



Council Report

Report Number: PLAN2022-011

Meeting Date: February 22, 2022

Title: **Repeal of Deeming By-law 2006-310 on Birch Crescent, Bobcaygeon – 2449061 Ontario Inc.**

Description: Repealing of Deeming By-law Number 2006-310 of the former Village of Bobcaygeon on the properties identified as Lots 13 to 15, Plan 626 on Birch Crescent, Bobcaygeon

Author and Title: Mark LaHay, Planner II, MCIP, RPP.

Recommendations:

That Report PLAN2022-011, **By-law to Repeal Deeming By-law 2006-310 for Lots 13 to 15, Plan 626 on Birch Crescent, Bobcaygeon, 2449061 Ontario Inc. – Application D30-2022-001**, be received;

That a By-law respecting Lots 13 to 15, Plan 626, substantially in the form attached as Appendix C to Report PLAN2022-011, 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 repeal part of By-law 2006-310 deeming Lots 13 to 15 (inclusive), Registered Plan 626, not to be lots within a registered plan of subdivision to facilitate separate conveyance of the subject lots for single detached residential use.
Owner:	2449061 Ontario Inc. (c/o Luanne and Tony Vandecamp)
Legal Description:	Lots 13 to 15, Plan 626, former Village of Bobcaygeon
Official Plan:	Urban in the Victoria County Official Plan
Zone:	Urban Residential Type One (R1) Zone – Village of Bobcaygeon Zoning By-law 16-78, as amended
Site Servicing:	Municipal sanitary sewer and water supply
Existing Use:	Vacant residential land
Adjacent Uses:	North: Vacant Rural/Woodland East: Low Density Residential South: Birch Crescent/Low Density Residential West: Low Density Residential

Rationale:

The subject lots on Birch Crescent were part of the existing lot fabric on part of a plan of subdivision created through the registration of Plan 626 in 1989. Council adopted a deeming by-law in 2006 affecting a number of undeveloped lots within the registered plan, the majority of which are on the adjacent Hemlock Crescent to the east and it appears this was done because of some outstanding developer obligations with Brooke Properties Inc. at that time. The subject lots were subsequently sold through power of sale and have changed ownership a couple of times. To facilitate the future individual sale of the proposed lots for single detached residential use, By-law 2006-310 must be amended by removing Lots 13 to 15, Plan 626 from the above deeming by-law. The proposed frontage and area of each of the lots meets or exceeds the minimum lot area and frontage of the Urban Residential Type One (R1) Zone. The lots have access to full municipal services. Most of the residential lots on Birch Crescent have dwellings constructed on them.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The repeal of the Deeming By-law affecting subject lots is the appropriate method to legally permit the owner's lands to be separately conveyed for the purpose of three (3) individual residential building lots to construct single detached dwellings.

Alignment to Strategic Priorities:

The Council Adopted 2020-2023 Strategic Plan identifies these Strategic Priorities:

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

This application aligns with the Vibrant and Growing Economy and Exceptional Quality of Life priorities by increasing the supply of new housing options to attract new residents in the City of Kawartha Lakes.

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 subject lots have access to full municipal services within the Bobcaygeon municipal service area.

Consultations:

The Building and Septic Division, Engineering and Corporate Assets Department and Legal Services were circulated details with respect to the subject application.

On February 10, 2022, the Building and Septic Division advised of no concerns with the subject application and noted the development proposal will be subject to the Development Charges By-law.

On February 10, 2022, the Engineering and Corporate Assets Department advised from an engineering perspective, they have no objection to the proposed repeal of the Deeming By-law, subject to other commenting departments. They note all municipal water and sanitary sewer servicing must be field verified by the Owner and must be identified through the Municipal Service Connection process.

Conclusion:

The repeal of the portion of the deeming by-law affecting the subject lots will ultimately facilitate the issuance of a building permit for a single detached residential dwelling for each lot in compliance with the zoning by-law and the separate conveyance of each of the subject lots. Planning staff do not anticipate any negative impacts as a result of the proposal and respectfully recommend that the application be approved by Council.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please contact Mark LaHay, Planner II at 705.324.9411 x 1324.



Appendix 'A'
PLAN2022-011.pdf



Appendix 'B'
PLAN2022-011.pdf



Appendix 'C'
PLAN2022-011.pdf

Appendix "A" – Location Map

Appendix "B" – Excerpt of Registered Plan 626, illustrating Lots 13, 14 and 15

Appendix "C" – Draft Deeming Repeal By-law

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Department Head: Richard Holy

Department File: D30-2022-001