

TOWN OF
ERIN Town of Erin
Corporate Report

Department: Planning & Development

Business Unit: Planning & Development

**Presented/
Prepared By:** David Waters, Manager of Planning &
Development

Report Number:
PD2025-07

Meeting Date:
3/13/2025

Subject

Recommendation Report, Part Lot Control Application (PLC25-02), National Properties Inc. (Erin Glen Phase 2 Plan 61M-261)

Recommendation

That report number PD2025-07 “Recommendation Report, Part Lot Control Application (PLC25-02), National Properties Inc. (Erin Glen Phase 2 Plan 61M-261)” be received for information;

And that By-law 25-26 as listed on the March 13, 2025, agenda be approved.

Highlights

National Properties Inc. has applied to the Town of Erin to request a by-law be passed by Council to provide exemption from Part Lot Control for several Blocks and Lots within the registered Phase 2 of the Erin Glen subdivision to create twenty-eight (28) semidetached and freehold townhouse units.

The proposed by-law provides for the requested exemption and is subject to final review and approval by the County of Wellington’s Director of Planning and Development.

Background

The area subject to this application is Phase 2 of Registered Plan 61M-261 and consists of 18.318 hectares (45.2 acres) legally described as Pt Lots 16 and 17 Concession 10 in the geographic Town of Erin. The Erin Glen development is planned as a mixed-use community with residential, commercial, employment and institutional uses. The Phase 2 M-Plan of the Erin Glen subdivision is attached hereto as Appendix A.

Discussion

Exemption to Part Lot Control is typically used to divide lots where dwellings share a common wall (i.e., semi-detached and townhouse units) and also allows for the creation of lots within existing plans of subdivision without Committee of Adjustment or Plan of Subdivision approval.

The Planning Act, 1990 (the “Act”) sets out a framework to control land division in Ontario. It does this, in part, by prescribing restrictions that prevent the conveyance of any portion, or “part” of a whole lot or block within a registered plan of subdivision. This is known as “Part Lot Control”, which has the effect of preventing any further division of land or lots/blocks within a plan of subdivision without approval of the municipality. Subsection 50(7) of the Act gives Council the authority to pass a by-law to exempt lands from the restrictions of the Act.

Such by-laws have the effect of removing, or “lifting” Part Lot Control from any lot/block within a registered plan of subdivision for a specified period of time, to allow further division of part(s) of any such lot/block.

This application is the final step in the planning approval process to legally create freehold lots so they can be conveyed to future homeowners. It is appropriate to approve land division for this development at this time, since the proposed unit boundaries relate to the dividing walls of the buildings, which are best delineated and confirmed through the construction process. A Certificate prepared by an Ontario Land Surveyor (OLS) was submitted to confirm that the lot fabric and constructed dwelling unit foundations comply with the Zoning By-law.

Exemption by-laws are generally for a one or two year time period. Planning staff are recommending Council pass the by-law for a two-year time period to give sufficient time for the Applicant/Builder to construct single-detached and townhouse dwelling units on a number of Blocks and Lots and convey the lots to the new owners. If the Applicant does not complete all the conveyances in that time frame, they can apply for an extension to the time period in accordance with Section 50 (7.3) of the Act.

The proposed lots meet the requirements for lot frontage and area of the Town’s Zoning By-law. In addition, the draft legal plans prepared by R-PE Surveying Ltd. Were reviewed by the Town’s consulting engineer to determine consistency with the Engineering Drawings for Phase 2 of the Erin Glen Subdivision. The Town’s consulting engineer finds that the lot and block dimensions are consistent with Plan 61M-261 describing lots and blocks in the Solmar Subdivision Phase 2, and with municipal easements.

The three R-Plans illustrating the semi-detached and townhouse lot fabric resulting from the passing of the by-law are attached hereto as Appendices B to D, inclusive and have been deposited with the Land Registry Office.

PLC25-02 represents the second Part Lot Control application for Phase 2 of the Erin Glen subdivision. A third Part Lot Control application for Phase 2 was recently submitted to the Town and is under review.

Following Council passing the proposed by-law, the Town will submit a package to the County of Wellington for review and final approval by the Director of Planning and Development.

Strategic Pillar

Growth Management

Financial Impact

The fee and deposit associated with this application are collected at the time of filing the application and included within the operating revenues of the Planning & Development Division of Community Services.

Conclusion

National Properties Inc. applied to the Town of Erin to request a by-law be passed by Council to provide exemption from Part Lot Control for a number of Blocks and Lots within the registered Phase 2 Erin Glen plan of subdivision to create twenty-eight (28) semi-detached and freehold townhouse units within registered plan 61M-261.

The lots and blocks within the R-Plans including easements were reviewed to determine consistency with the approved Engineering drawings for Solmar's Phase 2 Erin Glen plan of subdivision and were found to be acceptable from a development engineering viewpoint.

Attachments

Appendix A – Plan 61M - 261

Appendix B – Plan 61R - 22935

Appendix C – Plan 61R - 22937

Appendix D – Plan 61R - 22960

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