



Council Report

Report Number: PLAN2022-033
Meeting Date: June 21, 2022
Title: **By-law to Deem Lots 7 to 8 South, Plan 37 at 145 Queen Street, Fenelon Falls – Harrison and Druery**
Description: Deeming By-law (File: D30-2022-006)
Author and Title: Ian Walker, Planning Officer – Large Developments

Recommendations:

That Report PLAN2022-033, **By-law to Deem Lots 7 to 8 South, Plan 37 at 145 Queen Street, Fenelon Falls – Harrison and Druery**, be received;

That a Deeming By-law respecting Application D30-2022-006, former Village of Fenelon Falls, substantially in the form attached as Appendix "C" to Report PLAN2022-033, be approved and adopted by Council; and

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

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	To deem Lots 7 to 8 South, Registered Plan 37, former Village of Fenelon Falls, not to be lots within a registered plan of subdivision, to facilitate consolidation of land and its subsequent development.
Owner/Applicant:	Andrew Harrison and Bonnie Druery
Official Plan:	'Low Density Residential' on Schedule 'A' of the Fenelon Falls Official Plan
Zone:	'Residential Type One (R1) Zone' on Schedule 'A' of the Village of Fenelon Falls Zoning By-law Number 89-25
Site Servicing:	Full urban services: municipal water, sanitary sewer and storm sewer
Existing Uses:	Low Density Residential
Adjacent Uses:	North: Low Density Residential East: Queen Street; Low Density Residential South: Low Density Residential West: Dodd Street; Low Density Residential

Rationale:

On February 17, 2022, the Committee of Adjustment granted a Minor Variance to increase the maximum allowable lot coverage for all accessory buildings and structures to allow for construction of a new detached garage (file D20-2022-007). Condition 2 of the Notice of Decision requires 'That the owner shall apply for a deeming by-law for Lots 7 & 8 of Plan 37, former Village of Fenelon Falls, and the by-law be in effect'. This application proposes to fulfill Condition 2 of that Decision. Thus, the owners have requested Council pass a Deeming By-law to deem Lots 7 & 8, Registered Plan 37, former Village of Fenelon Falls, not to be a lot within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix "C") will consolidate the lands addressed as 145 Queen Street, as shown on Appendices 'A' and 'B'.

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 subject lands.

Alignment to Strategic Priorities

The Council Adopted Strategic Plan identifies these Strategic Priorities:

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

This application aligns with the Strategic Priorities of “An Exceptional Quality of Life” and “Good Government” as providing the applicant the opportunity to consolidate their lots, they are offered a larger building envelope for a dwelling.

Financial/Operation Impacts:

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

Recommendations:

Staff have reviewed the application and believe that it represents good planning. As such, Staff respectfully recommends that Council approve the application.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please email or call Ian Walker, Planning Officer – Large Developments, iwalker@kawarthalakes.ca or (705) 324-9411 extension 1368.

Appendix A – Location Map



PLAN2022-033
Appendix A.pdf

Appendix B – Aerial Photo



PLAN2022-033
Appendix B.pdf

Appendix C – Draft Deeming By-law



PLAN2022-033
Appendix C.pdf

Appendix D – Property Sketch



PLAN2022-033
Appendix D.pdf

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D30-2022-006