control Application (PLC-03-2024) - Giorgi Subdivision.docx
Attachments:	- Appendix A - 12M 698.pdf - Appendix B - 12R 29950.pdf - Appendix C - Draft 12 R (Lots 18 - 22).pdf
Final Approval Date:	Dec 5, 2024

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

Prepared by Urvi Prajapati

Submitted by Daniel Mercer and Tammie Ryall

Approved by Justin Rousseau

This final plan of subdivision is approved under ss 51, (58) of the Planning Act on this 22nd day of MARCH, 2023.

REBECCA BELANGER  
Manager, Planning Services  
County of Essex

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF ESSEX (12) AT 11:41 O'CLOCK ON THE 22nd DAY OF MARCH, 2023 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIERS 75005-1536 AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. CE1127893

ROBERT BARNES  
REPRESENTATIVE FOR LAND REGISTRY

THIS PLAN COMPRISES ALL OF THE LAND IDENTIFIED BY P.I.N. 75005-1536. PART OF LAKELAND DRIVE IS SUBJECT TO A RIGHT-OF-WAY AS SET OUT IN R375899.

CURVE SCHEDULE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	18.00	5.45	5.43	N34°22'50"E
C2	18.00	21.25	20.04	N09°08'30"W
C3	18.00	21.25	20.04	N75°44'10"W
C4	18.00	5.45	5.43	N81°46'30"E
C5	13.87	20.48	18.67	N09°40'50"E
C6	16.09	12.59	12.27	N57°29'30"W

Known Locally as OAKWOOD AVENUE

Part 11, Plan 12R-21144  
P.I.N. 75005-2102

Part 2, Plan 12R-6677

BLOCK 74

BLOCK 74

BLOCK 75

P.I.N. 75005-0565

BLOCK 73

SUMMIT STREET

BLOCK 75

LOT 4 EAST OF PUCE RIVER  
LOT 5 CONCESSION

MARLA CRESCENT

FLETCHER CRESCENT

LINDEN STREET

MARLA CRESCENT

RENAUD ROAD

FLETCHER CRESCENT

LAKELAND DRIVE

ROSEWOOD DRIVE

ROSEWOOD DRIVE

MARLA CRESCENT  
Part 3, Plan 12R-21882  
Dedicated as Public Highway by O-Plan 107-2005 (CE198223)

MARLA CRESCENT  
Part 3, Plan 12R-21882

PLAN OF SUBDIVISION OF PART OF LOT 4, CONCESSION EAST OF PUCE RIVER

GEOGRAPHIC TOWNSHIP OF MAIDSTONE MUNICIPALITY OF LAKESHORE COUNTY OF ESSEX, ONTARIO

VERHAEGEN LAND SURVEYORS - A DIVISION OF J.D.BARNES LTD. SCALE = 1:500

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND AND NOTES  
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) MADS (CSRS) (2010.0).

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) MADS (CSRS) (2010.0).

POINT ID	NORTHING	EASTING
ORP-A	4683169.15	355530.38
ORP-B	4683375.93	355118.01

OWNERS CERTIFICATE  
THIS IS TO CERTIFY THAT:  
1. LOTS 1 TO 72 (incl.), BLOCKS 73, 74, (0.30m RESERVES), BLOCK 75 AND THE STREETS NAMED FLETCHER CRESCENT, LAKELAND DRIVE, LINDEN STREET, MARLA CRESCENT AND SUMMIT STREET HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.

OWNERS CERTIFICATE  
THIS IS TO CERTIFY THAT:  
1. LOTS 1 TO 72 (incl.), BLOCKS 73, 74, (0.30m RESERVES), BLOCK 75 AND THE STREETS NAMED FLETCHER CRESCENT, LAKELAND DRIVE, LINDEN STREET AND MARLA CRESCENT HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.

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VERHAEGEN LAND SURVEYORS  
A DIVISION OF J.D. BARNES LTD.

DRAWN BY: A.S.M. CHECKED BY: A.S.M. REFERENCE NO.: 21-47-530-00  
FILE: 21-47-530-00A.dwg E-MAID-EPR-4 CAD Date: March 20, 2023 1:24 PM CAD File: 21-47-530-00A.dwg



COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE SMART-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	4683375.939	355118.016
ORP-B	4683350.940	355515.288

