

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

## **Council Report**

**Report Number PLAN2018-030**

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

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**Ward Community Identifier:** Ward 6 - Fenelon

**Subject:** A by-law to deem Lot 9 and Block 10, Registered Plan 573, 14 and 24 Jubbs Shore Road, geographic Township of Fenelon (Bereznicki) – Planning File D30-2018-001

**Author:** David Harding, Planner II

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### **Recommendation:**

**RESOLVED THAT** Report PLAN2018-030, “Bereznicki – D30-2018-001”, be received;

**THAT** a Deeming By-law respecting Lot 9 and Block 10, Registered Plan 573, substantially in the form attached as Appendix “D” to Report PLAN2018-030, 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 9 and Block 10, Registered Plan 573, not to be lots within a registered plan of subdivision. See Appendices “A”, “B”, and “C”.		
Owner:	Lois (Elaine) and Robert (Rob) Bereznicki		
Official Plan:	“Waterfront” – City of Kawartha Lakes Official Plan		
Zone:	14 Jubbs Shore Road – “Rural Residential Type Three Exception Seven (RR3-7) Zone” 24 Jubbs Shore Road – “Rural Residential Type Three (RR3) Zone” Township of Fenelon Zoning By-law Number 12-95		
Site Servicing:	14 Jubbs Shore Road – Private individual well and sewage disposal system  24 Jubbs Shore Road – Private individual well and decommissioned sewage disposal system.		
Existing Use:	Shoreline Residential		
Adjacent Uses:	North, South, East:	Shoreline Residential	
	West:	Residential, Commercial	

## **Rationale:**

The owners are proposing two lot line adjustments between two shoreline residential lots, see Appendix “C”. 14 Jubbs Shore Road (Block 10) will receive approximately 1,447.5 square metres from 24 Jubbs Shore Road (Lot 9). 24 Jubbs Shore Road will receive approximately 2,730.1 square metres from 14 Jubbs Shore Road.

On May 12, 2017, the Director of Development Services as delegated by Council granted provisional consent to applications D03-16-027 and 028. A condition within each decision required the adoption of a Deeming By-law. The owners have requested that Council pass a Deeming By-law (see Appendix “D”) in order to fulfill provisional consent conditions. Until the consents are finalized, the legal descriptions for the two properties will remain the same: Lot 9, and Block 10, Plan 573.

## **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 owners’ 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 facilitating lot line adjustments to recognize how each property is used. 14 Jubbs Shore Road will receive lands abutting the canal, which has traditionally used as part of its yard space. There is currently a woodlot which spans both lots. The lands at 24 Jubbs Shore Road will permit the woodlot to be fully contained upon one lot.

## **Conclusion:**

The consolidation of the lands will fulfill a condition of each provisional consent decision. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Attachments:**

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Surveyor's Sketch  
Appendix D – Draft Deeming By-law

  
Appendix A to  
PLAN2018-030.pdf

  
Appendix B to  
PLAN2018-030.pdf

  
Appendix C to  
PLAN2018-030.pdf

  
Appendix D to  
PLAN2018-030.pdf

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**Department Head:** Chris Marshall

**Department File:** D30-2018-001