

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2017-068

Date: December 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: Ward 14

Subject: A By-law to Deem Lots 1 and 2, Registered Plan 144,
geographic Township of Fenelon, being 37 Elder Street,
(McConomy & Selby)

Author: Sherry L. Rea, Development Planning Supervisor

Recommendations:

RESOLVED THAT Report PLAN2017-068, "McConomy and Selby – D30-17-009", be received;

THAT a Deeming By-law respecting Lots 1 and 2, Registered Plan 144, substantially in the form attached as Appendix "C" to Report PLAN2017-068 be approved and adopted by Council; and

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

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Proposal:	To deem Lots 1 and 2, Registered Plan 144, not to be lots within a registered plan of subdivision. See Appendices “A” and “B” attached.
Owners:	Freda McConomy and Susan Selby
Applicant:	Angus McNeil, Staples, Swain, Barristers and Solicitors
Official Plan:	“Waterfront” – City of Kawartha Lakes Official Plan
Zone:	“Rural Residential Type Three (RR3) Zone” – Township of Fenelon Zoning By-law Number 12-95
Site Servicing:	Proposed private individual on-site sewage disposal system and water intake from Sturgeon Lake.
Existing Use:	Residential
Adjacent Uses:	North: Sturgeon Lake South: Undeveloped East & West: Shoreline Residential

Rationale:

The property is located at 37 Elder Street and is developed with a single detached dwelling. The dwelling is serviced by a holding tank and water intake from Sturgeon Lake. The owners are proposing to replace the holding tank on the property with a private individual on-site sewage disposal system. Currently on the 37 Elder Street property, there is insufficient area to install the new septic system. The owners own the adjacent property to the east which is developed with two small sheds. The owners wish to merge the two lots to create a lot of sufficient size to accommodate the single detached dwelling and private services on one site. Please refer to Appendices “A” and “B”.

Adoption and subsequent registration of this Deeming By-law will consolidate Lots 1 and 2, Registered Plan 144 into one larger lot so they cannot be sold separately. The merged lots will permit the single detached dwelling and septic system to be located on one lot.

Other Alternatives Considered:

There are no other alternatives considered that are appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the owners’ land.

Financial/Operation Impacts:

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:

The City's Strategic Plan outlines Council's vision for the municipality. The vision consists of three main Strategic Goals: that of a vibrant and growing economy, an exceptional quality of life, and a healthy environment.

This application aligns with the quality of life and healthy environment priorities by creating a property of sufficient size to support the existing single detached dwelling and on-site servicing on one lot.

Conclusion:

The consolidation of the lands will create one larger lot. As a result, the single detached dwelling and on-site servicing will be located on a lot of sufficient size to accommodate both. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

The following attached documents may include scanned images of Appendices, maps and photographs. If you require an alternative format, please contact Sherry L. Rea, Development Planning Supervisor 705.324.9411 x 1331.

Appendix A – Location Map



Appendix 'A' -
Location Map.pdf

Appendix B – Survey



Appendix 'B' -
Survey.pdf

Appendix C – Draft Deeming By-law



Appendix 'C'- Draft
Deeming By-law.pdf

Phone: 705-324-9411 extension 1239

E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

Department File: D30-17-009