



City of North Bay Report to Council

Report No: CSBU 2021 - 36

Date: June 29, 2021

Originator: Beverley Hillier

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Deeming By-law Request – 4 Toronto Street and 10 Toronto Street (Plan 16, Lot 9, Lot 10, Lot 11, Block N)

Closed Session: yes no

Recommendation

1. That Council adopts a Deeming By-law to deem Plan 16, Lot 9, Lot 10 and Lot 11, Block N not to be separate lots on a Registered Plan of Subdivision; and
2. That the Deeming By-law be brought forward for three readings at the July 13, 2021 meeting of Council.

Background

The City of North Bay has received a request from a property owner on Toronto Street to deem the properties known locally as 4 Toronto Street and 10 Toronto Street (Plan 16, Lot 9, Lot 10 and Lot 11, Block N) to no longer be whole lots on a Plan of Subdivision.

The Planning Act states that, in the absence of a deeming by-law, a whole lot in a plan of subdivision can always be transferred in its entirety. Lands can be added to a whole lot, but the owner would always retain the right to transfer the original parcel from the plan of subdivision. In these circumstances, any lands added to a whole lot in a plan of subdivision in essence never really merges with the original lot, as the whole lot can still be sold and transferred separately.

Section 50(4) of the Planning Act allows City Council to pass a by-law to designate or “deem” any Plan of Subdivision or part thereof that has been registered for eight years or more not to be a Plan of Subdivision. This removes the right of the whole lot in the plan of

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subdivision to be individually transferred, meaning that it would fully merge with adjacent lands in common ownership. This allows the lots in question to be merged together into one lot. The lots are all currently in common ownership. There is one house located at 10 Toronto Street and an accessory structure located on the property at 4 Toronto Street. The main building was demolished in 2012.

The request was circulated to all departments and agencies that have an interest in these matters. No objections to the proposed Deeming By-law were received.

Financial/Legal Implications

None

Corporate Strategic Plan

- | | |
|--|---|
| <input type="checkbox"/> Natural North and Near | <input checked="" type="checkbox"/> Economic Prosperity |
| <input type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

- Promote and support public and private sector investment

Options Analysis

Option 1:

1. That Council adopts a Deeming By-law to deem Plan 16, Lot 9, Lot 10 and Lot 11, Block N not to be a separate lots on a Registered Plan of Subdivision; and
2. That the Deeming By-law be brought forward for three readings at the July 13, 2021 meeting of Council.

This is the recommended option.

Option 2:

Not to pass the Deeming By-law.

Recommended Option

Option 1 is the recommended option

Respectfully submitted,

Name: Beverley Hillier, MCIP RPP

Title: Manager, Planning Services

I concur with this report and recommendation.

Name: Ian Kilgour, MCIP RPP

Title: Director of Community Development and Growth

Name: David Euler, P.Eng

Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Peter Carello

Title: Senior Planner – Current Operations

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Schedule A

