



Staff Report

Report Title: Deeming PLAN 749 LOT 28 PALEO PLACE; S/S [505 PALEO PL]

Prepared By: Emily Dance, Clerk

Department: Clerk

Date: Sep. 7, 2022

**Report Number: CLK-2022-09-84
PARR**

File Number: D25 Deeming

Attachments: Plan 3R-10589, illustration

Recommendation:

That the Township of Huron-Kinloss Committee of the Whole hereby approves Report Number CLK-2022-09-84 prepared by Emily Dance, Clerk AND authorizes PLAN 749 LOT 28 PALEO PLACE; S/S [505 PALEO PL] to not be a lot in a registered plan AND FURTHER authorizes the appropriate By-law coming forward.

Background:

The owners of Lot 28 Plan 749 [505 Paleo Place, Point Clark] made a planning application to sever +/- 1,258.4 square meters from Part Lot 7 Registered Plan 3R-10361 Part 5 (newly described as Part 1 on 3R-10589) and add it to Lot 28 Plan 749 [505 Paleo Place] to facilitate a lot addition.

As part of the conditions of provisional approval, the applicant is required to "deem" Lot 28 Paleo Place not be in a plan of subdivision in order for Part 1 on 3R-10589 to merge with Lot 28 and complete the lot addition.

Discussion:

Pursuant to subsection 50(4) of the Planning Act, R.S.O. 1990, c. P13, as amended Council has the authority to designate a Plan of Subdivision, or part thereof, that has been registered for eight years or more, to be deemed not to be lots in a registered Plan of Subdivision to the purpose of subsection 50(3) of the Planning Act. Plan 740 fits into the required parameters.

Lot 28 Plan 749 [505 Paleo Place, Point Clark] contains a single detached dwelling and is zoned Residential One "R1" which permits residential use. The applicant has

stated the lot addition is for added privacy they are not proposing any new construction or development at this time

A Deeming By-law is required to remove Lot 28 Plan 749 from the registered plan of subdivision, thereby allowing the two parcels to legally merge and ensuring the development is consistent with all applicable laws, policies, and regulations.

Financial Impacts:

As per the Consolidated Fees By-Law the fees - \$150 plus registration, title search and legal and a deposit of \$750 has been received to cover legal costs. Any unused portion of the deposit will be refunded, overages will be the responsibility of the applicant.

Strategic Alignment / Link:

We are an accessible community that offers opportunities for everyone by ensuring people have a place to live and by being open and transparent.

Respectfully Submitted By:

Emily Dance, Clerk

Approved By:

Mary Rose Walden, Chief Administrative Officer