



Regular Council Meeting

To:	Mayor and Council
Date:	December 6, 2021
From:	Karen Ellis, Director of Planning
Report Number:	Planning 2021-62
Subject:	Veltri and Son Ltd. (Coldbrook Drive) Part Lot Control Exemption By-law – Lots 1, 2, 3, 9, 10, 11, 12 and 13 and Blocks 14 and 15, Plan 45M-259 and Part of Blocks 19 and 20, Plan 9M-733

Recommendations:

1. That By-law No. 2021-72 be approved to temporarily remove Part Lot Control from Lots 1, 2, 3, 9, 10, 11, 12 and 13, Plan 45M-259 and Part of Blocks 19 and 20, Plan 9M-733 as permitted under Section 50(7) of the Planning Act; and
2. That By-law No. 2021-72 be forwarded to Peterborough County for approval.

Overview:

On behalf of Veltri and Son Ltd., Michael Fry of D. G. Biddle and Associated Ltd. applied to the Township of Cavan Monaghan for an exemption of part lot control as it applies to part of Lots 1, 2, 3, 9, 10, 11, 12 and 13 and Blocks 14 and 15, Plan 45M-259 and part of Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive). The Blocks are designated and zoned to permit the development of a linked semi-detached dwelling unit on each lot. A key map showing the location of the Blocks subject to the Application is provided as Attachment No. 1 to this Report.

Part Lot Control (Section 50(5) of the Planning Act) prohibits the conveyance of a portion of a lot on a registered plan of subdivision without consent issued from the County Land Division Committee. To exempt the property from Part Lot Control, Council can pass a part lot control exemption by-law.

By-law No. 2021-72 has been drafted to temporarily exempt Lots 1, 2, 3, 9, 10, 11, 12 and 13 and Blocks 14 and 15, Plan 45M-259 and part of Blocks 19 and 20, Plan 9M-733 from Part Lot Control. By exempting Lots 1, 2, 3, 9, 10, 11, 12 and 13 and Blocks 14 and 15 (Plan 45M-259) and part of Blocks 19 and 20 (Plan 9M-733) from Part Lot Control, the parcel of land associated with each dwelling unit can be registered as an individual lot in Land Titles.

The By-law contains a sunset clause of December 31, 2024. The proposed time frame allows the owner to construct the dwelling units, confirm the property lines, and register and convey ownership of each individual parcel. After December 31, 2024, Part Lot Control will once again be in effect on the land and consent will be required for the division of the land.

The Planning Act requires the Authority for subdivision approval to authorize Part Lot Control Exemption By-laws passed by the local Municipality. As Peterborough County is the approval authority for subdivisions in the Township of Cavan Monaghan, the County must approve the By-law before it becomes effective.

By-law No. 2021-72 completes the part lot control exemptions for the lands on Coldbrook Drive.

Financial Impact:

None at this time. The required application fee has been received by the Township.

Attachments:

