



Regular Council Meeting

To:	Mayor and Council
Date:	November 18, 2024
From:	Karen Ellis, Director of Planning
Report Number:	PEB 2024-51
Subject:	Veltri and Son Ltd. (Coldbrook Drive) Part Lot Control Exemption By-law – Lots 2, 3, 9, 10, 11, 12 and 13 and Block 14, Plan 45M-259 and Part of Blocks 19 and 20, Plan 9M-733

Recommendations:

1. That By-law No. 2024-60 be approved to temporarily lift Part Lot Control from Lots 2, 3, 9, 10, 11, 12 and 13 and Block 14, Plan 45M-259 and Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive) as permitted under Section 50(7) of the Planning Act; and
2. That By-law No. 2024-60 be forwarded to Peterborough County for approval.

Overview:

On behalf of Veltri and Son Ltd., Diana Chambers of Titlers Profesional Corporation applied to the Township of Cavan Monaghan for an extension to the exemption of part lot control as it applies to part of Lots 2, 3, 9, 10, 11, 12 and 13 and Block 14, Plan 45M-259 and part of Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive). 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.

On December 6, 2021, Council approved By-law No. 2021-72 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-law No. 2021-72 has an expiry date of December 31, 2024.

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 expiration date of December 31, 2024 was intended to allow the owner time 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 be in effect on the land and consent will be required for the division of the land.

As of October 2024, all of the proposed lot conveyances have not been completed by Veltri and Son Ltd. and are unlikely to be completed by the December 31, 2024 deadline. As such, Veltri and Son Ltd. have applied to the Township for permission to extend the part lot control exemption for Lots, 2, 3, 9, 10, 11, 12 and 13, and Block 14, Plan 45M-259 and Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive).

By-law No. 2024-60 has been drafted to provide part lot control exemption to the subject lands for an additional 3 years. As drafted, the By-law will expire on December 31, 2027. A copy of By-law No. 2024-60 is provided as Attachment No. 2 to this Report.

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.

