

Staff Report

Presented By: Candace Hamm, Manager, Planning and Development

Meeting Date: April 20, 2026

Subject: Deeming By-law B-2024-086 Taylor

Attachment(s): Notice of Decision B-2024-086 Taylor

Recommendation

That Council adopt By-law 38-2026, being a By-law to Deem Lots 35 and 36 on Plan 497, Town of Saugeen Shores, not to be lots on a registered Plan of Subdivision.

Report Summary

The purpose of this report is to pass a Deeming By-law that will allow the owners, Lauren Taylor and Spencer Primeau, to complete a lot addition by severing a portion of Lot 35, Plan 497 and adding it to Lot 36, Plan 497. The Deeming By-law is required to legally merge the lots so that the lot addition does not result in the inadvertent creation of a separate lot under the Planning Act. The Deeming By-law is included in the By-law Section of the Agenda.

Background/Analysis

The property owners received Provisional Approval from the County of Bruce Approval Authority for a consent for a lot addition under Section 53 of the Planning Act. As indicated in the attached Notice of Decision for B-2024-086 Taylor, the consent proposes to correct the encroachment of the residence on Lot 36 onto Lot 35 of Plan 487. A portion of Lot 35 is to be severed and added to the adjoining Lot 36.

Both parcels are located on Registered Plan 497, because of this they remain separate lots in law, even if held under the same Property Identification Number (PIN). A Deeming By-law is required to:

- Prevent the severed lot from being sold or developed separately;
- Ensure the lot addition merges in title as intended; and,
- Maintain compliance with the Planning Act.

Staff have reviewed the application and confirmed:

- The proposed lot addition supports proper lot configuration and current land use;
- Both parcels share common ownership; and,
- Deeming the lots will eliminate outdated lot fabric and allow the consent to be finalized.

A Deeming By-law is the appropriate planning tool when a property owner seeks a lot addition involving land within a registered plan of subdivision.

Without deeming, the retained and enlarged parcels could unintentionally become separate conveyable lots, which would contravene the Planning Act and could frustrate the intended merger.

Passing the Deeming By-law ensures that:

- The lot addition merges automatically upon registration of the deed;
- No new lot is created;
- The enlarged parcel conforms to the Town's Zoning By-law and Official Plan;
- The lot configuration aligns with current development standards and servicing expectations.

Linkages

- Strategic Plan Alignment: Pillar 1: Meeting the Needs of a Growing Community
- Business Plan Alignment: Development Services Business as Usual

Financial Impacts/Source of Funding

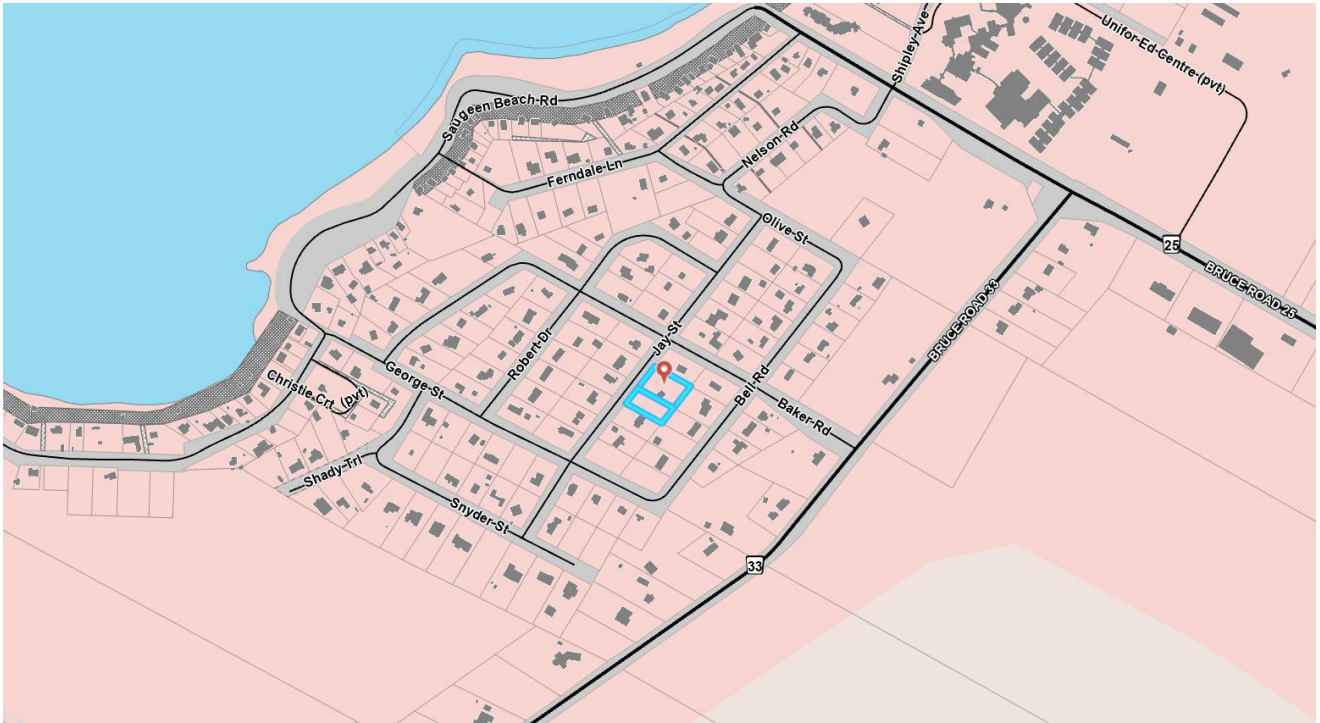
No costs or revenue is associated with this report.

Prepared By: Candace Hamm, Manager, Planning and Development

Reviewed By: Dwayne Evans, Director, Development Services

Approved By: Jim Bundschuh, Acting Chief Administrative Officer

Location Map



Site Plan

