



Council Report

Report Number: PLAN2024-005
Meeting Date: February 20, 2024
Title: **By-law to Deem Lot 20 Plan 339 (5 Elm Street),
geographic Township of Verulam**
Description: Deeming By-law
Author and Title: Maryann Hunt, Supervisor of Development Planning

Recommendations:

That Report PLAN2024-005, **By-law to Deem Lot 20 Plan 339 (5 Elm Street),
geographic Township of Verulam** be received;

That a Deeming By-law respecting Lot 20 Plan 339 (5 Elm Street), geographic
Township of Verulam, substantially in the form attached as Appendix B and C to Report
PLAN2024-005, 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 Lot 20 Plan 339 (5 Elm Street), geographic Township of Verulam not to be a lot in a registered plan of subdivision for the purposes of fulfilling conditions of provisional consent.
Owner:	Shelley Lynne Crawford
Applicant:	Doug Carroll
Official Plan:	'Waterfront' on Schedule A to the City of Kawartha Lakes Official Plan
Zone:	"Residential Type One" R1 Township of Verulam Zoning By-law 6-87
Site Servicing:	Private septic system and water system
Existing Use:	Residential
Adjacent Uses:	Waterfront Residential and Sturgeon Lake

Rationale:

Consent application D03-2023-031 was provisionally granted on December 13, 2023 which has the effect of severing a triangular portion of land from adjacent Lot 19 (7 Elm Street) on Plan 339 and adding it to Lot 20 (5 Elm Street), to correct an encroachment. The benefitting Lot 20 is within registered plan of subdivision 339. Therefore, a deeming by-law is required in order to facilitate the consolidation of the subject land with the provisionally severed portion of land. Condition 2 in the list of provisional consent conditions for application D03-2021-031 requires that the owners obtain approval to deem the lot not be a lot on a plan of subdivision and that the deeming by-law be in effect.

The effect of the deeming by-law is that Lot 20 and the severed portion of land from Lot 19 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 strategic goal within the 2020-2023 Kawartha Lakes Strategic Plan, as a residential lot in close proximity to a shoreline with an encroachment is being rectified.

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 Lot 20 and the severed portion of Lot 19 Registered Plan 339 will correct an existing encroachment. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



PLAN2024-005
Appendix A Key Map.

Appendix B – Deeming By-law Text



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Appendix B 5 Elm Stre

Appendix C – Deeming By-law Schedule



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Appendix C Deeming

Department Head email: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services

Department File: D30-2024-001