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

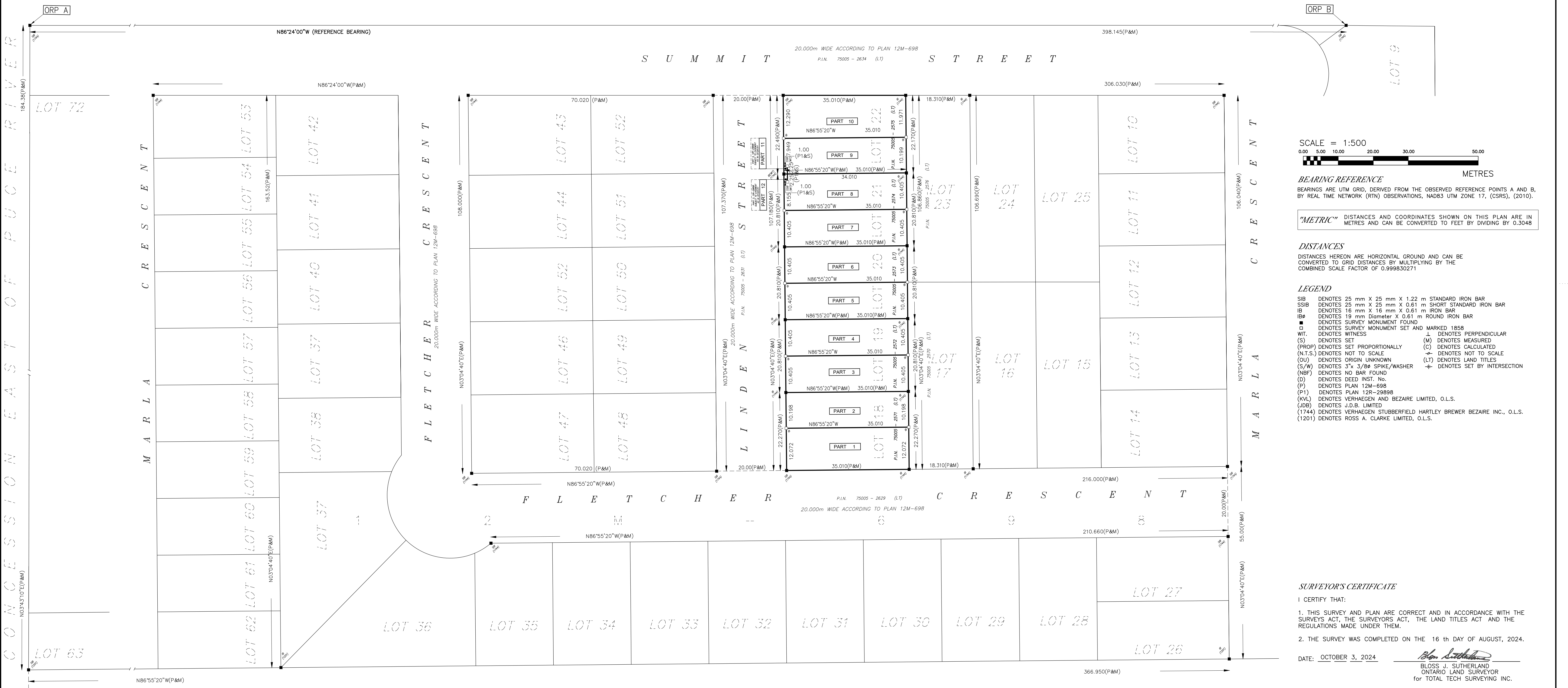
**AREAS**  
 AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO SQUARE FEET BY MULTIPLYING BY 10.76391.

PARTS					SCHEDULE				
PART	LOT	PLAN	P.I.N.	AREA	PART	LOT	PLAN	P.I.N.	AREA
1	PART OF LOT 18		PART OF 75005-2571(LT)	422.6 Sq.m.	4	PART OF LOT 19		PART OF 75005-2572(LT)	364.3 Sq.m.
2	PART OF LOT 18	12M-698	PART OF 75005-2571(LT)	357.0 Sq.m.	5	PART OF LOT 20	12M-698	PART OF 75005-2573(LT)	364.3 Sq.m.
3	PART OF LOT 19		PART OF 75005-2572(LT)	364.3 Sq.m.	6	PART OF LOT 20		PART OF 75005-2573(LT)	364.3 Sq.m.
					7	PART OF LOT 21		PART OF 75005-2574(LT)	364.3 Sq.m.
					8	PART OF LOT 21	12M-698	PART OF 75005-2575(LT)	362.0 Sq.m.
					9	PART OF LOT 22		PART OF 75005-2575(LT)	354.8 Sq.m.
					10	PART OF LOT 22		PART OF 75005-2575(LT)	424.7 Sq.m.
					11	PART OF LOT 22		PART OF 75005-2575(LT)	2.3 Sq.m.
					12	PART OF LOT 21		PART OF 75005-2574(LT)	2.3 Sq.m.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT  
 DATE: OCTOBER 3, 2024  
 BLOSS J. SUTHERLAND  
 ONTARIO LAND SURVEYOR

PLAN 12R -  
 RECEIVED AND DEPOSITED  
 DATE: \_\_\_\_\_  
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

PLAN OF SURVEY  
 OF  
 LOTS 18 to 22, PLAN 12M-698  
 (IN THE GEOGRAPHIC TOWNSHIP OF MAIDSTONE)  
 IN THE  
 MUNICIPALITY OF LAKESHORE  
 COUNTY OF ESSEX



SCALE = 1:500  
 0.00 5.00 10.00 20.00 30.00 50.00  
 METRES

**BEARING REFERENCE**  
 BEARINGS ARE UTM GRID, DERIVED FROM THE OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, NAD83 UTM ZONE 17, (CSRS), (2010).

