



City of  
Peterborough

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**TO:** Members of the Planning Committee

**FROM:** Malcolm Hunt, Director of Planning and Development Services

**MEETING DATE:** November 2, 2009

**SUBJECT:** Report PLPD09-063  
Part Lot Control Exemption  
Ireland Drive

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## PURPOSE

A report to exempt certain lands along the north side of Ireland Drive from Part Lot Control for a period of two years.

## RECOMMENDATION

That Council approve the recommendation outlined in Report PLPD09-063 dated November 2, 2009, of the Director of Planning and Development Services, as follows:

That a by-law be enacted to temporarily remove Part Lot Control from Blocks 93 and 94 of Plan 45M-214 as permitted under Section 50(7) of the *Planning Act* for the purpose of conveying parcels of land appropriately associated with the development of fourteen linked dwelling units, each to be held under separate ownership.

## BUDGET AND FINANCIAL IMPLICATIONS

No budget or financial implications would result from the decision to approve this By-law.

## BACKGROUND

The owner of the property is seeking temporary exemption from Part Lot Control for Blocks 93 and 94 on Plan 45M-214 as illustrated on Exhibit A attached to Report PLPD09-063. The subject property is designated for residential purposes and is zoned SP. 273 Residential District to support the development of linked dwellings on the properties in accordance with the regulations of the zoning district.

By exempting Blocks 93 and 94 from Part Lot Control, it can be expected that a parcel of land associated with each unit could be registered in Land Titles and will comply with the regulations of the applicable zoning district. To facilitate the sale of each parcel associated with each unit to a separate owner, it is recommended that a by-law be passed identifying Blocks 93 and 94 of Plan 45M-229 and exempting them from Part Lot Control for a period of two years from the date of the by-law being passed. It is anticipated that the two year time frame would allow the owner to construct the dwellings, determine the line of severance, register and convey ownership of each parcel. After the two years, Part Lot Control will once again be in effect on the land and consent would be required for the division of land.

Part Lot Control (Section 50(5) of the *Planning Act*), prohibits the conveyance of a portion of a lot on a registered plan without consent issued from the Committee of Adjustment, unless Council exempts the property by By-law.

All of which is respectfully submitted,

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Malcolm Hunt, Director  
Planning & Development Services

Prepared by,

Concurred with,

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Richard Straka  
Planner, Policy & Research

