



Corporation of the Municipality of Temagami

Memo No.
2018-M-021

Memorandum to Council

Staff
 Committee

Subject:	Request Deem 33 & 39 White Bear Court Legally described as Lots 24 and 25 of Plan 36M-610
Agenda Date:	April 17 th , 2018
Attachments for Information:	<ul style="list-style-type: none">• Deeming request• Attached Draft Deeming By-Law

RECOMMENDATION

This memorandum is to recommend that Council consider the following motion:

BE IT RESOLVED THAT Council receive Memo No. 2018-M-021 regarding the request to deem Lots 24 & 25 of Plan 36M-610;
AND FURTHER THAT Council consider a Deeming By-law to deem 33 and 39 White Bear Court (Lots 24 & 25 of Plan 36M-610) to not be a part of a Registered Plan of Subdivision for planning purposes;

BACKGROUND INFORMATION

When lots are not located in a plan of subdivision they will automatically “merge on title” when two abutting lots are owned by the same person. Lots in a registered plan of subdivision do not “merge on title” automatically, when the same property owner purchases side-by-side properties, as per Section 50(3) of the *Planning Act*. In order for a “merge” to occur a deeming by-law is required.

When it is desirable for two lots in a plan of subdivision to “merge”, as per Section 50 (4) a Council of a local municipality may by by-law deem any part of a subdivision that has been registered for eight years or more, to not be lots in a registered plan of subdivision. This has been requested for certain lands described as 33 and 39 White Bear Court (Lots 24 & 25 of Plan 36M-610). The request to deem the lands is considered in this memo.

ANALYSIS

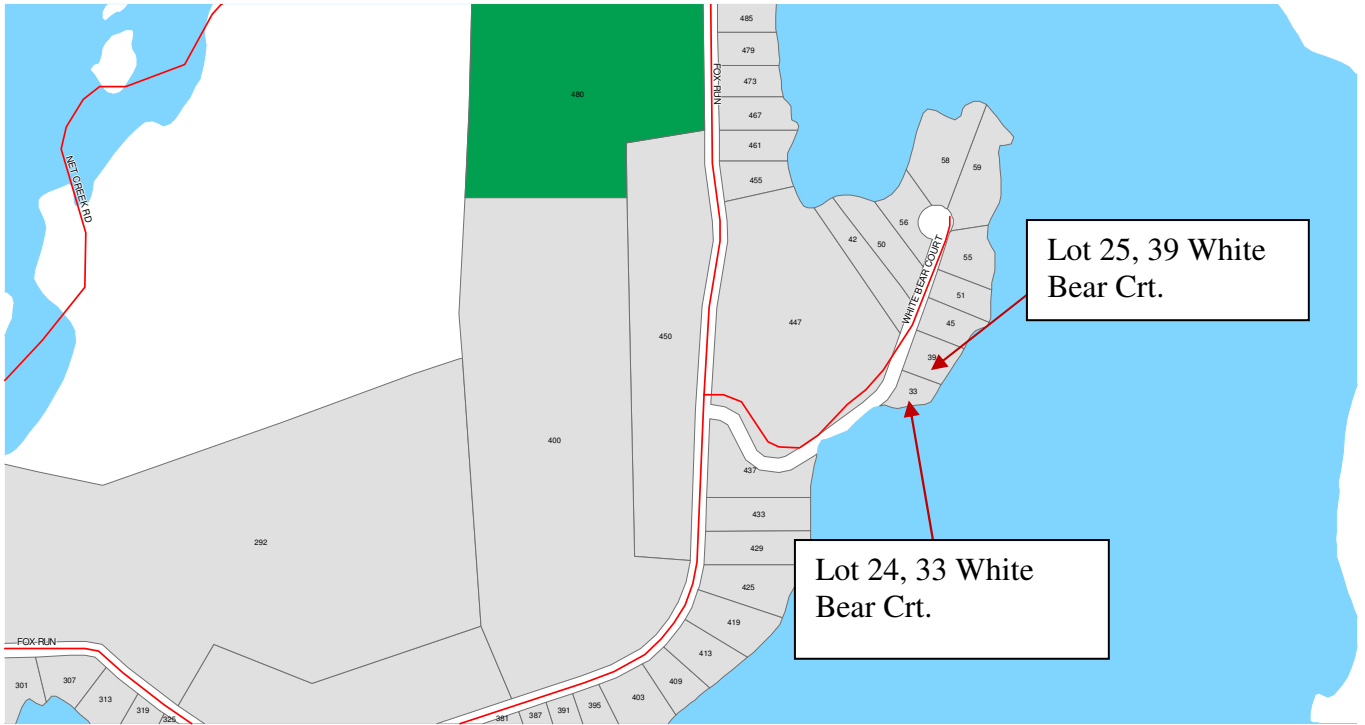
The purpose of passing the deeming by-law is to deem the lots not to be a lot in a plan of subdivision. This would allow the deemed lots to be treated as one lot for planning purposes.

