

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PLAN2018-019**

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**Date:** April 10, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** 13

**Subject:** A By-law to Deem Lot 54 and Part Lakeshore Park, Part 16, 57R-8884, Registered Plan 126, geographic Township of Verulam, being 37 Oak Park Road (Allen – D30-2018-002)

**Author Name and Title:** Janet Wong, Planner II

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### **Recommendations:**

**RESOLVED THAT** Report PLAN2018-019, “Allen – D30-2018-002”, be received;

**THAT** a Deeming By-law respecting Lot 54, Registered Plan 126 and Part Lakeshore Park, Registered Plan 126, Part 16, 57R-8884, substantially in the form attached as Appendix “D” to Report PLAN2018-019, be approved and adopted by Council; and

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

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Proposal:	To deem Lot 54 Registered Plan 126 and Part Lakeshore Park, Registered Plan 126, Part 16, 57R-8884, not to be a lot within a registered plan of subdivision.
Owner:	Heidi Allen
Applicant:	Kent Randall, EcoVue Consulting Services Inc.
Official Plan:	"Waterfront" – City of Kawartha Lakes Official Plan
Zone:	"Residential Type One (R1) Zone" – Township of Verulam Zoning By-law Number 6-87
Site Servicing:	Private individual well and septic system
Existing Use:	Shoreline Residential
Adjacent Uses:	North: Sturgeon Lake East: Shoreline Residential South: Tier 2 shoreline residential West: Shoreline Residential

## **Rationale:**

The owner is seeking to sever 0.55 ha. of land with an existing septic system for the purposes of a lot addition from property described as Lots 49 - 53, Registered Plan 126 (east side of Juniper Park Road). The consent application (D03-16-029) was conditionally approved May 12, 2017 by the Director of Development Services. The deeming by-law is required in order to allow the 0.55 ha. severed lands to merge on title with 37 Oak Park Road described as Lot 54, Registered Plan 126. As part of this application, the owner is also seeking to deem Part Lakeshore Park, Registered Plan 126, which is also part of 37 Oak Park Road, such that the three components will legally merge together into one lot. Please refer to Appendices "B" and "C". The owner has requested that Council pass a Deeming By-law to effect the consolidation of Lot 54 and Part Lakeshore Park, Part 16, 57R-8884. Lots 49 to 53, Plan 126 had previously been deemed not to be part of a registered plan by By-law 33-92.

Adoption and subsequent registration of this Deeming By-law (Appendix "D") will allow the applicant to register the deed to effect the consolidation intended by consent application D03-16-029. The effect of this Deeming By-law is that Lot 54 and Part Lakeshore Park, Part 16, 57R-8884 will consolidate into one lot and allow for the lot addition to legally occur. The legal description will remain as – Lot 54, Plan 126 and Part Lakeshore Park, Plan 126, Part 16, 57R-8884. All agency comments have been addressed through consent file D03-16-029.

## **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 applicant'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 Recommendations 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 shoreline property with buildings and an appropriate area for servicing associated with the dwelling to be located on one lot.

## **Conclusion:**

The consolidation of the lands will allow for the creation of a lot with structures and servicing associated with the lot to be located on one property. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Attachments:**

Appendix "A" – Location Map

Appendix "B" – Consent Application Sketch

Appendix "C" – Registered Plan 159 and Reference Plan 57R-8884

Appendix "D" – Draft Deeming By-law



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf

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**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall

**Department File:** D30-2018-002