

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2018-065

Date: August 14, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Ward 1 - Carden

Subject: A by-law to deem Lots 31 and 32, Registered Plan 321, 38 Marlene Lane, geographic Township of Carden (Morris) – Planning File D30-2018-011

Author and Title: David Harding, Planner II

Recommendation:

RESOLVED THAT Report PLAN2018-065, respecting Lots 31 and 32, Registered Plan 321, geographic Township of Carden, **Morris – Application D30-2018-011**, be received;

THAT a Deeming By-law respecting Lots 31 and 32, Registered Plan 321, substantially in the form attached as Appendix D to Report PLAN2018-065, 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:	To deem Lots 31 and 32, Registered Plan 321, not to be lots within a registered plan of subdivision.
Owner:	Gareth Morris
Official Plan:	Waterfront – City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential (LSR) Zone – Township of Carden Zoning By-law Number 79-2
Site Servicing:	Lot 31 – well and septic system Lot 32 – Vacant Land
Existing Use:	Lot 31 – Residential Lot 32 - Vacant Land
Adjacent Uses:	North, South: Second Tier Shoreline Residential/Forest East: Second Tier Shoreline Residential West: Rural/Agricultural/Forest

Rationale:

The owner is proposing to construct a detached garage on Lot 32, located to the west of the dwelling on Lot 31 (38 Marlene Lane), see Appendices B and C. The proposal does not comply with the Zoning By-law as the garage, an accessory building, would not be accessory to a dwelling on the same lot. The lots must be consolidated for the proposed development to proceed. Thus, the owner has requested Council pass a Deeming By-law to deem Lots 31 and 32, Registered Plan 321, not to be lots within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix D) will consolidate Lots 31 and 32, both of Plan 321, into one larger lot so they cannot be sold separately. The legal description will remain the same: Lots 31 and 32, Plan 321.

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, which reduces the total number of undersized shoreline residential back lots and provides additional space should a new septic system or well be required in the future.

Conclusion:

The consolidation of the two separate lots will create one larger lot. The deeming by-law will facilitate the issuance of a building permit for the proposed detached garage. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



Appendix A to
PLAN2018-065.pdf

Appendix B – ApplicantSketch



Appendix B to
PLAN2018-065.pdf

Appendix C – Subdivision Plan Excerpt



Appendix C to
PLAN2018-065.pdf

Appendix D – Draft Deeming By-law



Appendix D to
PLAN2018-065.pdf

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Department Head: Chris Marshall

Department File: D30-2018-011