



## Council Report

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**Report Number:** PLAN2024-034  
**Meeting Date:** May 21, 2024  
**Title:** **By-law to Deem Lots 4, 5, and Part of Lot 6, Plan 240 at 132 Hilton's Point Road, Laxton Township**  
**Description:** Deeming By-law  
**Author and Title:** Nicolas Smith, Planner II

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### Recommendations:

**That** Report PLAN2024-034, **By-law to Deem Lots 4, 5, and Part of Lot 6, Plan 240, at 132 Hilton's Point Road, Laxton Township** be received;

**That** a Deeming By-law respecting Lots 4, 5, and Part of Lot 6, Plan 240, substantially in the form attached as Appendix B and C to Report PLAN2024-034, be approved and adopted by Council; and

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

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

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

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

## **Background:**

Proposal: To deem Lots 4, 5, and Part of Lot 6, Plan 240 (132 Hilton's Point Road) in Laxton Township, not to be lots within a registered plan of subdivision to facilitate the consolidation of the lots.

Owner: Paul David Hurd and Cheryl Lynn Hurd

Applicant: Jim Webster

Official Plan: 'Waterfront' on Schedule A-7 to the City of Kawartha Lakes Official Plan

Zone: Limited Service Residential (LSR) Zone, United Townships of Laxton, Digby, and Longford Zoning By-Law 32-83

Site Servicing: Private well and septic

Existing Use: Waterfront residential

Adjacent Uses: North – Head Lake

East – Waterfront residential

South – Waterfront residential

West – Waterfront residential

## **Rationale:**

On September 21, 2023, the Director of Development Services through delegated approval authority of Council granted provisional Consent to transfer lands for a lot addition (Consent Application File Number D03-2023-011). Condition 2 of the Notice of Decision requires the applicant to apply for and pay the prescribed fee to have Lot 4, in Registered Plan 240 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. This application proposes to fulfill Condition 2 of that Decision. Thus, the applicant has requested Council pass a Deeming By-law to deem Lots 4, 5, and Part of Lot 6, Plan 240, geographic Township of Laxton, not to be within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (Appendix C) will fulfill the condition for the Consent to proceed with the lot addition to the property addressed as 132 Hilton's Point Road.

## **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 2024-2027 Kawartha Lakes Strategic Plan, as the lot addition is addressing encroachment issues for a shed and septic system at 132 Hilton's Point Road. This provides for a larger building envelope for the consolidated shoreline lot to provide greater flexibility for maintenance 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 consent application for Lots 4, 5, and Part of Lot 6, Plan 240 will increase the size of one property to address encroachment issues. This Deeming By-law effects the implementation of the conditions for the related Consent application. Planning staff do not anticipate any negative impacts as a result of the deeming by-law.

## **Attachments:**

Appendix A – Location Map



PLAN2024-034  
Appendix A Key Map

Appendix B –Deeming By-law Text



PLAN2024-034  
Appendix B Lots 4, 5, &

## Appendix C – Deeming By-law Schedule



PLAN2024-034  
Appendix C Deeming

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

**Department File:** D30-2024-004