



Council Report

Report Number: PLAN2022-035
Meeting Date: June 21, 2022
Title: PLAN2022-035
Description: A By-law to Deem Lots 31 and 32, Registered Plan 378, geographic Township of Bexley and identified as 812 Indian Point Road (Axel Rasmussen and David Smith)
Author and Title: Sherry L. Rea, Development Planning Supervisor

Recommendations:

That Report **PLAN2022-035**, be received;

That a Deeming By-law, respecting Lots 31 and 32, Registered Plan 378, geographic Township of Bexley, substantially in the form attached as Appendix C to Report PLAN2022-035, 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: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The Director of Development Services, as delegated by Council, approved consent application D03-2020-031 on January 7, 2022. The application proposed to sever 1,708 sq.m. of residential land and consolidate it with the abutting residential lot addressed as 812 Indian Point Road, while the retained lands (2,228 sq.m.) would then be consolidated with an abutting residential lot to the south addressed as 8 Shield's Lane.

As a condition of provisional consent, it was required that Lots 31 and 32, Registered Plan 378, geographic Township of Bexley, be the subject of a Deeming By-law in accordance with Subsection 50(4) of the Planning Act and the By-law be in effect.

Owners:	Axel Rasmussen and David Smith
Applicant:	DC Planning Services Inc. c/o Doug Carroll
Legal Description:	Lots 31 and 32, Registered Plan 378, geographic Township of Bexley
Official Plan:	Waterfront in the City of Kawartha Lakes Official Plan (2021)
Zone:	Limited Service Residential (LSR) in the Township of Bexley Zoning By-law 93-09
Site Servicing:	Each benefitting lot contains private services
Existing Uses:	Each benefitting lot contains a single detached dwelling

Rationale:

The applicant, on behalf of the owners of Lots 31 and 32, Registered Plan 378, geographic Township of Bexley, as shown on Appendix 'A' and 'B', has requested that Council pass a Deeming By-law removing said lots from a plan of subdivision to fulfill conditions of provisional consent in File No. D03-2020-031. The effect of the Deeming By-law would merge the respective severed land with the abutting residential lots.

Policy Conformity and Zoning Compliance:

A policy conformity exercise was undertaken during the processing of the companion Consent File No. D03-2020-031 together with zoning compliance and Planning Staff analysis. The review determined that the application conformed with all aspects of Provincial and local policy as well as the Zoning By-law.

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 severed land with the abutting residential lots.

Alignment to Strategic Priorities:

For reference the four strategic priorities with the 2020-2023 Kawartha Lakes Strategic Plan are:

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

This application would align with a Healthy Environment and an Exceptional Quality of Life as it provides the owners the opportunity to consolidate their lots with no additional single detached dwellings or private septic systems proposed adjacent to the waterfront.

Financial/Operation Impacts:

The cost of registering the Deeming 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:

Appendix 'A' – Location Map



PLAN2022-035

Appendix A Location Map

Appendix 'B' – Surveyor's Sketch



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Appendix B Surveyor's

Appendix 'C' – Draft Deeming By-law



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Appendix C Draft Dee

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D30-2022-002