

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2017-054

Date: August 22, 2017
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Ward 3

Subject: A By-law to Deem Lots 20 and 21, Registered Plan 184, geographic Township of Somerville, being 26 Birch Glen Drive (Collings)

Author: David Harding, Planner I

Recommendations:

RESOLVED THAT Report PLAN2017-054, “Collings – D30-17-004”, be received;

THAT a Deeming By-law respecting Lots 20 and 21, Registered Plan 184, substantially in the form attached as Appendix “C” to Report PLAN2017-054, be approved and adopted by Council; and

THAT the Mayor and Clerk be authorized to execute and documents required by the approval of this application.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Proposal:	To deem Lots 20 and 21, Registered Plan 184, not to be lots within a registered plan of subdivision. See Appendices “A” and “B” attached.
Owners:	William and Deborah Collings
Applicant:	TD Consulting – Tom deBoer
Official Plan:	“Waterfront” – City of Kawartha Lakes Official Plan
Zone:	“Limited Service Residential (LSR) Zone” – Township of Somerville Zoning By-law Number 78-45
Site Servicing:	Private individual on-site sewage system and lake-based water supply.
Existing Use:	Shoreline Residential
Adjacent Uses:	North, South: Shoreline Residential East: Forest West: Four Mile Lake

Rationale:

Please refer to Appendices “A”, “B” and “C”. The owners are proposing to build an addition to the existing dwelling and construct a cabin. The construction required variances. As a result of the review of the variance application, it was determined that the existing and proposed construction spans both Lot 20 and 21. On July 20, 2017, the Committee of Adjustment granted variances to permit the proposed construction, and required the adoption of a Deeming By-law as one of its conditions of approval. The owners of Lots 20 and 21 have requested that Council pass a Deeming By-law to effect the consolidation of these two lots. The deeming by-law will bring the existing and proposed development into conformity with the applicable zone provisions.

Adoption and subsequent registration of this Deeming By-law will consolidate Lots 20 and 21 into one larger lot so they cannot be sold separately. The legal description will remain the same: Lots 20 and 21, Registered Plan 184.

Other Alternatives Considered:

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(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 the existing residence and on-site servicing, and by reducing the total number residential lots along the shoreline.

Conclusion:

The consolidation of the two lots will create one larger lot. As a result, the proposed and existing construction will no longer cross a lot line, bringing the development into conformity with the applicable zone provisions. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



PLAN2017-054
Appendix A.pdf

Appendix B – Applicant Sketch



PLAN2017-054
Appendix B.pdf

Appendix C – Draft Deeming By-law



PLAN2017-054
Appendix C.pdf

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Department Head: Chris Marshall

Department File: D30-17-004