The purpose of joining the lots together would be to construct a 40’ x 60’ x 16’ Norsteel Garage on 39 White Bear Court to accommodate for storage for vehicles, recreational vehicles, tents, storage trailers etc. Once the properties are “merged” the proposed Norsteel Garage will be an accessory use to the existing dwelling located on 33 White Bear Court. The applicants are still able to meet all setback requirements and other provisions of the Zoning By-law; however the applicant has submitted a Zoning By-law Amendment to facilitate the construction of the garage as it would exceed the maximum permitted size of a garage. This application will be subject to a public meeting at a future date.

The resulting lot following the “merging” of the two properties would have a lot frontage of approximately 140 metres on Cassels Lake and a lot area of approximately 0.7 hectares. The lot would not be out of character with the rest of the subdivision on Fox Run.

The planning department has no concerns with the request and recommends that Council enact a Deeming By-law for these lots. It should be noted that the only way the land may be divided in the future will be through the consent process.

If Council agrees to the request to join the lands, and considers a Deeming By-law, the by-law does not require public notice or a public hearing prior to the passing of the By-law. The By-law does require three readings of Council and to be registered at Land Titles if passed.



Prepared by:

Reviewed by:

Approved for Council consideration by:

<p>Tammy Lepage, Planning Assistant</p>	<p>Jamie Robinson, Planning Consultant MHBC</p>	<p>Elaine Gunnell, Municipal Clerk</p>
<p>Name, Position</p>	<p>Name, Position</p>	<p>Name, Position</p>

March 16, 2018

Mayor & Council of The Municipality of Temagami
Box 220
Temagami, ON P0H 2H0

Dear Mayor & Council

This request is in regard to the following properties:

PIN 49004-0046 LT
Description PCL 24-1 SEC 36M610 SRO: LT 24 PL 36M610 CASSELS S/T RIGHT IN LT260973 & NP8370;
TEMAGAMI, DISTRICT OF NIPISSING

And

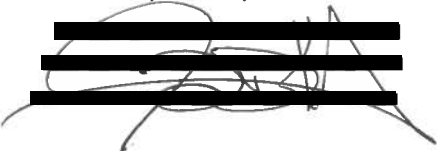
PIN 49004-0047 LT
Description PCL 25-1 SEC 36M610 SRO: LT 25 PL 36M610 CASSELS S/T RIGHT IN LT260973 & NP8370;
TEMAGAMI, DISTRICT OF NIPISSING

In 2013 we requested to have a by-law deemed that they are no longer on a plan of subdivision. We requested this through Barbara Madigan and have Consolidated the parcels legally on August 8, 2013 (please see attached copy). Our lawyer, William Ramsay has drawn up the necessary documents.

We are planning to make an application to build an engineered garage but require the properties to be as one. We have no intention of ever severing them once this is complete.

Should you require further information, please do not hesitate to contact either at the numbers below.

