



## Council Report

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**Report Number:** PLAN2024-007  
**Meeting Date:** February 20, 2024  
**Title:** **By-law to Deem Lots 57 and 58, Plan 365, geographic Township of Emily**  
**Description:** Deeming By-law  
**Author and Title:** Maryann Hunt, Supervisor of Development Planning

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### Recommendations:

**That** Report PLAN2024-007, **By-law to Deem Lots 57 and 58, Plan 365, geographic Township of Emily** be received;

**That** a Deeming By-law respecting Lots 57 and 58, Plan 365, geographic Township of Emily substantially in the form attached as Appendix B and C to Report PLAN2024-007, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute the by-law required by the approval of this application.

**Department Head:** \_\_\_\_\_

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

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

## **Background:**

- Proposal: To deem Lots 57 and 58, Plan 365, geographic Township of Emily not to be lots within a registered plan of subdivision to facilitate the consolidation of the lots.
- Owner: Estate of Patricia Franklin c/o Dr. LeRoy Franklin
- Applicant: Bill Wolff
- Official Plan: 'Urban Settlement Area' on Schedule A to the City of Kawartha Lakes Official Plan; 'Urban' on Schedule A to the Victoria County Official Plan
- Zone: Rural Residential Type Three (RR3) Township of Emily Comprehensive Zoning By-Law 1996-30
- Site Servicing: Private well and septic
- Existing Use: Vacant
- Adjacent Uses: Waterfront residential and Pigeon River

## **Rationale:**

Lots 57 and 58, Plan 365, geographic Township of Emily share a Property Identification Number, but have separate Assessment Roll Numbers. Based on the legal descriptions under both Parcel Registers, the lots are deemed to be part of a registered plan of subdivision and are separately conveyable.

The owner would like to merge the lots in order to have one larger landholding to develop a waterfront residential use. The lots are in common ownership but cannot merge as they are located in a plan of subdivision.

The effect of the Deeming By-law is that Lots 57 and 58 will consolidate and be merged into one larger property, which cannot be sold as two separate lots.

## **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 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 two shoreline residential lots are being merged. This reduces the number of lots abutting the shoreline of Pigeon River, while providing for a larger building envelope for the consolidated shoreline lot to provide greater flexibility for the siting of structures.

## 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 Lots 57 and 58, Plan 365, geographic Township of Emily will create one larger residential landholding. Planning staff do not anticipate any negative impacts as a result of the consolidation.

## Attachments:

Appendix A – Location Map



PLAN2024-007  
Appendix A Key Map.

Appendix B –Deeming By-law Text



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Appendix B Lots 57 ar

Appendix C – Deeming By-law Schedule



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Appendix C Deeming

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**Department Head:** Leah Barrie, Director of Development Services

**Department File:** D30-2024-003