

June 24, 2010



## City Council Committee Report

**To: Mayor & Council**

**Fr: Tara Rickaby, Planning Administrator**

**Re: Request for deeming By-law – Lots 18-1 and 19-1 Round Lake Subdivision**

### **Recommendation:**

#### **THAT:**

1. All the lands contained within the boundaries of Lots 18-1 and 19-1, on Registered Plan of Subdivision M. 904, in the City of Kenora, formerly the Town of Jaffray Melick are hereby deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(3) of the Planning Act, RSO 1990.
2. In accordance with the provisions of the Planning Act, this by-law shall come into force and take effect on the final passing thereof by the Council of the Corporation of the City of Kenora and upon registration of this by-law in the Land Titles office for the District of Kenora.
3. THAT the Applicant shall be responsible for all costs associated with such registration.
4. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

### **Background:**

Serena Joseph and Calvin Joseph, owners of Lots 18-1 and 19-1 on Plan of Subdivision 23M-904 (6 & 8 Sunrise Place), have submitted a request to deem the two lots they own. Mr. and Mrs. Joseph propose to construct a residential unit in an area that straddles the interior (shared) lot line. In order to accomplish this, Lots 15 and 14 are required to be deemed not to be lots within a plan of subdivision. All setback requirements would then apply to the entirety of the lots and provide more flexibility.

Once the deeming by-law is passed and registered on title, Mr. and Mrs. Joseph can apply for a building permit and be able to comply with the Zoning By-law.

### **Budget:**

2010 Operations Operating Budget

### **Communication Plan/Notice By-law Requirements:**

Notice by agenda of Property and Planning Committee and Council, Finance Department, Municipal Solicitor.