

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2019-017

Date: March 26, 2019
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Ward 8 - Manvers

Subject: A by-law to deem Lots 1 to 8, Registered Plan 9, Part Lots 24 and 25, Concession 11, geographic Township of Manvers (John Holmberg and Lisa Robertson) – Planning File D30-2019-001

Author and Title: Amanda Warren, Planner I

Recommendation:

That Report PLAN2019-017, respecting Lots 1 to 8, Registered Plan 9, geographic Township of Manvers, **John Holmberg/Lisa Robertson – Application D30-2019-001**, be received;

That a Deeming By-law respecting Lots 1 to 8, Registered Plan 9, substantially in the form attached as Appendix “C” to Report PLAN2019-017, 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 1 to 8, Registered Plan 9, not to be lots within a registered plan of subdivision (See Appendices “A” and “B”).		
Owner:	John Holmberg and Lisa Robertson		
Agent:	David Marsh		
Legal Desc:	Part Lots 24 and 25 Concession 11, Lots 1-8 S/S Fallis Street, Plan 9, Fallis Street, Franklin Street, Plan 9, geographic Township of Manvers		
Official Plan:	Rural – City of Kawartha Lakes Official Plan		
Zone:	Rural General (A1) Zone – Township of Manvers Zoning By-law 87-06		
Site Servicing:	None		
Existing Use:	Vacant/Recreational		
Adjacent Uses:	North:	Residential, Agricultural	
	South:	Industrial Disposal, Agricultural, Residential	
	East:	Agricultural, Residential, Commercial Recreation	
	West:	Agricultural, Industrial Extractive	

Rationale:

The owners of Lots 1 to 8, located South of Fallis Street on Registered Plan 9 have requested that Council pass a Deeming Bylaw to effect the consolidation of these parcels into one lot. According to the applicant, there is a land titles issue that is preventing the property from being registered and conveyed as one consolidated parcel as the road allowances do not appear to have been formally stopped up and closed by by-law. Once the deeming bylaw is approved, the City can proceed with the proposed closure and conveyance of the road allowance to the property owners.

Adoption and subsequent registration of this Deeming By-law (See Appendix “B”) will consolidate Lots 1 through 8, South of Fallis Street on Plan 9 so that the lots cannot be sold separately and will enable the subsequent merger of the two road allowances proposed to be closed. The legal description will remain the same: Lots 1 to 8, S/S Fallis Street, Plan 9, Manvers and Franklin Street and Fallis Street, Plan 9, Manvers.

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, vibrant and growing economy and healthy environment by rectifying a land titles issue, reducing the total number of undersized residential lots and creating a larger rural property to support rural or agricultural land uses.

Conclusion:

The consolidation of the lands will facilitate the closure and conveyance of two road allowances, correcting a land titles issue preventing the property from being registered and conveyed as one parcel. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



Appendix A to
PLAN2019-017.pdf

Appendix B – Subdivision Plan Excerpt



Appendix B to
PLAN2019-017.pdf

Appendix C – Draft Deeming By-law



Appendix C - Draft
Deeming By-law.pdf

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Department Head: Chris Marshall

Department File: D30-2019-001