Thank you for your consideration,



James D. Krech
~~33 White Bear Court~~
Temagami, ON P0H 2H0
~~705-848-9199~~
~~705-309-9221~~



Kimberly A. Krech
~~33 White Bear Court~~
Temagami, ON P0H 2H0
~~705-848-9199~~
~~705-309-9221~~

Properties

PIN 49004 - 0046 LT
 Description PCL 24-1 SEC 36M610 SRO; LT 24 PL 36M610 CASSELS S/T RIGHT IN LT260973 & NP8370; TEMAGAMI ; DISTRICT OF NIPISSING
 Address TEMAGAMI

PIN 49004 - 0047 LT
 Description PCL 25-1 SEC 36M610 SRO; LT 25 PL 36M610 CASSELS S/T RIGHT IN LT260973 & NP8370; TEMAGAMI ; DISTRICT OF NIPISSING
 Address TEMAGAMI

Applicant(s)

Name KRECH, KIMBERLY ANNE
 Address for Service 33 White Bear Court, Temagami, ON P0H 2H0

This document is not authorized under Power of Attorney by this party.

Statements

The registered owner applies to consolidate the selected PINs and the proposed description for the parcels to be consolidated is PCL 24-1 and PCL 25-1 SEC 36M610 SRO; LT 24 and LT 25 PL 36M610 CASSELS S/T RIGHT IN LT260973 & NP8370; TEMAGAMI ; DISTRICT OF NIPISSING.

Signed By

William Ralph Ramsay 18 Armstrong St. acting for Signed 2013 08 08
 New Liskeard Applicant(s)
 P0J 1P0

Tel 705-647-4010
 Fax 705-647-4341

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

RAMSAY LAW OFFICE PROFESSIONAL CORPORATION 18 Armstrong St. 2013 08 08
 New Liskeard
 P0J 1P0