- Attachment No. 1: Key Map
- Attachment No. 2: By-law No. 2021-72

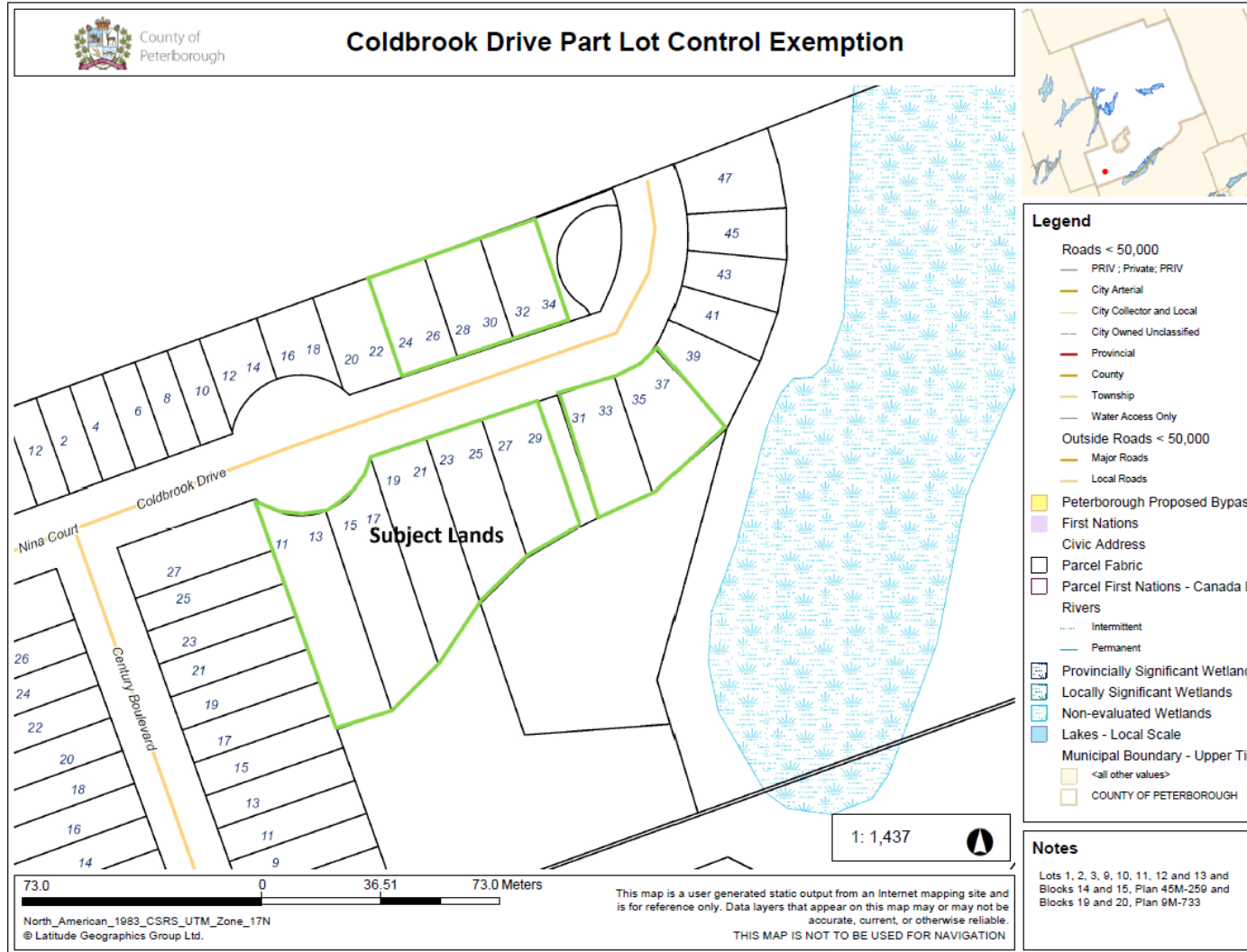
Respectfully Submitted by,

Reviewed by,

Karen Ellis, B.A.A.
Director of Planning

Yvette Hurley
Chief Administrative Officer

Attachment No. 1: Key Map



Attachment No. 2: By-law No. 2021-72

The Township of Cavan Monaghan

By-law No. 2021-72

Being a by-law to temporarily exempt certain lands within Registered Plans 45M-259 and 9M-733 (Coldbrook Drive) for the Township of Cavan Monaghan from Part Lot Control

Whereas pursuant to subsection 50(7) of the Act, Council may designate lands within a plan of subdivision that are not subject to the “part lot control provisions” set out in subsection 50(5) of the Act;

And Whereas Veltri and Son Limited has applied to Council to exercise its discretion under subsection 50(7) to “lift part lot control” as it relates to Lots 1, 2, 3, 9, 10, 11, 12 and 13 and Blocks 14 and 15, Plan 45M-259 and Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive);

And Whereas Veltri and Son Limited entered into a subdivision agreement with the Township wherein it is contemplated that the above-referenced blocks would be further subdivided for the purpose of accommodating linked semi-detached dwelling units through the lifting of part lot control.

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. That subsection 50(5) of the Planning Act, R.S.O. 1990 as amended, shall not apply to Lots 1, 2, 3, 9, 10, 11, 12 and 13 and Blocks 14 and 15, Plan 45M-259 and Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive) for the purposes of creating four separately conveyable parcels of land, as described in sections 2 through 5 below.
2. Lots 1, 2, 3, 9, 10, 11, 12 and 13, Plan 45M-259 are each to be divided into two separately conveyable parcels having similar lot frontages and lot areas that comply with the applicable zoning as it existed on the date this By-law was passed.
3. Blocks 14 and 15, Plan 45M-259 and the portions of Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive) conveyed by the Township to Veltri and Son Limited, cumulatively, are to be divided into a total of four separately conveyable parcels having similar lot frontages and lot areas that comply with the applicable zoning as it existed on the date this By-law was passed.

4. This By-law shall come into force and effect upon the approval of the Council of the Corporation of the County of Peterborough or designate and shall continue in full force and effect until December 31, 2024, upon which date this By-law is being repealed.

Read a first, second and third time and passed this 6th day of December 2021.

Scott McFadden
Mayor

Cindy Page
Clerk