

## **City of North Bay Report to Council**

Report No: CSBU-2025-034

Date: June 4, 2025

Originator: Peter Carello, Senior Planner

Business Unit:

Community Services

Department:

Planning & Building Department

Subject: Deeming By-law Application – 1060 McIntyre Street West

Closed Session: yes ☐ no ☒

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### **Recommendation**

1. That Council adopts a Deeming By-law to deem Lot 162 on Plan No. 13 and Lot 91 on Plan No. 15 not to be whole lot on a Registered Plan of Subdivision; and
2. That the Deeming By-law be brought forward for three readings at the July 8<sup>th</sup>, 2025 meeting of Council.

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### **Background**

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. 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 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 developed as one large lot as opposed to two smaller, separate lots.

The City of North Bay has received a request from the property owners of Lot 162 on Plan No. 13 and Lot 91 on Plan No. 15 (known locally as 1060 McIntyre Street West) to deem these lands to no longer be whole lots on a Plan of Subdivision. The purpose of this request is to allow the lands to merge into one lot and allow the property to be developed with one development.

The request was circulated to all departments and agencies that have an interest in these matters. The Public Works Department, the Engineering

Department, the Building Department, the North Bay Mattawa Conservation Authority and Hydro One each responded that they had no objections to the requested Deeming By-law.

North Bay Hydro responded that they had no objections to the request, but did note that once the properties are merged, the property could only receive one hydroelectric service to any future structure.

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**Financial/Legal Implications**

None to the City

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**Corporate Strategic Plan**

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| <input type="checkbox"/> Natural North and Near                | <input 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**

N/A

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**Options Analysis**

Option 1:

1. That Council adopts a Deeming By-law to deem Lot 162 on Plan No. 13 and Lot 91 on Plan No. 15 not to be whole lot on a Registered Plan of Subdivision; and
2. That the Deeming By-law be brought forward for three readings at the July 8th, 2025 meeting of Council

Option 2:

Not to pass the Deeming By-law.

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**Recommended Option**

Option 1 is the recommended option.

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Respectfully submitted,

Name: Peter Carello, MCIP, RPP

Title: Senior Planner, Senior Planner – Current Operations

**I concur with this report and recommendation**

Name: Beverley Hillier, MCIP, RPP  
Title: Manager, Planning & Building Services

Name: Ian Kilgour, MCIP, RPP  
Title: Director, Community Services

Name: John Severino, P.Eng., MBA  
Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Peter Carello, MCIP, RPP  
Title: Senior Planner, Senior Planner – Current Operations

## Schedule A



1:00