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Manager of Planning

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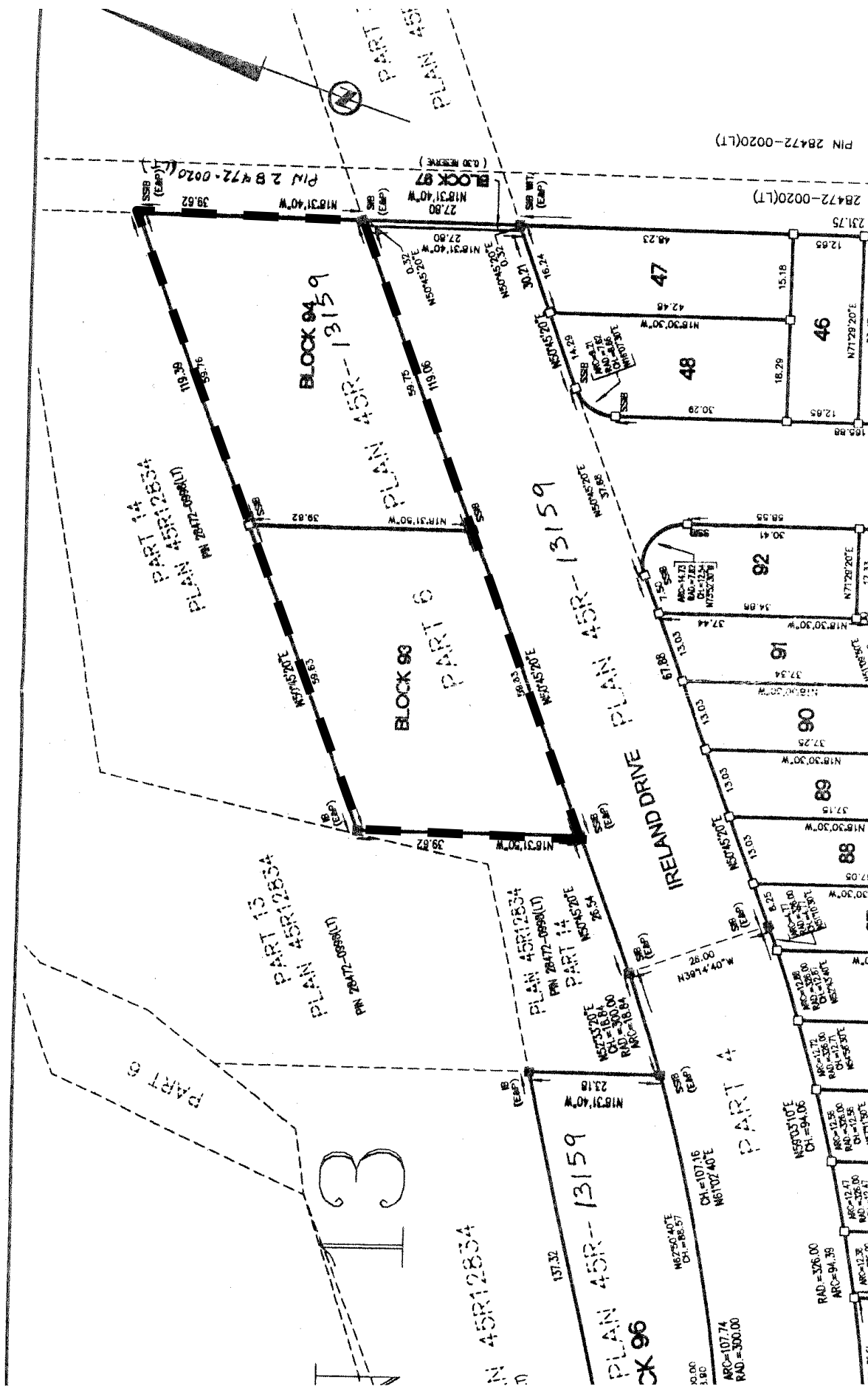
Email – [rstraka@peterborough.ca](mailto:rstraka@peterborough.ca)

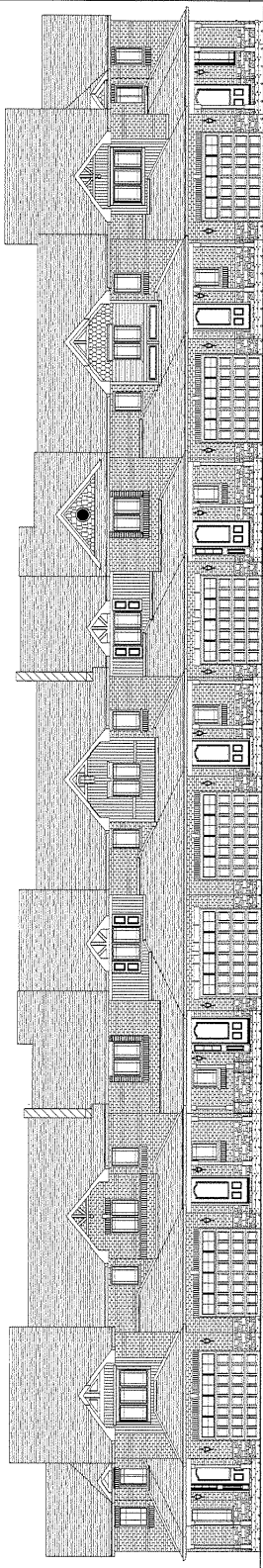
Attachments:

