

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2022-0073

**FOR THE CONSIDERATION OF
COUNCIL**

August 24, 2022

**SUBJECT: APPLICATION FOR DEEMING BY-LAW APPROVAL; ANN DOWNIE; 41
CANAL STREET; LOTS 19 & 20, PLAN 513**

1. RECOMMENDATION:

1. That Council receive Report No. DS-2022-0073 prepared by the Development Planning Division, Development Services Department, dated August 24, 2022 respecting an application for deeming by-law approval for the property municipally addressed as 41 Canal Street, Keswick and legally described as Lots 19 & 20, Plan 513.
2. That Council approve the application submitted by Ann Downie to deem Lots 19 & 20, Plan 513 not to be lots on a registered plan of subdivision for the purpose of Section 50(3) and in accordance with Section 50(4) of the Planning Act, R.S.O. 1990.
3. That Council pass a by-law to deem Lots 19 & 20, Plan 513 not to be lots on a registered plan of subdivision for the purpose of Section 50(3) and in accordance with Section 50(4) of the Planning Act, R.S.O. 1990.

2. PURPOSE:

The purpose of this report is to provide Staff's analysis and recommendations on an application for deeming by-law approval for the property municipally addressed as 41 Canal Street and legally described as Lots 19 & 20, Plan 513.

3. BACKGROUND:

Owner(s): Ann Downie

Agent: N/A

Property Description: (refer to Attachments 1 to 4)
41 Canal Street, Keswick
Lots 19 & 20, Plan 513

File Number: 06.253

The subject property is located on the east side of Canal Street. See below for a summary of lot characteristics.

Table 1 – Lot Characteristics

	Lot 19	Lot 20	Total (Lot 19 & Lot 20)
Frontage (metres)	15.24	15.24	30.48
Depth (metres)	45.72	45.72	N/A
Area (square metres)	696.77	696.77	1,393.55

Refer to Attachment 4 for a copy of the concept development plan. The landholding is two (2) whole lots on a plan of subdivision (Plan 513). A single family dwelling straddles both lots.

The landholding is designated 'Neighbourhood Residential' on Schedule 'F1 – Land Use Plan' of the Keswick Secondary Plan and is zoned 'Low Density Urban Residential (R1)' in Zoning By-law No. 500. The designation and zone permit single family dwellings and accessory uses, buildings, and structures to same.

4. ANALYSIS:

Ann Downie, the owner of the landholding, has applied to deem Lots 19 & 20, Plan 513 not to be lots on a registered plan of subdivision for the purposes of Section 50(3) and in accordance with Section 50(4) of the *Planning Act*, R.S.O. 1990, as amended.

The Owner is proposing to reconstruct an existing addition to the existing single detached dwelling. The addition was constructed without the benefit of a building permit. The existing dwelling and addition straddle the shared lot line between Lots 19 & 20, Plan 513 and does not comply with the Zoning By-law.

For the dwelling and addition to comply with minimum interior side yard requirements, it is necessary to merge the two (2) lots such that they are no longer separately conveyable under the *Planning Act*.

The merging will eliminate the existing lot line between the two (2) lots and allow the dwelling and proposed addition to comply with Zoning By-law regulations.

Both lots are under common ownership. Should the deeming by-law be passed and registered on the corresponding land titles, the two (2) lots will merge and will no longer be separately conveyable without further *Planning Act* approval. Once the two (2) lots are merged, the proposed addition will comply with Zoning By-law regulations.

5. RELATIONSHIP TO STRATEGIC PLAN:

This report addresses the following strategic goal(s):

GOAL 2: “Promote a High Quality of Life” – HEALTHY, SAFE, SUSTAINABLE COMMUNITIES

6. FINANCIAL AND BUDGETARY IMPACT:

There are no financial concerns or budgetary impacts on the Town as a result of this application.

The Owners are advised that they will be required to apply for and obtain all necessary approvals, as may be applicable, associated with such matters as building permits, site alteration permits, entrance permits, and to pay associated costs for same including the payment of development charges at the prevailing rate at building permit issuance and to have the deeming by-law registered on title.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

Pursuant to Section 50 of the *Planning Act*, as amended, there are no public notice requirements associated with an application for deeming by-law approval.

8. CONCLUSION:

The proposal conforms with the Keswick Secondary Plan and complies with the Zoning By-law. Staff have no concerns with the proposed deeming by-law and recommend approval of same.

Should Council approve the subject application, Staff have also prepared a by-law for Council’s consideration and passing at today’s meeting.

APPROVALS

Prepared By:	Connor McBride, MCIP, RPP Senior Development Planner
Reviewed By:	Janet Porter, MCIP, RPP Manager of Development Planning
Recommended By:	Harold Lenters, M.Sc.Pl., RPP Director of Development Services
Approved By:	Ryan Cronsberry Chief Administrative Officer

Attachment 1 – Context Map
Attachment 2 – Key Map
Attachment 3 – Aerial Map
Attachment 4 – Concept Development Plan