Tel 705-647-4010
 Fax 705-647-4341

Fees/Taxes/Payment

Statutory Registration Fee \$60.00
 Total Paid \$60.00

File Number

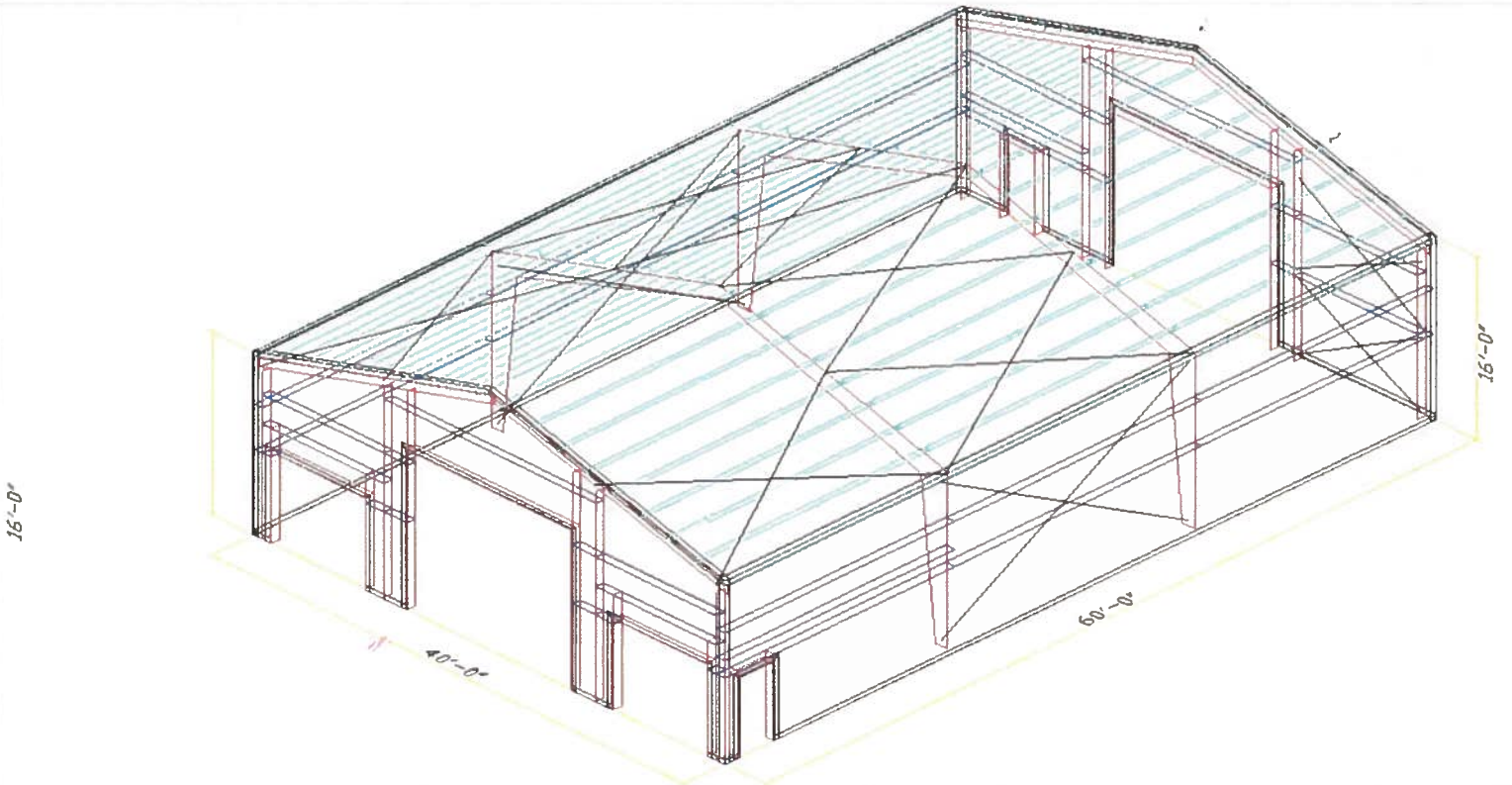
Applicant Client File Number : 17782 RS

Norsteel Quote

Client	Job Site	Width	Length	Eve Height	Slope	Date Created	Date Expired
Jim Krech	Tamagami, Ontario K0L1T0	40'	60'	16'	4:12	02/28/2018	03/07/2018
Framed Openings						Building Cost:	\$ 36,989.00
Included in all Packages:						Insulation R20/R13	\$ 5,605.39
Overhead Openings	(2) 14'w x14'h (2) 8'w x 8'h	Primary Framing	Rigid Frames and End Wall Frames			Freight	Included
Service Door	2	Secondary Framing	Purlins, Girt & Eave Struts			Taxes	Extra
3'7" Wx7'2"H		Wall and Roof Sheeting	26 Gauge Galvanized Coloured Cladding, 26 Gauge GALVALUME Roof Sheeting.				
Windows	0	Engineered Drawing	3 sets of engineered stamped drawings included				
Code: NBC 10, BCBC 12		Assembly Manuals	Included				
Wind Speed: 90		We do not provide:	Building Foundation/Installation services Doors and Windows			Estimated Date of Delivery:	6-8 weeks
Wind Exposure: R1							
Roof Snow Load: 51.8300							
Live Load: 20.00							
Collateral Load: 3							
Closed?: 2							
Seismic Zone: F							
Seismic Coef: 0.150							

To see photos of our buildings:

- Please follow this link to our website building gallery: <http://norsteelbuildings.ca/gallery/>
- Or our Facebook page: www.facebook.com/NorsteelBuildingsLimited/



Get to know Norsteel:

Recipient of the following awards:

- Top 100 Metal Builders in North America (voted by Metal Construction News 5 years in a row)
- Top Builder (2010, 2011, 2012, 2013, 2014, 2015, 2016)
- Million Dollar Award (2010, 2011, 2012, 2013, 2014, 2015)

Norsteel was built on honesty and integrity. Serving the commercial, industrial, and residential markets for over a decade, Norsteel specializes in a variety of different building applications, from commercial garages, to industrial warehouses, to sports facilities.