Exhibit “A” – Portion of Plan 45M-214

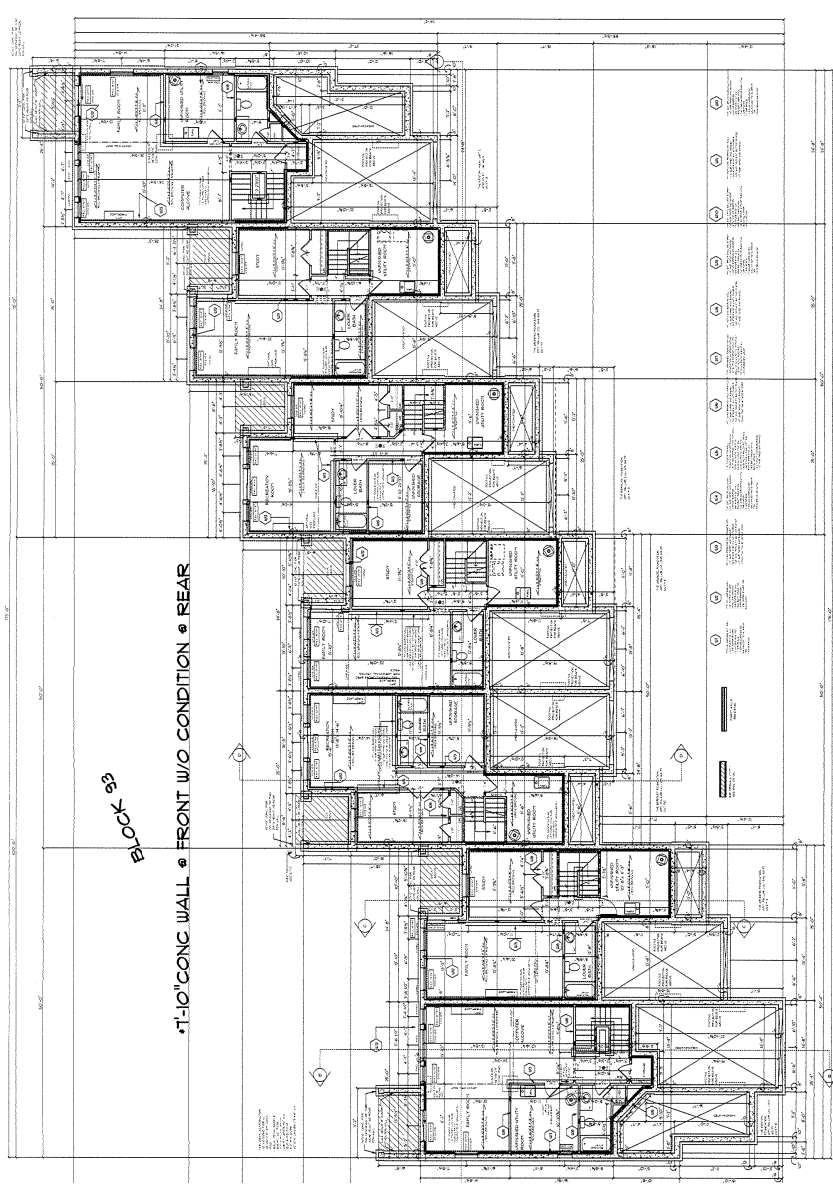
Exhibit “B” – Illustration of townhouse units to be constructed

Exhibit “C” - Draft By-law





MAPLERIDGE TOWNHOMES



THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 09-\_\_\_\_

**BEING A BY-LAW TO TEMPORARILY EXEMPT CERTAIN LANDS WITHIN  
REGISTERED PLAN 45M-218 IN THE CITY OF PETERBOROUGH FROM  
PART LOT CONTROL**

WHEREAS Section 50(5) of the *Planning Act*, R.S.O. 1990 Chapter P.13, 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 Section 50(7) of the *Planning Act* provides that a Council may, by By-law, provided 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 City of Peterborough deems it desirable to designate Blocks 93 and 94 of Plan 45M-214 pursuant to Section 50(7), to permit the construction of up to 14 linked dwelling units – one each of 14 lots to be created.

NOW THEREFORE THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREFORE 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 the parts of land listed above for the City of Peterborough.
2. This by-law shall be in effect until January 1, 2011, upon which date this by-law is repealed.

By-law read a first, second and third this \_\_\_\_ day of \_\_\_\_\_, 2009

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D. Paul Ayotte, Mayor

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Nancy Wright-Laking, City Clerk