



City of  
**Peterborough**

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**TO:** Members of Planning Committee

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

**MEETING DATE:** October 29, 2012

**SUBJECT:** Report PLPD12-065  
Part Lot Control Exemption  
Louden Terrace and Florence Drive

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## **PURPOSE**

A report to exempt certain lands along Loudon Terrace and Florence Drive from Part Lot Control for a period of three years.

## **RECOMMENDATION**

That Council approve the recommendation outlined in report PLPD12-065 dated October 29, 2012, of the Manager Planning Division, as follows:

That a by-law be enacted to temporarily remove Part Lot Control from Blocks 343 to 353, inclusive, of Plan 45M-234, as permitted under Section 50(7) of the *Planning Act* for the purpose of conveying parcels of land appropriately associated with the development of 58 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

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 by the Committee of Adjustment unless Council exempts the property from Part Lot Control by passing a by-law. The owner of the subdivision referred to as Jackson Creek Meadows is seeking temporary exemption from Part Lot Control over Blocks 343 to 353 inclusive, of Plan 45M-234, as illustrated on Exhibit A attached to Staff Report PLPD12-065. The property is designated for residential purposes and Blocks 343 to 349 inclusive are zoned SP. 273, 5o -256 and Blocks 350 to 353 inclusive are zoned SP. 373, 5o – 256 Residential District in anticipation of the development of linked townhomes. By exempting the parcels of land from Part Lot Control it can be expected that up to 58 lots could be created. Each parcel of land associated with each town house 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 of land associated with each unit, it is recommended that a by-law be passed to identify Blocks 343 to 353 inclusive, of Plan 45M-234 and exempt them from Part Lot Control for a period of three years from the day the by-law is passed. It is expected that over a period of three years, the developer could construct the dwellings, determine the line of severance and any necessary easements, register and convey each parcel of land. After three years, Part Lot Control will once again be in effect over the land and consent would be required for the division of land.

Submitted by,

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Ken Hetherington  
Manager, Planning Division

Prepared by,

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Richard Straka  
Planner, Policy & Research

Concurred with,

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Malcolm Hunt, Director  
Planning & Development Services

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Attachments:

Exhibit “A 1 of 2” – Plan 45M-234

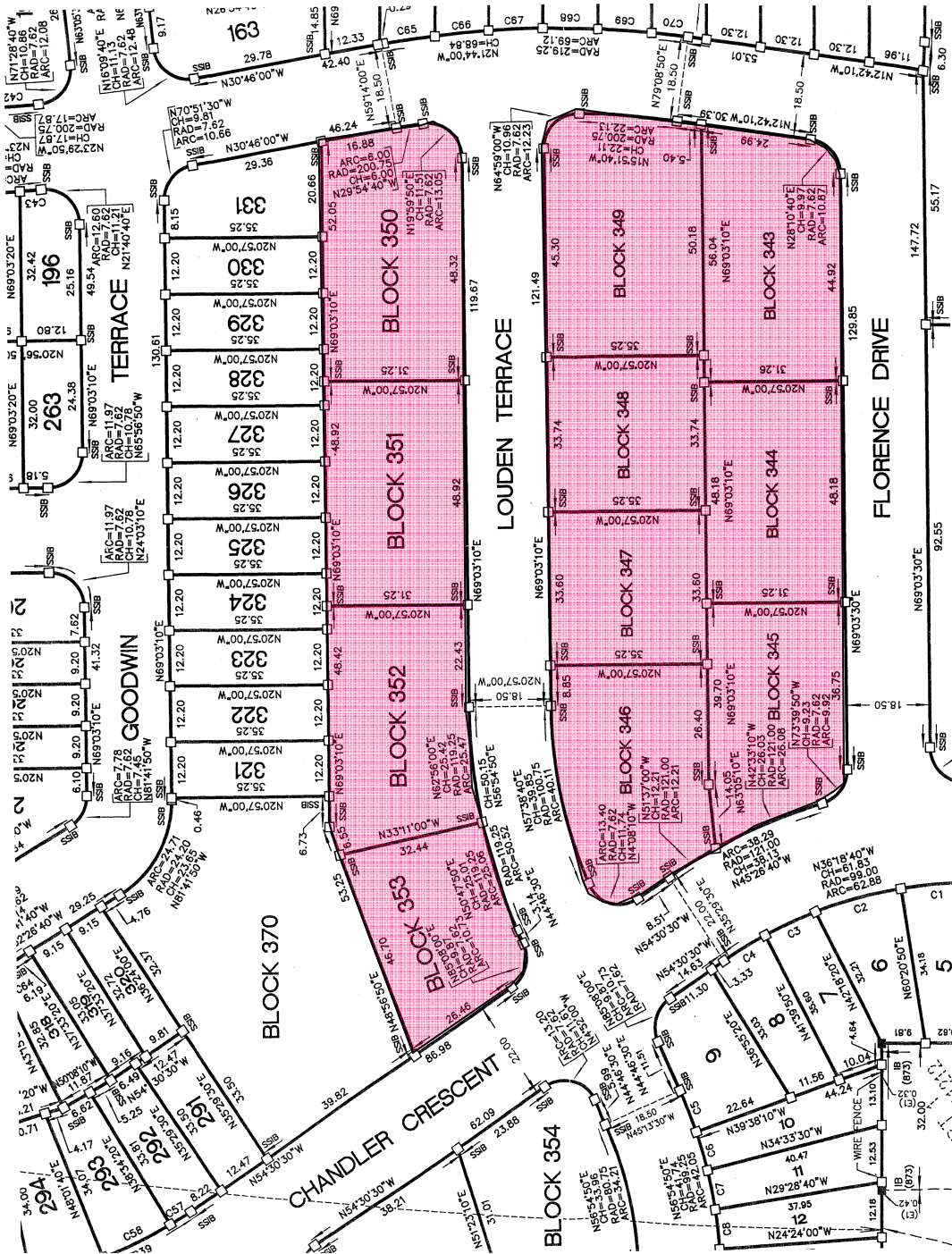
Exhibit “A 2 of 2” – Excerpt from Plan 45M-234

Exhibit “B” – Draft By-law



Exhibit "A 2 of 2"

Excerpt from  
Plan 45M-234



**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 12-\_\_\_\_**

**BEING A BY-LAW TO TEMPORARILY EXEMPT CERTAIN LANDS WITHIN  
REGISTERED PLAN 45M-234 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, 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 City of Peterborough deems it desirable to designate Blocks 343 to 353, inclusive, of Plan 45M-234, pursuant to Section 50(7), to permit the construction of up to 58 linked dwelling units – one on each of the 58 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 Blocks 343 to 353, inclusive, of Plan 45M-234 for the City of Peterborough.
2. This by-law shall come into force and effect until December 1, 2015, upon which date this by-law is repealed.

By-law read a first, second and third time this \_\_\_\_ day of \_\_\_\_\_, 2012.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk