

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PLAN2019-030

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**Date:** May 21, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** Ward 2 - Bobcaygeon

**Subject:** A By-law to Deem Block A, Registered Plan 70, 31 Main Street, former Village of Bobcaygeon (Rasmussen) – Planning File D30-2019-003

**Author and Title:** David Harding, Planner II

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### Recommendations:

**RESOLVED THAT** Report PLAN2019-030, respecting Block A, Registered Plan 70, former Village of Bobcaygeon, **Rasmussen – Application D30-2019-003**, be received;

**THAT** a Deeming By-law respecting Block A, Registered Plan 70, substantially in the form attached as Appendix C to Report PLAN2019-030, 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 Block A, Registered Plan 70, not to be a lot within a registered plan of subdivision.		
Owner:	Elizabeth Rasmussen		
Official Plan:	Urban – Victoria County Official Plan		
Zone:	Severed: Commercial Recreation Special Four (C3-S4) Zone Retained: Urban Residential Type Two Special Fourteen (R2-S14) Zone  Both zones are within the Village of Bobcaygeon Zoning By-law 16-78		
Site Servicing:	Municipal water and sewer		
Existing Use:	Residential (Duplex), Commercial (Bobcaygeon Inn)		
Adjacent Uses:	North:	Residential, Telecom Utility Building	
	South:	Open Space, Marina	
	East:	Big Bob Channel	
	West:	Residential, Commercial	

## **Rationale:**

The owner received provisional consent via application D03-17-008 to sever the duplex building on the east side of the property from the balance of the subject lands containing the Bobcaygeon Inn. Through the review of the consent application, it was identified that a portion of one of the two Bobcaygeon Inn buildings straddles Block A and Block B of Registered Plan 70. The subject property contains all of Block A but only part of Block B, see Appendix B. Block A, as a whole of a block on a registered plan of subdivision, is a separately conveyable lot. The proposal does not comply with the Zoning By-law as the boundary between Block A and Part of Block B is treated as a lot line. Block A must be consolidated with Part of Block B for the proposed development to proceed in compliance with the zoning by-law. Therefore, the owner has requested Council pass a Deeming By-law to deem Block A, Registered Plan 70, not to be a lot within a registered plan of subdivision in order to fulfill provisional consent Condition 8.

Adoption and subsequent registration of this Deeming By-law (see Appendix C) will consolidate Block A, Plan 70, with Part of Block B, Plan 70 so that Block A cannot be sold separately. The legal description will remain the same: Block A, Part Block B S/S Front Street, Registered Plan 70.

## **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 Recommendations 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 vibrant and growing economy goal by addressing a technical issue pertaining to a property containing an existing commercial operation.

## **Conclusion:**

The deeming by-law will facilitate the separation of the Bobcaygeon Inn from the duplex to the east by fulfilling condition 8 of provisional consent application D03-17-008. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Attachments:**

### **Appendix A – Location Map**



Appendix A to  
PLAN2019-030.pdf

### **Appendix B – Surveyor's Sketch**



Appendix B to  
PLAN2019-030.pdf

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



Appendix C to  
PLAN2019-030.pdf

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

**Department Head:** Chris Marshall

**Department File:** D30-2019-003