



Council Report

Report Number PLAN2020-062

Meeting Date: December 15, 2020

Title: A By-law to Deem Lot 16, Plan 224 (63 North Taylor Road),
Geographic Township of Eldon (Ullah and Nutan) – Planning
File D30-2020-004

Description: Deeming By-law

Author and Title: David Harding, Planner II, RPP, MCIP

Recommendations:

That Report PLAN2020-062, Ullah and Nutan – D30-2020-004, be received;

That a Deeming By-law respecting Lot 16, Registered Plan 224, substantially in the form attached as Appendix "D" to Report PLAN2020-062, 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 16, Registered Plan 224, not to be a lot within a registered plan of subdivision. See Appendices “A” and “B” attached.
Owners:	Mam Ahsan Ullah and Fahmida Nutan
Applicant:	Steve Lougheed – C.T. Strongman Surveying
Official Plan:	Waterfront – City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential (LSR) Zone within the Township of Eldon Zoning By-law 94-14
Site Servicing:	Private individual on-site sewage system and well
Existing Use:	Shoreline Residential
Adjacent Uses:	East, West: Shoreline Residential North: Mitchell Lake South: Vacant Rural Land

Rationale:

The owners are in the process of constructing a new dwelling. Please refer to Appendices “A”, “B” and “C”. Minor variances were required to facilitate the construction of the dwelling. Through the review of minor variance application D20-2020-006, it was determined that the subject property is made up of two parcels: Lot 16, and a shoreline strip described as Part Lot 54, North of Portage Road. On October 15, 2020, the Committee of Adjustment granted a minor variance to permit the proposed construction, and required as a condition of approval the adoption of a Deeming By-law to consolidate the parcels.

The owners of Lot 16 have requested Council pass a Deeming By-law to effect the consolidation of the lot with the shoreline lands. The deeming by-law will bring the existing and proposed development into conformity with the applicable zone provisions and relief granted by the Committee of Adjustment. Please refer to Appendix “D”.

Adoption and subsequent registration of this Deeming By-law will formally consolidate Lot 16, Plan 224 and Part Lot 54, North of Portage Road into one larger lot so they cannot be sold separately. The legal description will remain the same: Lot 16, Registered Plan 224, and Part Lot 54, North of Portage Road.

Other Alternatives Considered:

There are no other alternatives that are considered appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the owners' land.

Alignment to Strategic Priorities

The City's Strategic Plan outlines Council's vision for the municipality. The vision consists of four main Strategic Goals:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This application aligns with the Exceptional Quality of Life and Good Government priorities by creating a property with a larger building envelope to support the residence and its on-site servicing, and to connect the shoreline lands with the rest of the parcel.

Financial/Operation Impacts:

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

Servicing Implications:

The property is serviced by a private individual well and private individual sewage system.

Conclusion:

The consolidation of the lands will create one larger lot. As a result, the shoreline lands containing the boat house will be connected with the lands containing the dwelling. The property will be brought into conformity with the applicable zone provisions and the Committee of Adjustment's decision. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

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



Appendix A Report
PLAN2020-062.pdf



Appendix B Report
PLAN2020-062.pdf



Appendix C Report
PLAN2020-062.pdf



Appendix D Report
PLAN2020-062.pdf

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Department Head: Chris Marshall

Department File: D30-2020-004