



## Council Report

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**Report Number:** PLAN2021-025  
**Meeting Date:** May 18, 2021  
**Title:** By-law to Deem Lot 42, Plan 378  
**Description:** Deeming By-law  
**Author and Title:** David Harding, Planner II, RPP, MCIP

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### Recommendations:

**That** Report PLAN2021-025, **By-law to Deem Lot 42, Plan 378**, be received;

**That** a Deeming By-law respecting Lot 42, Plan 378, substantially in the form attached as Appendix D to Report PLAN2021-025, 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.

**(Acting) Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

Proposal:	To deem Lot 42, Registered Plan 378, not to be a lot within a registered plan of subdivision to facilitate consolidation with the abutting shoreline property
Owner:	Ryan Rasmussen
Applicant:	Doug Carroll – DC Planning Services Inc.
Official Plan:	Waterfront – City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential (LSR) Zone – Township of Bexley Zoning By-law 93-09
Site Servicing:	Private individual well and septic system
Existing Use:	Single Detached Dwelling
Adjacent Uses:	North – Indian Point Provincial Park South – Balsam Lake East, West – Shoreline Residential

## **Rationale:**

On February 5, 2021, the Director of Development Services granted provisional consent to file D03-2020-010. The application proposes to sever land belonging to 846 Indian Point Road and consolidate it with the abutting property, Lot 42, addressed as 848 Indian Point Road. A deeming by-law has been imposed as Condition 2 of the provisional consent approval to ensure the consolidation of land. Thus, the owner has requested Council pass a Deeming By-law to deem Lot 42, Registered Plan 378, not to be a lot within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix "D") will consolidate Lot 42, Plan 378 with the lands being conveyed to it from 846 Indian Point Road.

## **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**

The proposed deeming by-law demonstrates the Exceptional Quality of Life and Healthy Environment strategic goals within the 2020-2023 Kawartha Lakes Strategic Plan as a shoreline residential lot is being enlarged. This reduces the number of lots abutting the shoreline of Balsam Lake while providing for a larger building envelope for the consolidated shoreline lot.

## **Financial/Operation Impacts:**

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

## **Conclusion:**

The consolidation of Lot 42 (currently addressed as 848 Indian Point Road) with the land being conveyed to it from 846 Indian Point Road will create one larger lot addressed as 848 Indian Point Road. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Attachments:**

### **Appendix A – Location Map**



Appendix A to  
PLAN2021-025

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



Appendix B to  
PLAN2021-025

### **Appendix C – Aerial Photograph**



Appendix C to  
PLAN2021-025

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



Appendix D to  
PLAN2021-025

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**(Acting) Department Head:** Richard Holy

**Department File:** D30-2021-003