

## **0 and 1020 Elisabella Street, Sudbury**

Presented To:	Planning Committee
Meeting Date:	August 16, 2021
Type:	Routine Management Reports
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

## **Report Summary**

This report provides a recommendation regarding a request to deem certain lots not to be part of a registered plan of subdivision, 0 & 1020 Elisabella Street, Sudbury.

## **Resolution**

THAT the City of Greater Sudbury approves designating Lot 57, 58 & 59, Plan M-439 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 “0 & 1020 Elisabella Street, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 16, 2021; and,

THAT the City of Greater Sudbury directs staff to prepare a by-law to enact deeming Lot 57, 58 & 59, Plan M-439 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**

This report has no financial implications

## **Report Overview:**

Staff are recommending that Lot 57, 58 & 59, Plan M-439 be deemed to not be part of a registered plan of subdivision as a means of consolidating the lots and preventing the transfer of the individual lots as a means of consolidating abutting lots in the same ownership.

# STAFF REPORT

Location:

Lot 57, 58 & 59, Plan M-439, Lot 9, Concession 5, Township of Neelon, Sudbury

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 M-439 was registered on December 3, 1956. 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 Heavy Industrial in the Official Plan and are zoned "M3", Heavy Industrial. Lot 58 and 59, Plan M-439 are known as 1020 Elisabella Street, and contain an existing industrial use. Lot 57 is currently vacant and is known as 0 Elisabella.

In order to consolidate the land ownership as per the owners request, it is recommended that a by-law be enacted by Council deeming Lot 57, 58 & 59, Plan M-439 not to be 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 lots individually. The lots could only be transferred together as long as the deeming by-law remains in place.

Staff has received an acknowledgement from the owner that they understand the implications of the deeming by-law and agree with the lots being deemed for the purposes of Section 50(3) of the Planning Act.