



## Regular Council Meeting

<b>To:</b>	Mayor and Council
<b>Date:</b>	September 8, 2020
<b>From:</b>	Karen Ellis, Director of Planning
<b>Report Number:</b>	Planning 2020-27
<b>Subject:</b>	Pristine Homes Part Lot Control Exemption By-law – Block 131, Plan 45M-256

### Recommendations:

1. That By-law No. 2020-51 be approved to temporarily remove Part Lot Control from Block 131 on Plan 45M-256 as permitted under Section 50(7) of the Planning Act; and
  2. That By-law No. 2020-51 be forwarded to Peterborough County for approval.
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### Overview:

Pristine Homes applied to the Township of Cavan Monaghan for an exemption of part lot control as it applies to Block 131 of Plan 45M-256 (Phase 1B of Towerhill South). The Block is designated and zoned to permit the development of a townhouse dwelling unit on each lot. A key map showing the location of Block 131 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. 2020-51 has been drafted to temporarily exempt Block 131 on Plan 45M-256 from Part Lot Control. By exempting Block 131 on Plan 45M-256 from Part Lot Control, the parcel of land associated with each townhouse unit can be registered in Land Titles.

The By-law contains a sunset clause of December 31, 2024. The time frame allows the owner to construct the townhouse units, confirm the property lines, and register and convey ownership of each parcel. After December 31, 2024, Part Lot Control will once

again be in effect on the land and consent would once again 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 County Council is the approval authority for subdivisions in the Township of Cavan Monaghan, County Council must approve the By-law before it becomes effective.

Cavan Monaghan Township and Peterborough County have approved part lot control exemption by-laws for Blocks 132, 133, 134, 136, 137, 138, 139, 140, 141, 142, and 143 of the Subdivision. A part lot control exemption by-law for Block 135 remains outstanding.

**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. 2020-51

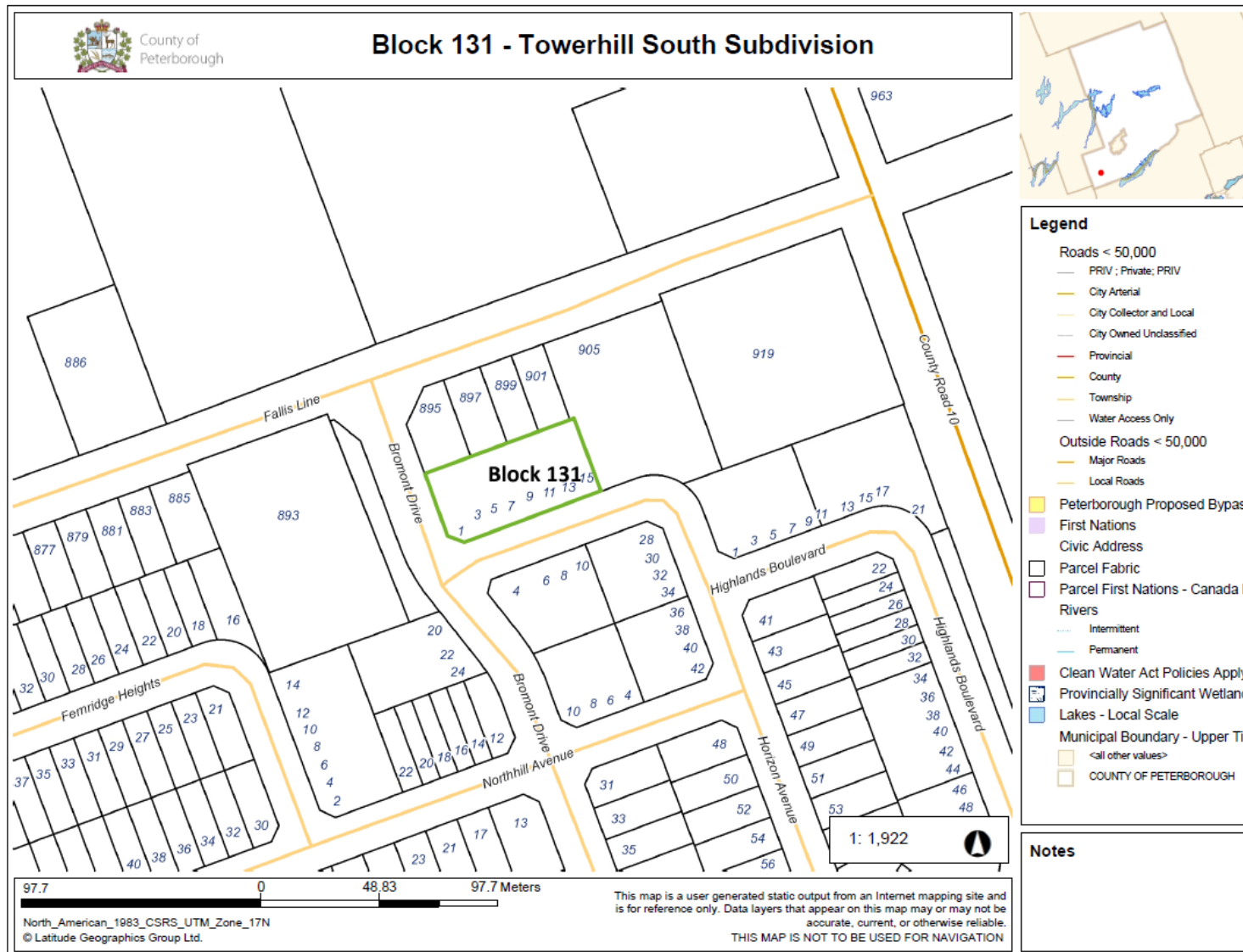
Respectfully Submitted by,

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. 2020-51**

**The Township of Cavan Monaghan**

**By-law No. 2020-51**

**Being a by-law to temporarily exempt certain lands within  
Registered Plan 45M-256 for the Township of Cavan Monaghan from  
Part Lot Control**

**Whereas** Section 50(5) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, provides that part lot control shall apply when land is within a plan of subdivision registered before or after the coming into force of the Act.

**And Whereas** Section 50(7) of the Act provides that a Council may, by By-law, provide that Section 50(5) does not apply to designated lands within a registered plan of subdivision.

**And Whereas** the Council of the Corporation of the Township of Cavan Monaghan deems it desirable to designate Block 131, Plan 45M-256, pursuant to Section 50(7), to permit the construction of dwelling units, one on each of the said parcels to be created by Reference Plan.

**And Whereas** the Council of the Corporation of the Township of Cavan Monaghan deems it desirable to designate Parts 1 to 19 inclusive on Reference Plan 45R-16998, which is a plan of survey of Block 131, Plan 45M-256, pursuant to Section 50(7), to permit the construction of townhouse dwelling units on Parts 1 to 19 inclusive on Plan 45R-16998.

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

1. While this By-law is in effect, Section 50(5) of the Planning Act, R.S.O. 1990, Chapter P. 13 does not apply to Block 131, Plan 45M-256 for the Township of Cavan Monaghan
2. This By-law shall come into force and effect upon the approval of the Council of the Corporation of the County of Peterborough 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 8th day of September, 2020.

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Scott McFadden  
Mayor

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Elana Arthurs  
Clerk