

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PLAN2018-079

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**Date:** November 13, 2018

**Time:** 2:00 p.m.

**Place:** Victoria Room, City Hall

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**Ward Community Identifier:** Ward 5 - Fenelon

**Subject:** A by-law to deem Lots 10 and 11, Registered Plan 56, 26 Long Beach Road, geographic Township of Fenelon (Beers) – Planning File D30-2018-016.

**Author and Title:** Quadri Adebayo, Planner II

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### Recommendation:

**RESOLVED THAT** Report PLAN2018-079, respecting Lots 10 and 11, Registered Plan 56, geographic Township of Fenelon, **Beers – Application D30-2018-016**, be received;

**THAT** a Deeming By-law respecting Lots 10 and 11, Registered Plan 56, substantially in the form attached as Appendix D to Report PLAN2018-079, 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 10 and 11, Registered Plan 56, not to be lots within a registered plan of subdivision		
Owner:	Shane Beers		
Official Plan:	Hamlet Settlement Area – City of Kawartha Lakes Official Plan		
Zone:	Hamlet Residential (HR) Zone – Township of Fenelon Zoning By-law Number 12-95		
Site Servicing:	Lot 10 – Private well and septic system Lot 11 – Vacant Land		
Existing Use:	Lot 10 – Residential Lot 11 – Vacant Land		
Adjacent Uses:	North:	Residential/Agricultural	
	South:	Agricultural	
	East:	Residential/Agricultural	
	West:	Residential	

## **Rationale:**

Mr. Beers resides on Lot 10 (26 Long Beach Road) and has purchased Lot 11, Vacant Land on Long Beach Road (see Appendix B) in order to obtain more yard space for the development of a detached garage. Mr. Beers is seeking to deem these two lots not to be part of a registered plan of subdivision in order to merge the parcels on title. Thus, Mr. Beers has requested Council to pass a Deeming By-law to deem Lots 10 and 11, Registered Plan 56, not to be lots within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix D) will allow the two parcels to be consolidated as one providing greater flexibility with use of the lands and enable sufficient amenity space for the installation of a detached garage. Therefore, they cannot be sold separately, and the legal description will remain the same: Lots 10 and 11, Plan 56.

## **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 supplementary buildable area to support an accessory use associated with the dwelling located on the benefitting lot.

## **Conclusion:**

The consolidation of the lands will create a larger residential lot with sufficient amenity space and an associated future accessory building envelope 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 A to  
PLAN2018-079.pdf

### **Appendix B – Applicant Sketch**



Appendix B to  
PLAN2018-079.pdf

### **Appendix C – Subdivision Plan Excerpt**



Appendix C to  
PLAN2018-079.pdf

### **Appendix D – Draft Deeming By-law**



Appendix D to  
PLAN2018-079.pdf

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

**Department Head:** Chris Marshall

**Department File:** D30-2018-016