



Council Report

Report Number: PLAN2025-009
Meeting Date: January 28, 2025
Title: **By-law to Deem Lots 16 and 17, Plan 550**
Description: Deeming By-law
Author and Title: Nicolas Smith, Planner II

Recommendations:

That Report PLAN2025-009, **By-law to Deem Lots 16 and 17, Plan 550**, be received;

That a Deeming By-law respecting Lots 16 and 17, Plan 550, substantially in the form attached as Appendix B and C to Report PLAN2025-009, 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 16 and 17, Plan 550, not to be lots within a registered plan of subdivision to facilitate the consolidation of the lots.
Owner:	Brian Norrish and Carol Norrish
Applicant:	Alex Ferentzy
Official Plan:	'Waterfront' and 'Environmental Protection' on Schedule A-2 to the City of Kawartha Lakes Official Plan
Zoning:	Rural Residential Type Three (RR3) Township of Mariposa Comprehensive Zoning By-Law 94-07
Site Servicing:	Private well and septic
Existing Use:	Waterfront residential
Adjacent Uses:	North – Nonquon Rivermouth wetland East – Waterfront residential South – Waterfront backlot residential West – Residential Clusters, Township of Scugog Official Plan (2017)

Rationale:

On June 4, 2024, the Director of Development Services through delegated approval authority granted a Consent to transfer lands for a lot addition. Condition 1 of the Notice of Decision requires 'The applicant shall apply for and pay the prescribed fee for a Deeming By-law in accordance with Subsection 50(4) of the Planning Act and the By-law shall be in effect'. This application proposes to fulfill Condition 1 of that Decision. Thus, the applicant has requested Council pass a Deeming By-law to deem Lots 16 and 17, Plan 550, geographic Township of Mariposa, not to be within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix "C") will fulfill the condition for the Consent to proceed with the lot addition to the property addressed as 21671 Brunon Avenue.

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, that comply with land use policy and conform to the zoning by-law.

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 residential deck and garage at 21671 Brunon Avenue. This provides for a larger building envelope for the consolidated waterfront 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 deeming by-law for Lots 16 and 17, Plan 550 will increase the size of one property to address encroachment issues. This deeming by-law implements the conditions for the consent file D03-2022-020. Planning staff do not anticipate any negative impacts because of the deeming by-law.

Attachments:

Appendix A – Location Map



PLAN2025-009
Appendix A Key Map

Appendix B –Deeming By-law Text



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Appendix B Lots 16 &

Appendix C – Deeming By-law Schedule



PLAN2025-009
Appendix C Deemin

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Department Head: Leah Barrie

Department File: D30-2024-006