

## **Block 25, Lot 53M-1204, Lot 4, Concession 6, Snider Township**

Presented To:	Planning Committee
Meeting Date:	May 10, 2021
Type:	Managers' Reports
Prepared by:	Alex Singbush Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

### **Report Summary**

This report provides a recommendation regarding a deeming by-law for Block 25, Lot 53M-1204, Lot 4, Concession 6, Snider Township.

### **Resolution**

THAT the City of Greater Sudbury approves designating Block 25, Plan 53M-1204 as being deemed not to be part of a registered plan for the purposes of Section 50(3) of the Planning Act, as outlined in the report entitled "Block 25, Lot 53M-1204, Lot 4, Concession 6, Snider Township", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on May 10, 2021; and,

THAT the City of Greater Sudbury directs staff to prepare a by-law to enact deeming Block 25, Plan 53M-1204 not to be part of a plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

### **Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)**

The designation of part of a Registered Plan to be deemed not to be a registered plan for the purposes of Section 50(3) of the Planning Act is an operational matter under the Planning Act.

### **Financial Implications**

There are no financial implications associated with this report.

### **Report Summary**

Staff are recommending that Block 25, Plan 53M-1204 be deemed to not be part of a registered plan of subdivision as a means of consolidating the block with an abutting parcel in the same ownership.

# Staff Report

## Location:

Block 25, Plan 53M-1204, Lot 4, Concession 6, Snider Township, Azilda

## Background:

Section 50(4) of the Planning Act provides that the council of a local municipality may, by by-law, designate any plan of subdivision that has been registered for 8 years or more not to be a registered plan for the purposes of Section 50(3) of the Planning Act. Plan 53M-1204 was registered on October 10, 1989. Subsection 50(3) of the Planning Act contains the subdivision control provisions preventing the transfer of land unless the land is within a plan of subdivision along with other restrictions and requirements.

The subject lands are designated Rural in the Official Plan and are zoned "SLS(2)", Seasonal Limited Service Special and are vacant. The parcel proposed to be consolidated with the subject lands is zoned "RU", Rural and is also vacant. Section 2.4.1 of Zoning By-law 2010-100Z, the Zoning By-law for the City of Greater Sudbury indicates that: "g) Where a *lot* falls into two or more *zones*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *zone*."

The applicant has indicated that they wish to consolidate the waterfront block with the balance of their abutting lands.

In order to consolidate the land ownership and prevent the individual transfer of the block, it is recommended that a by-law be enacted by Council deeming Block 25, Plan 53M-1204 not to be a part of a registered plan for the purposes of Section 50(3) of the Planning Act. The deeming by-law would be forwarded to the Registry Office, and would appear on title to the property and would prevent the transfer of the lands individually. The holding could only be transferred together as long as the deeming by-law remains in place.

Staff has received request for a deeming by-law from the owner, which would have the effect of not allowing ownership of the lands to be transferred separately.