Basic Components of a Steel Building

Although there are a lot of different components in a Steel Structure, Steel Buildings are Basically comprised of:

- Primary Framing
 - Columns and Rafters (Rigid Frames)
 - Post and Beam Endwalls
- Secondary Framing:
 - Wall "Z" Girts,
 - Roof "Z" Purlins, and
 - Eave "C" Purlin
- Roof and Wall Sheeting
 - 26 Gauge Galvalume Roof: Standard Screw Down or 24 Gauge Galvalume Standing Seam Roof
 - 26 Gauge Galvanized Wall Panels
- Bracing
- Trim



Lofts & Mezzanines

- Minimum recommended Wall Height at 16' H
- Pre Engineered STEEL Mezzanine integrated into the design



- Free Standing / Self Supporting Mezzanine out of wood



Interior Finishing Options

Steel Liner Panels

- Available in a variety of colors
- 24 or 26 Gauge Galvanized Steel
- Available in 7'9" Wall only or full Wall and Roof



Full Roof and Wall Liner Panel



7'9" Wall Liner Panels

Laminated Insulation:



Wood Frame with sheetrock



STANDARD PANEL PAINT SYSTEMS

Exterior painted roof and wall panels are precision roll formed from pre-painted galvanized or Galvalume® coils. The metal is first subjected to a strenuous cleaning process followed by the application of an oven-cured primer. Next the finish coat is applied under constant monitoring for proper cure temperature and color uniformity. Before panels are formed, the finished coil is subjected to stringent quality control tests including: physical bend resistance, impact resistance, and film thickness, hardness, gloss, and color. The standard paint system is an industry proven Silicone-Polyester coating. Silicone-Polyester is a recognized standard of product quality for exterior building systems. Printed colors are matched as closely as possible. Exact color match should be made from metal chip samples.

*Liner panels for wall and roof are normally provided in a 28 gage panel coated with a highly serviceable interior grade white polyester coating. Liner panels are for inside use and are not intended to be exposed to the effects of weather or sunlight. All painted wall and trim products are painted with the same high quality paint system described here. Galvalume® Trim may be available at a slight increase in price.

*Backer side primer colors may vary.

SILICONIZED POLYESTER

BURNISHED SLATE
(BS)



EVERGREEN
(EG)



AZTEC BLUE
(AB)



BRICK RED
(BR)



SAGEBRUSH TAN
(SB)



FOX GRAY
(FG)



LIGHTSTONE
(LS)



POLAR WHITE
(PW)



Certificate No.: 10-061148



USE PERMIT
for

Class 4 Sewage System Installed under Certificate of Approval
(constructed/installed/established/enlarged/extended/altered)

No. 10-061148 in accordance with The Building Code Act 1997, and Regulations and subject to the limitations thereof,

is issued to Kimberly Krech for a sewage system located on the property described as follows:
(name of owner/registered lease holder)

District Nipissing Township/Municipality Cassels/Temagami Twp Lot #
Twp Con # Plan # 36M610 Sublot # 4 Parcel # 24-1
and is related to the Site Inspection Report dated August 26, 2010.

Dated this 17th day of September, 2010.

Inspector

Director

Appointment

Form N-4-LC (04.00), rev. (03.09)



