

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2018-022

Date: March 6, 2018

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: Ward 4 - Eldon

Subject: A by-law to deem Lots 40 and 41, Registered Plan 304, Vacant Land on Centennial Park Road, geographic Township of Eldon (Kinney) – Planning File D30-2018-005

David Harding, Planner II:

Recommendation:

RESOLVED THAT Report PLAN2018-022, respecting Lots 40 and 41, Registered Plan 304, geographic Township of Eldon, “Kinney – Application D30-2018-005”, be received;

THAT a Deeming By-law respecting Lots 40 and 41, Registered Plan 304, substantially in the form attached as Appendix “D” to Report PLAN2018-022, be approved and adopted by Council; and

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Proposal:	The owner has requested Council pass a Deeming By-law to deem Lots 40 and 41, Registered Plan 304, not to be lots within a registered plan of subdivision. See Appendices “A” and “B”.		
Owner:	Mark Kinney		
Official Plan:	“Waterfront” – City of Kawartha Lakes Official Plan		
Zone:	“Rural Residential Type Three (RR3) Zone” – Township of Eldon Zoning By-law Number 94-14		
Site Servicing:	None		
Existing Use:	Vacant Land		
Adjacent Uses:	North:	Commercial/Forest	
	South:	Rural/Forest	
	East & West:	Residential	

Rationale:

The owner is proposing to construct a single detached dwelling that spans both lots, see Appendix “C”. The proposal does not comply with the Zoning By-law as the proposed development crosses a mutual lot line. The lots must be consolidated for the proposed development to proceed.

Adoption and subsequent registration of this Deeming By-law (see Appendix “D”) will consolidate Lots 40 and 41, both of Plan 304, into one larger lot so they cannot be sold separately. The legal description will remain the same: Lots 40 and 41, Plan 304.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the owner’s lands.

Financial/Operation Impacts:

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:

The City’s Strategic Plan outlines Council’s vision for the municipality. The vision consists of three main Strategic Goals: that of a vibrant and growing economy, an exceptional quality of life, and a healthy environment.

This application aligns with the quality of life and healthy environment priorities by creating a property with a larger building envelope to support a proposed residence and on-site servicing, and by reducing the total number of undersized shoreline residential back lots.

Conclusion:

The consolidation of the lands will create one larger lot. As a result, a larger building envelope is available to site a single detached dwelling and its septic system. The deeming by-law will facilitate the issuance of a building permit for the proposed dwelling. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



Appendix A to
PLAN2018-022.pdf

Appendix B – Surveyor's Sketch



Appendix B to
PLAN2018-022.pdf

Appendix C – Applicant Sketch



Appendix C to
PLAN2018-022.pdf

Appendix D – Draft Deeming By-law



Appendix D to
PLAN2018-022.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D30-2018-005