

**The Corporation of the City of Kawartha Lakes**  
**Council Report**

**Report Number PLAN2018-038**

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**Date:** May 8, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** 2

**Title:** Deeming By-law Application D30-2018-008 - Rochetta

**Description:** Deem Lots 16 and 17, Registered Plan 179, geographic Township of Bexley, being 57 Lakeview Cottage Road (Rochetta)

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

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**Recommendations:**

**That** Report PLAN2018-038, **Deeming By-law Application D30-2018-008 - Rochetta**, be received;

**THAT** a Deeming By-law respecting Lots 16 and 17, Registered Plan 179, substantially in the form attached as Appendix "D" to Report PLAN2018-038, 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 Lots 16 and 17, Registered Plan 179 not to be lots within a registered plan of subdivision

Owner: Fernando and Regina Rochetta

Applicant: Anthony Camposeo

Official Plan: "Waterfront" – City of Kawartha Lakes Official Plan

Zone: "Rural Residential Type Three (RR3) Zone" – Township of Bexley Zoning By-law Number 93-09

Site Servicing: Lake-based water supply and private individual septic system

Existing Use: Shoreline Residential

Adjacent Uses: North: Shoreline Residential  
East: Balsam Lake  
South: Shoreline Residential  
West: Rural

## **Rationale:**

The owner is proposing to relocate an existing shared garage entirely onto 57 Lakeview Cottage Road. A minor variance was granted approval January 18, 2018 to reduce the front yard setback from 7.5 m. to 3 m. in order to permit the garage. The proposed location of the garage and the existing dwelling crosses a lot line. A condition of the Committee of Adjustment is that a Deeming By-law be passed in order to consolidate Lots 16 and 17, Registered Plan 179 that comprise 57 Lakeview Cottage Road in order that the property can be treated as one lot for the purposes of implementing the Zoning By-law. Please refer to Appendices "B" and "C". The owner has requested that Council pass a Deeming By-law to effect the consolidation of Lots 16 and 17, Registered Plan 179.

Adoption and subsequent registration of this Deeming By-law (Appendix "D") will fulfill a condition of minor variance approval for file D20-2018-005. The effect of this Deeming By-law is that Lots 16 and 17 will consolidate into one larger lot and establish two side lot lines for determining setback requirements. The legal description will remain as – Lots 16 and 17, Plan 179. All agency comments have been addressed through minor variance file D20-2018-005.

## **Other Alternatives Considered:**

At this time, there are no other alternatives considered that are appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the owners' land.

## **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 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 building envelope to support the residential use and reduces the total number of undersized residential lots.

## **Conclusions:**

The consolidation of the two separate parcels will create one larger lot, which does not comply with the minimum lot area requirement of the Zoning By-law, but will bring the property closer to compliance with the minimum lot area requirement of 2,000 sq.m. This will fulfill a condition of a minor variance approval and provide for the existing dwelling and accessory buildings to be located on one lot. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Attachments:**

- Appendix "A" – Location Map
- Appendix "B" – Minor Variance Application Sketch
- Appendix "C" – Registered Plan 179
- Appendix "D" – Draft Deeming By-law



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf

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

**Department Head:** Chris Marshall

**Department File:** D30-2018-008