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. 2024-60

Respectfully Submitted by,

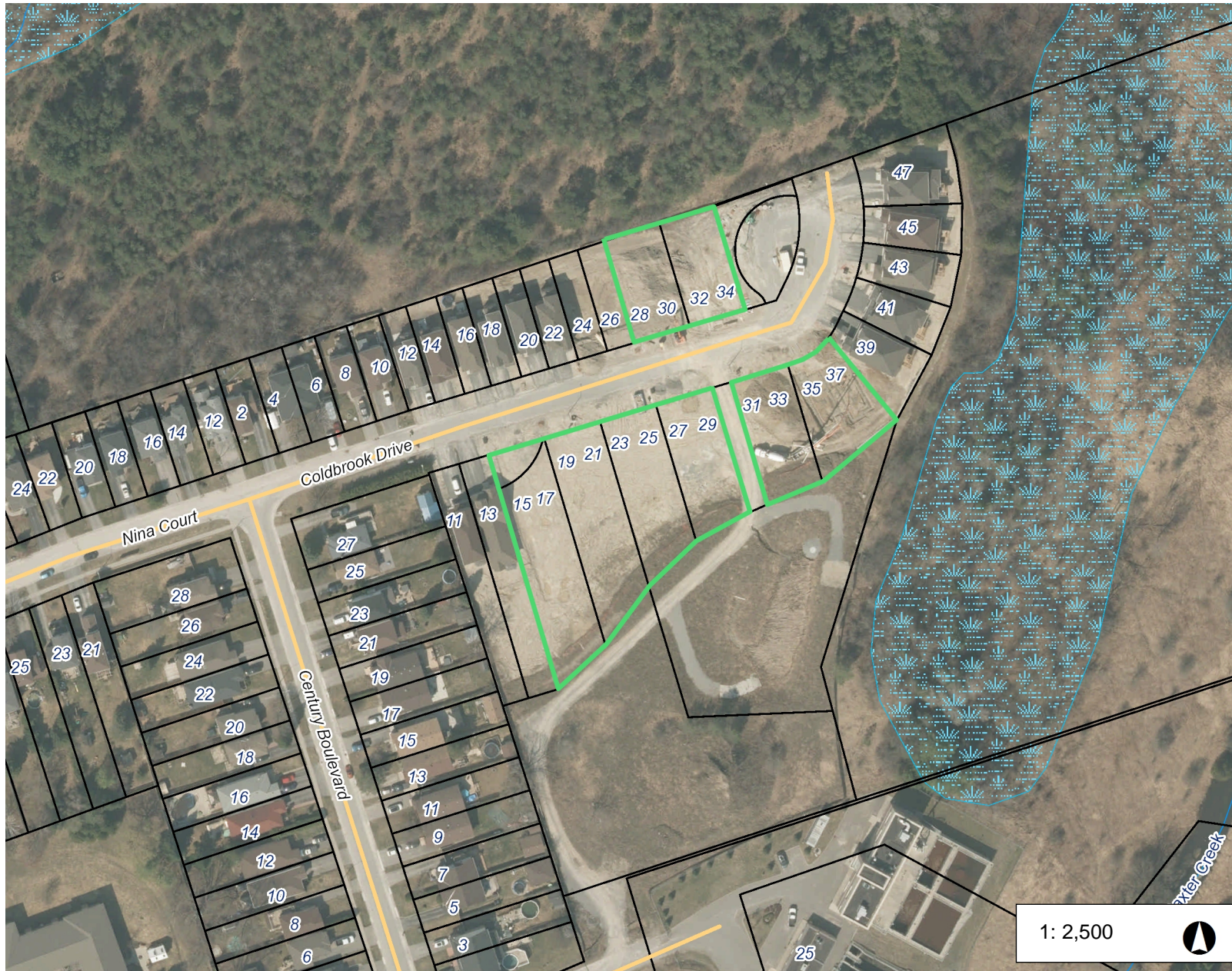
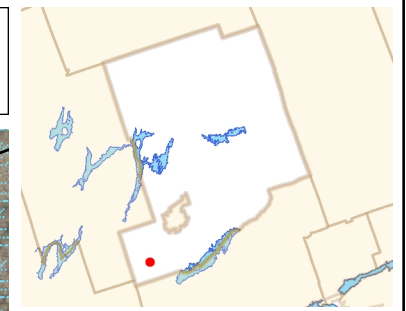
Reviewed by,

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

Yvette Hurley
Chief Administrative Officer



By-law No. 2024-60 Part Lot Control Exemption By-law Lands



Legend

- Roads < 50,000**
 - PRIV ; Private; PRIV
 - City Arterial
 - City Collector and Local
 - City Owned Unclassified
 - Provincial
 - County
 - Township
 - Water Access Only
- Outside Roads < 50,000**
 - Major Roads
 - Local Roads
- Peterborough Proposed Bypass
- First Nations
- Civic Address
- Parcel Fabric
- Parcel First Nations - Canada I
- Rivers**
 - Intermittent
 - Permanent
- Clean Water Act Policies Apply
- Provincially Significant Wetland
- Locally Significant Wetlands
- Non-evaluated Wetlands
- Lakes - Local Scale
- Municipal Boundary - Upper Ti**
 - <all other values>
 - COUNTY OF PETERBOROUGH

Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

127.0 0 63.50 127.0 Meters

The Township of Cavan Monaghan

By-law No. 2024-60

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 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 Council approved By-law No. 2021-72 on December 6, 2021 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 By-law No. 2021-72 imposed an expiry date of December 31, 2024;

And Whereas Veltri and Son Limited applied in October 2024 to Council to exercise its discretion under subsection 50(7) to “lift part lot control” as it relates to Lots 2, 3, 9, 10, 11, 12 and 13 and Block 14, 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 2, 3, 9, 10, 11, 12 and 13 and Block 14, Plan 45M-259 and Blocks 19 and 20, Plan 9M-733 (Coldbrook Drive) for the purposes of creating separately conveyable parcels of land, as described in sections 2 and 3 below.
2. Lots 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. Block 14, 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 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.
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, 2027, upon which date this By-law is being repealed.

Read a first, second and third time and passed this 18th day of November 2024.

Matthew Graham
Mayor

Cindy Page
Clerk