SITE INSPECTION REPORT FOR A USE PERMIT RELATED TO

Site Inspection Report File No.: 10-061148 Dated: Aug 23-10

Owner's Name: Kimberly Kreck

1. Persons at inspection (Name/s): Brian Feeney

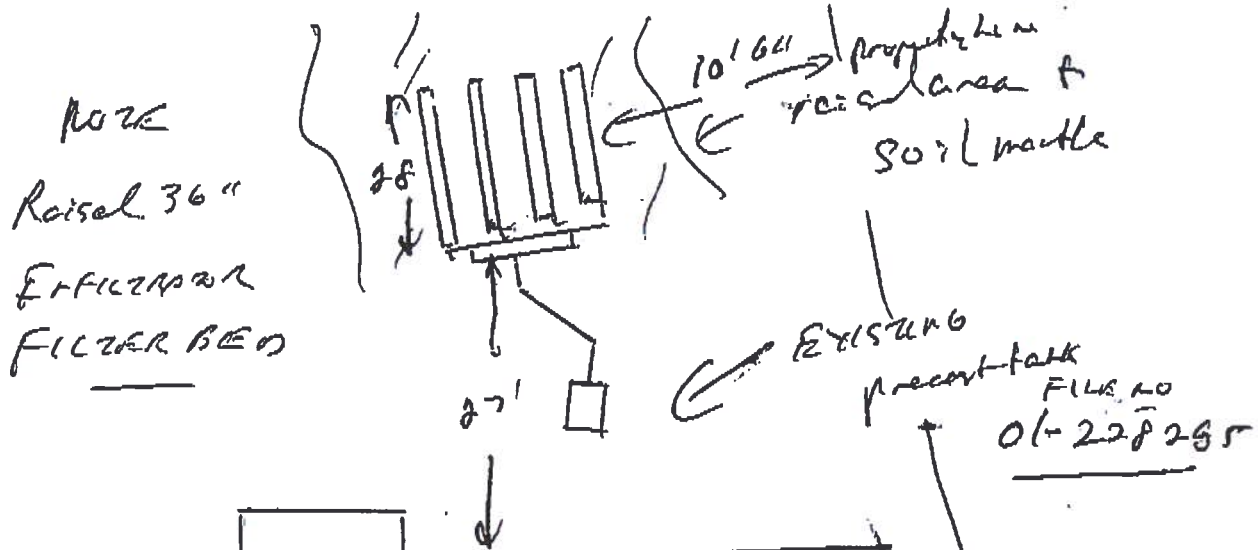
Attending in capacity of: Contractor

2. Time of Inspection: 2:55 Weather Conditions: overcast

3. Assessment
The work inspected conforms to that required by Certificate of Approval, dated Aug 23-10 in all respects.

4. Filter Sand: Number Cubic Yards: 60 yds Supplied by: North Van Sand & Gravel Ltd

5. Reconstruction or changes required before Use Permit issued (Nil if applicable).



6. Completion of work under Certificate of Approval includes:

- add crushed stone and building paper
- backfill absorption trenches or sand filter with foam
- ensure stable slopes of raised leaching beds (not less than 4:1)
- grade surface of bed recommend add topsoil and seed or sod
- conduct surface drainage away from leaching bed area
- other (detail)

COPY

7. Additional Inspection: Required Not required

8. Use Permit issued on (date) SEP 17 2010 (Inspector) [Signature]

Personal Information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the Building Code Act, 1992, and will be used in the administration and enforcement of the Building Code Act, 1992. Questions about the collection of personal information may be addressed to: a) Timiskaming Health Unit's Privacy Officer, or, b) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor, Toronto, M5G 2E5 (416) 585-6666.

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 18-XXXX

Being a bylaw to designate lots on a certain plan of subdivision that has been registered for eight years or more as deemed not to be lots on a registered plan of subdivision

WHEREAS Subsection 50(4) of *The Planning Act*, R.S.O. 1990, c.P.13, provides that the Council of a municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight (8) years or more not to be a registered plan of subdivision for the purposes of subsection 50(3) of *The Planning Act*;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it is desirable that Lots 24 and 25, Plan 36M-610, being the plan of subdivision referred to herein, be deemed not to be lots on a registered plan of subdivision in order to accommodate the construction of the new home on Lot 25.

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. Lots 24 and 25, Plan 36M-610 in the Municipality of Temagami, are hereby deemed not to be lots on a registered plan of subdivision for the purposes of Section 50(3) of *The Planning Act*, R.S.O. 1990, c.P.13 as shown on Schedule A-1 to this By-law.
2. That the Clerk of the Corporation of the Municipality of Temagami is hereby authorized and directed to:
 - (1) Register a certified copy of this by-law in the proper Land Registry Office; and
 - (2) Send by registered mail, notice of passing of this by-law to the owner(s) of land to which this by-law applies, within 30 days of passing of this by-law.
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
4. That this by-law shall come into force and take effect upon finally passing thereof.

