



Staff Report

Planning & Development Services - Planning

Report To: Committee of the Whole
Meeting Date: June 26, 2017
Report Number: PDS.17.65
Subject: Application for Deeming By-law
Sonia Fabbri
Lot 17 and Lot 18, Plan 1070 (Liisa's Lane)
Town of The Blue Mountains
Prepared by: Shawn Postma, Senior Policy Planner

A. Recommendations

THAT Council receive Staff Report PDS.17.65, entitled "Application for Deeming By-law, Sonia Fabbri, Lot 17 and Lot 18, Plan 1070 (Liisa's Lane), Town of The Blue Mountains"; and

THAT Council enact a Deeming By-law pursuant to Section 50(4) of the Planning Act, so as to deem Lot 17 and Lot 18 of Plan 1070 as not being registered lots within a Plan of Subdivision.

B. Overview

The purpose of this report is to review a request to merge two existing lots on Liisa's Lane into one lot. The Owners wish to construct an accessory building to the home on the enlarged parcel.

C. Background

An application for Deeming By-law has been submitted by Kristine Loft of Loft Planning Inc. on behalf of the property owner Sonia Fabbri. The application requests to merge lots 17 and 18 together into one lot in order to be able to construct an accessory detached structure on the enlarged parcel.

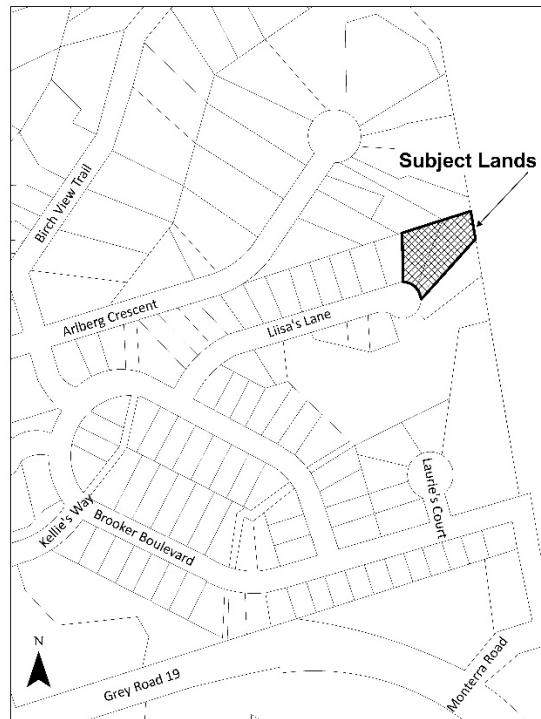
A Deeming By-law is required as the lands cannot be merged together without consent from Council.

Section 50(4) of the Planning Act indicates the following: Designation of plans of subdivision not deemed registered

(4) The council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subsection (3). R.S.O. 1990, c. P.13, s. 50 (4).

The Plan of Subdivision 1070, was registered in April 1988.

LOCATION



D. Analysis

The Town of The Blue Mountains Official Plan does not provide specific direction on merging two lots together. The intent of the Plan is to provide a wide range of housing types, generous open space, and to maintain the residential resort character of the area.

A Planning Justification Report has been submitted by the agent in support of the application. Planning Staff have no issues with the opinions provided in the report, however Staff wish to closely monitor the number of future deeming by-law requests as each time two lots are merged into one property, a potential new building site for a residential dwelling is removed from the Town.

Planning Staff therefore recommend that Council enact a Deeming By-law so as to merge Lot 17 and Lot 18 of Plan 1070 into one lot.

E. The Blue Mountains Strategic Plan

Goal #3: Support healthy lifestyles

F. Environmental Impacts

Nil

G. Financial Impact

Removal of one lot on Liisa's lane may impact taxation and contributions to future local servicing projects

H. In consultation with

Nil

I. Attached

1. Draft Deeming By-law

Respectfully Submitted,

Shawn Postma, MCIP RPP
Senior Policy Planner

Michael Benner, MCIP RPP
Director of Planning and Development Services

For more information, please contact:
Shawn Postma, Senior Policy Planner
spostma@thebluemountain.ca
519-599-3131 extension 248

**THE CORPORATION OF THE TOWN OF
THE BLUE MOUNTAINS**

BY-LAW NO. 2017 -

**Being a By-law to designate a Plan of Subdivision, or part thereof,
not to be a Registered Plan of Subdivision for the purposes of
Subsection 50(3) of the *Planning Act***

WHEREAS the Council of the Corporation of the Town of The Blue Mountains has authority pursuant to subsection 50(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to designate a Plan of Subdivision, or part thereof, that has been registered for eight years or more, to be deemed not to be a registered Plan of Subdivision for the purpose of subsection 50(3) of the *Planning Act*;

AND WHEREAS Lots 17 and 18 within Registered Plan 1070 are currently separate Lots within the Registered Plan;

AND WHEREAS Registered Plan No. 1070 has been registered in the Registry Office for the Registry Division of the County of Grey for eight years or more;

NOW THEREFORE Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. Lot 17 and Lot 18 of Registered Plan 1070 are hereby deemed not to be separate lots within a registered Plan of Subdivision for the purposes of Subsection 50(3) of the *Planning Act*.
2. This By-law shall come into full force and take effect on the date it is enacted by the Council of the Corporation of the Town of The Blue Mountains, subject to the provisions of subsection 50(27) of the *Planning Act*.
3. This By-law shall be registered by the Corporation of The Town of The Blue Mountains in the Land Registry Office for the Registry Division (16) of the County of Grey.

Enacted and passed this 10th day of July, 2017

John McKean, Mayor

Corrina Giles, Clerk