



Council Report

Report Number:	PLAN2025-026
Meeting Date:	April 22, 2025
Title:	By-law to Deem Lots 2 to 3, A and B, North Side of Peace Avenue (Peace Road), Plan 111, Geographic Township of Ops
Description:	To deem lots within a registered plan of subdivision in order to facilitate a lot addition and fulfill a condition of provisional consent
Author and Title:	Nicolas Smith, Planner II

Recommendations:

That Report PLAN2025-026, **By-law to Deem Lots 2 to 3, A and B, North Side of Peace Avenue (Peace Road), Plan 111, Geographic Township of Ops** be received;

That a Deeming By-law respecting Lots 2 to 3, A and B, North Side of Peace Avenue (Peace Road), Plan 111, Geographic Township of Ops substantially in the form attached as Appendix B and C to Report PLAN2025-026, 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 within a registered plan of subdivision in order to facilitate a lot addition and fulfill a condition of provisional consent
Owner:	Gladys Elayne Windsor and Patrick Allen Temple
Applicant:	Same as owner
Official Plan:	'Hamlet Settlement Area' on Schedule A-3 to the City of Kawartha Lakes Official Plan
Zone:	Rural Residential (RR) Zone and Rural Residential Exception Five (RR-5) Zone in Township of Ops Comprehensive Zoning By-Law 93-30
Site Servicing:	Private well and septic
Existing Use:	Residential use
Adjacent Uses:	North – Residential with agricultural field East – Agricultural property South – Hamlet residential property West – Hamlet residential property

Rationale:

On October 1, 2024, the Director of Development Services through delegated Approval Authority granted a Consent to transfer lands for a lot addition. Condition 2 of the Notice of Decision requires 'The applicant shall apply for, pay the prescribed fee and obtain a cancellation of consent, in accordance with Subsection 53(45) as part of this application, if required; or alter the description of the said property by such other means to facilitate the consolidation of the residential property known as 9 Settlers Road with the lot addition parcel'. The owner's lawyer, Staples & Swain Professional Corporation, has advised that 9 Settlers Road was not subject to previous consent and a deeming by-law is required (see Appendix D). This application proposes to fulfill Condition 2 of that Decision. Thus, the applicant has requested Council pass a Deeming By-law to deem Lots 2 to 3, A and B, North Side of Peace Avenue, Plan 111, Geographic Township of Ops, not to be within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix "B" and "C") will fulfill the condition for the Consent to proceed with the lot addition to the

property addressed as 9 Settlers Road. In addition, the lots comprising 19 Peace Road (Lots A, 2 and 3) will consolidate thereby allowing existing accessory structures to now be located on the same lot as the primary residential use.

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 to improve the property by providing additional outdoor amenity area, and adequate space for a replacement septic system on 9 Settlers Road. This provides for a larger building envelope for the residential 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 of Lots 2 to 3, A and B, North Side of Peace Avenue, Plan 111, Geographic Township of Ops will increase the size of one property. This deeming by-law fulfills a condition of provisional consent for file D03-2023-074. Planning staff do not anticipate any negative impacts as a result of the deeming by-law.

Attachments:

Appendix A – Location Map



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Appendix A Key Map.tif

Appendix B – Deeming By-law Text



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Appendix B Lots 2 to 3, A and B, North Side of Peace Avenue, Plan 111, Geographic Township of Ops

Appendix C – Deeming By-law Schedule



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Appendix C Deeming

Appendix D – Deeming By-law Application Cover Letter



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Appendix D Application Cover Letter

Department Head email: lbarrie@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services

Department File: D30-2025-001