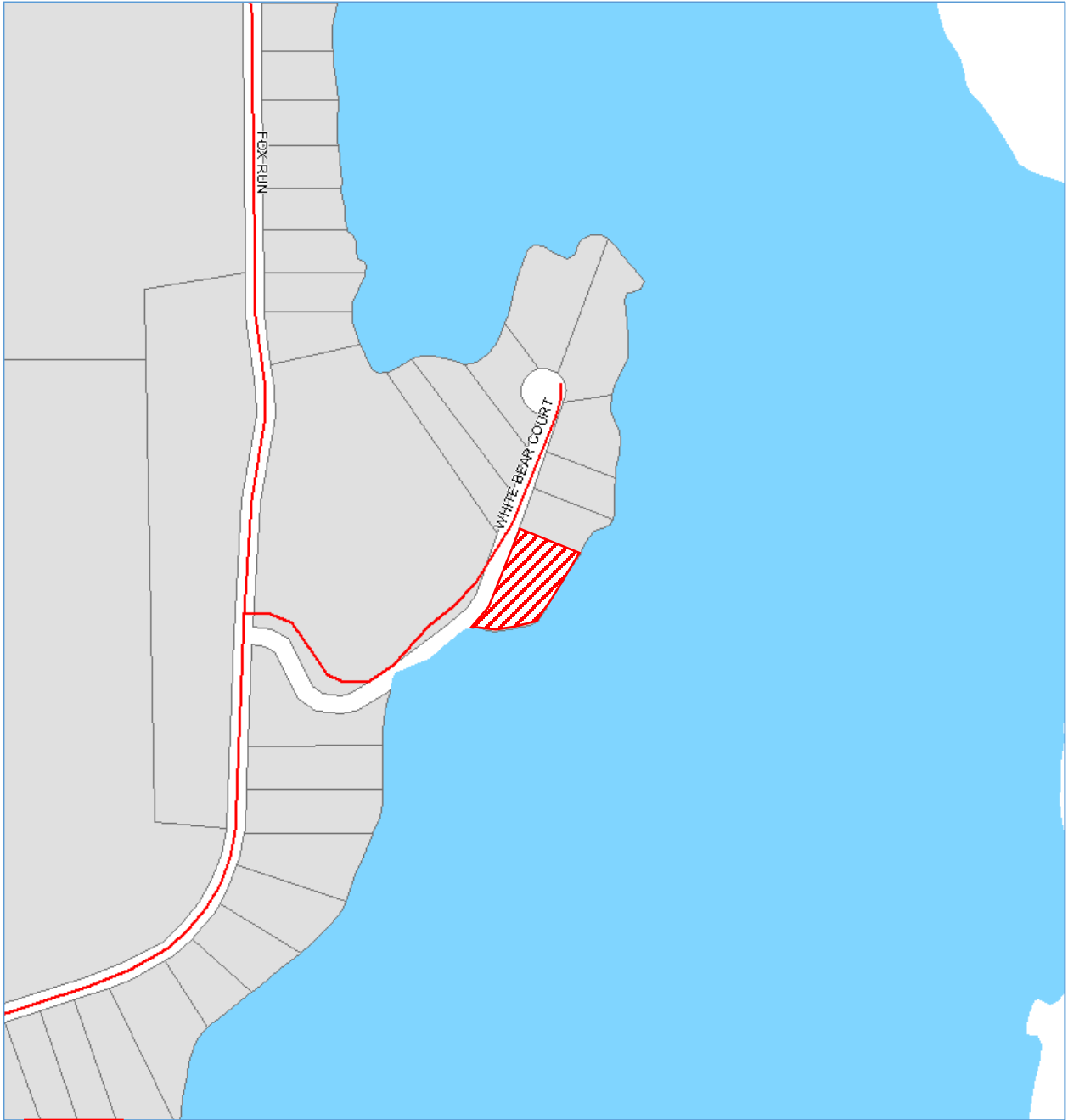
TAKEN AS READ a first time this _____ day of _____ 2018.

TAKEN AS READ a second and third time and finally passed this _____ day of _____ 2018.

Mayor

Clerk

Schedule 'A-1'
Lots 24 and 25 on White Bear Court – By-law No.: _____
Municipality of Temagami



Lands to be deemed not to be lots in a registered plan of subdivision.

This is Schedule 'A-1' to By-law No. _____

Passed this ____ day of _____, 2018

Mayor

Clerk