February 27, 2013

City Council
Committee Report

TO: Mayor and Council

FR: Tara Rickaby, Planning Administrator

RE: Deeming By-law - M31 LOT 12 TO 14 BULMER PT PCL 15520 and PLAN M31 LOT 15 TO 16 PCL30925

Recommendation:
That the Council of the Corporation of the City of Kenora gives three readings to a by-law to deem certain lots described on Plan M31 not to be lots within a plan of subdivision in accordance with the following:

1. All the lands contained within the boundaries of Lots 12 to 16 (inclusive), on Registered Plan of Subdivision M.31, in the City of Kenora, formerly the Town of Kenora, in the District of Kenora 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, the 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. The Applicant shall be responsible for all costs associated with such registration; and

That the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction; and further

That the Municipal Solicitor is to coordinate this process.

Background:
The City of Kenora has entered into an agreement to sell lots described as Lots 12, 13 and 14 on Plan M.31. One of the conditions of sale was that the lots be deemed, together with the lots upon which there is current residential development, so that the lots are essentially merged. This merge will ensure that the use of the lands is maintained; the driveway accessing a residence/garage is located over the three lots.

Budget: All costs to be borne by purchasers.

Communication Plan/Notice By-law Requirements: Agenda for Property and Planning and Council, Property Owners, Municipal Solicitor, Engineering (GIS)