

**The Corporation of the City of Kawartha Lakes**  
**Council Report**

**Report Number PLAN2017-059**

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**Date:** October 10, 2017  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** Ward 12

**Subject:** A By-law to Deem Lot 20, Registered Plan 260, geographic Township of Ops, being 89 Loon Street (Betts and Wanyura)

**Author:** Janet Wong, Planner II

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**Recommendations:**

**RESOLVED THAT** Report PLAN2017-059, "Betts and Wanyura – D30-17-006", be received;

**THAT** a Deeming By-law respecting Lot 20, Registered Plan 260, substantially in the form attached as Appendix "C" to Report PLAN2017-059, 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 20, Registered Plan 260 not to be a lot within a registered plan of subdivision. See Appendices “A” and “B” attached.
Owners:	Juliette Betts and Grace Wanyura
Applicant:	Juliette Betts
Official Plan:	“Waterfront” – City of Kawartha Lakes Official Plan
Zone:	“Shoreline Residential (RS) Zone” – Township of Ops Zoning By-law Number 93-30
Site Servicing:	Private individual on-site sewage system and well.
Existing Use:	Shoreline Residential
Adjacent Uses:	North and South: shoreline residential East: rural residential West: Lake Scugog

## **Rationale:**

The owners are proposing to add a second floor to the existing dwelling on Lot 20, Registered Plan 260 for which a minor variance was granted approval by the Committee of Adjustment July 20, 2017. The minor variance was reviewed in the context of the two parcels (Lot 20, Registered Plan 260 and Part 1, 57R-8835) to be one lot, where in fact they exist as two separate parcels. Please refer to Appendices “A” and “B”. The owners have requested that Council pass a Deeming By-law to effect the consolidation of Lot 20, Plan 260 with Part 1, 57R-8835, being the balance of the lands in their ownership outside the Registered Plan.

Adoption and subsequent registration of this Deeming By-law (Appendix “C”) will fulfill a condition of minor variance file D20-17-024, thus providing frontage on Loon Street and allowing a building permit to be issued. The effect of this Deeming By-law is that Lot 20 and Part 1 will consolidate into one lot, which cannot be sold as two separate lots. However, the legal description will remain the same – Lot 20, Plan 260 and Part 1, 57R-8835. There is an easement in favour of Consumer’s Gas over Part 1, 57R-8835. The Deeming By-law will not alter the easement. All agency comments have been addressed through minor variance file D20-17-024.

## **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 applicant’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 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 shoreline property with frontage on a street and by reducing the total number of undersized residential lots.

## **Conclusion:**

The consolidation of the lands will create one larger lot with frontage on Loon Street. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## **Attachments:**

Appendix "A" – Location Map

Appendix "B" – Survey

Appendix "C" – Draft Deeming By-law



Appendix A to  
PLAN2017-059.pdf



Appendix B to  
PLAN2017-059.pdf



Appendix C to  
PLAN2017-059.pdf

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**Department Head:** Chris Marshall

**Department File:** D30-17-006