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**DISTANCES**  
 DISTANCES HEREON ARE HORIZONTAL GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999830271

**LEGEND**

SIB DENOTES 25 mm X 25 mm X 1.22 m STANDARD IRON BAR  
 SSIB DENOTES 25 mm X 25 mm X 0.61 m SHORT STANDARD IRON BAR  
 IB DENOTES 16 mm X 16 mm X 0.61 m IRON BAR  
 IBØ DENOTES 19 mm Diameter X 0.61 m ROUND IRON BAR  
 ▀ DENOTES SURVEY MONUMENT FOUND  
 □ DENOTES SURVEY MONUMENT SET AND MARKED 1858  
 WIT. DENOTES WITNESS  
 (S) DENOTES SET  
 (PROP) DENOTES SET PROPORTIONALLY  
 (N.T.S.) DENOTES NOT TO SCALE  
 (O) DENOTES ORIGIN UNKNOWN  
 (S/W) DENOTES 3" X 3/8" SPIKE/WASHER  
 (NB) DENOTES NO BAR FOUND  
 (D) DENOTES DEED INST. NO.  
 (P) DENOTES PLAN 12M-698  
 (P1) DENOTES PLAN 12R-29898  
 (KVL) DENOTES VERHAEGEN AND BEZAIRE LIMITED, O.L.S.  
 (JDB) DENOTES J.D.B. LIMITED  
 (1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.  
 (1201) DENOTES ROSS A. CLARKE LIMITED, O.L.S.

↑ DENOTES PERPENDICULAR  
 (M) DENOTES MEASURED  
 (C) DENOTES CALCULATED  
 + DENOTES NOT TO SCALE  
 (LT) DENOTES LAND TITLES  
 ✱ DENOTES SET BY INTERSECTION

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 16 th DAY OF AUGUST, 2024.  
 DATE: OCTOBER 3, 2024  
 BLOSS J. SUTHERLAND  
 ONTARIO LAND SURVEYOR  
 for TOTAL TECH SURVEYING INC.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2214954

**Total Tech Surveying Inc.**  
 341 Talbot St. N.  
 Units 2 & 3  
 Essex, ON N8M 2W3  
 (519) 776-9887

Drawn by: W.R.G. Checked by: B.J.S. Job No: 2024-174-K Plan File No: P-460-K  
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# Municipality of Lakeshore

## By-law 123-2024

**Being a By-law to exempt certain lands from Part Lot Control within Registered Plan 12M-698, consisting of lots 10-14 (inclusive), 18-22 (inclusive), and 28-52 (inclusive), in for the former Community of Maidstone, now in the Municipality of Lakeshore**

**(PLC-03-2024)**

**Whereas** the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that part lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

**And whereas** Subsection 50(7) of the *Planning Act* provides that the Council of the Municipality may by by-law provide that the part lot control provisions of Section 50 of the *Planning Act* does not apply to lands within a registered plan of subdivision or part(s) as designated in the by-law, and where the by-law is passed and approved part lot control as described in Subsection 50(5), ceases to apply to such land;

**And whereas** it is deemed desirable that the provisions of Subsection 50 (5) of the *Planning Act* shall not apply to certain lands that are within Registered Plan 12M-698, in the Municipality of Lakeshore, as recommended by the Team Leader – Community Planning at the December 10, 2024 Council meeting;

**Now therefore** the Council of the Municipality of Lakeshore enacts as follows:

1. Subsection 50(5) of the *Planning Act*, R.S.O. 1990, C. P.13 shall not apply to the lands within part of the registered plan of subdivision designated as follows:

Lots 10-14 (inclusive), 18-22 (inclusive), and 28-52 (inclusive) Registered Plan 12M-698, in the Municipality of Lakeshore.

2. The development of the lands more particularly described in Section 1 of this by-law shall be only by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Municipality of Lakeshore.
3. This by-law shall expire on December 10, 2027.
4. This by-law shall come into force and take effect after the final passing thereof on the date upon which this by-law is approved by the County of Essex pursuant to the provisions of the *Planning Act*.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**