



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

**FROM:** Ken Hetherington, Manager, Planning Division

**MEETING DATE:** June 21, 2010

**SUBJECT:** Report PLPD10-041  
Application for Condominium Approval  
4 Units at 696 Whitaker Street

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## **PURPOSE**

A report to recommend that condominium approval be granted for 4 vacant land condominium units at 696 Whitaker Street.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in Report PLPD10-041 dated June 21, 2010 of the Manager, Planning Division, as follows:

- a) That the application for condominium approval submitted by Whetung Law to exempt 4 units from the Section 50 requirements of the *Planning Act* (as amended) in accordance with Subsection 50(3) of the *Condominium Act* (as amended) at 696 Whitaker Street be approved.
- b) That the condominium plans be submitted to the satisfaction of the Director of Planning and Development Services Department.
- c) That the Director of Planning and Development Services be given authorization to stamp, date, and sign the condominium plans indicating approval, by the Council of the Corporation of the City of Peterborough, under Section 50 of the *Condominium Act*, (as amended).

## BUDGET AND FINANCIAL IMPLICATIONS

At the current rate, a development charge in the amount of \$29,652.00 will be due before the issuance of building permits. A parkland levy has been assessed and deposited in the amount of \$12,000.00.

## BACKGROUND

The subject property was zoned in April 2009 from OS.2 - Open Space District to SP.342 – “H”. Just recently, the Site Plan application was approved, and the “H” – Holding Symbol on the zoning of the property was removed.

### The Application

An exemption to the procedures for approval pursuant to the Condominium Act apply under circumstances where all the public and municipal interests are satisfied by way of other Planning approval mechanisms. With respect to this application for condominium approval, the subject property is appropriately zoned and has site plan approval ensuring that all public and municipal interests have been addressed. The municipality must be satisfied that the Condominium plan conforms with the Zoning By-law and the approved site plan before granting approval.

This application for condominium approval relates to 4 vacant land units at 696 Whitaker Street. Vacant land condominium units are actually lots made available for purchase accessed by a private driveway or road, and are on private services. The exclusive use element in the condominium plan is the lot, and the common elements are the access road and services.

In this particular instance, there is an existing dwelling on one of the lots, and the other three are vacant. Construction on the lots can commence once the condominium plan is registered and the lots are purchased from the owner.

The site plan agreement was signed and registered on the title of the property. Before the registration of the condominium plan, the following criteria must be met:

- a) Site development must be substantially complete, and deemed to comply with the site plan agreement.
- b) The plan of condominium must conform to the City's Official Plan.
- c) The plan must comply with the City's Zoning By-law.

The development of the condominium's common elements (access road and services) is now at a stage when the condominium may be approved and registered.

### **Official Plan and Zoning**

The subject property is zoned SP.342 – Residential District, which permits the development of a four unit vacant land condominium.

The creation of the proposed 4 condominium units on the subject property is in compliance with the Official Plan as well as all applicable Zoning By-law regulations.

## **SUMMARY**

Staff have reviewed the application, and are recommending approval of the condominium application based on the following:

- a) The developer declared his condominium intention with the City concurrent with an application for site plan approval, and the project is being constructed in accordance with regulations and standards associated with a vacant land condominium development.
- b) The development conforms to the City's Official Plan and Zoning By-law. Additionally, the land as developed to this point in time, complies with the Site Plan Agreement, and the City holds sufficient security to ensure its completion.

Submitted by,

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Ken Hetherington  
Manager, Planning Division

Prepared by,

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Brian Buchardt  
Planner of Urban Design

Concurred with

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Malcolm Hunt, Director  
Planning & Development Services

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Attachments:

Exhibit A      Land Use Map  
Exhibit B      Site Plan  
Exhibit C      Draft Condominium Plan