



Council Report

Report Number PLAN2020-055

Meeting Date: November 17, 2020

Title: A By-law to Deem Lot 24, Plan 386 (90 River Road),
Geographic Township of Somerville (Cowling) – Planning File
D30-2020-003

Ward Number: 2

Description: Deeming By-law

Author and Title: Jonathan Derworiz, Planner II

Recommendation(s):

That Report PLAN2020-055, Cowling – D30-2020-003, be received;

That a Deeming By-law respecting Lot 24, Plan 386, substantially in the form attached as Appendix “D” to Report Plan 2020-055, be approved and adopted by Council; and

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

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	To deem Lot 24, Plan 386 no longer part of a registered plan of subdivision to facilitate consolidation with an unopened road allowance referred to as Part of Road Allowance Between Lots 18 and 19, Con. 2., Plan 386, and Part of Block D, Plan 386
Owner:	Ken and Cheryl Cowling
Official Plan:	Burnt River Floodline – City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential Flood Plain (LSR(F)) – Township of Somerville Zoning By-law 78-45
Site Servicing:	Private
Existing Use:	Residential
Adjacent Uses:	North: Limited Service Residential Flood Plain East: Right of way, Limited Service Residential Flood Plain South: Limited Service Residential Flood Plain West: Burnt River

Rationale:

The owners of Lot 24, Plan 386 (90 River Road), as shown on Appendices “A” and “B”, have requested that Council pass a Deeming By-law removing said lot from a registered plan of subdivision to facilitate its merging with consolidation of the proposed lots identified as Parts 2, 3, 6 & 7, Plan 57R-10763 (See Appendix “C”). Said lots are part of an unopened road allowance and being sold by the City of Kawartha Lakes to the owner of 90 River Road. Following the merger, the legal description would become: Part of Block D, Plan 386 and Part of the Road Allowance between Lots 18 and 19, Concession 2, in the Geographic Township of Somerville, in the City of Kawartha Lakes, further described as Parts 2, 3, 6 and 7 on 57R-10763.

Adoption and subsequent registration of this Deeming By-law (See Appendix “D”) will facilitate the consolidation the lots identified as Parts 2, 3, 6, & 7, Plan 57R-10763 with 90 River Road so that the lots cannot be sold separately and will enable the subsequent merger of the road allowance.

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.

Alignment to Strategic Priorities

This application demonstrates the Strategic Priorities of an Exceptional Quality of Life and Good Government as outlined in the Kawartha Lakes Strategic Plan 2020-2023. Through the facilitation of the sale of an unused road allowance, effective asset management is demonstrated which grants the applicant an opportunity to expand their property.

Financial/Operation Impacts:

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

Attachments:

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Surveyor's Sketch
Appendix D – Draft Deeming By-law



Appendix A -
Location Map.pdf



Appendix B - Aerial
Map.pdf



Appendix C -
Surveyors Sketch.pdf



Appendix D - Draft
Deeming By-law.pdf

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Department Head: Chris Marshall

Department File: D30-2020-003