

Moxam Landing Road, Lively – Declaration of Surplus Vacant Land

Presented To:	Planning Committee
Meeting Date:	April 14, 2025
Type:	Routine Management Reports
Prepared by:	Tanya Rossmann-Gibson Real Estate
Recommended by:	General Manager of Corporate Services
File Number:	N/A

Report Summary

This report provides a recommendation to declare surplus vacant land north of Moxam Landing Road, Lively.

Resolution

THAT the City of Greater Sudbury declares surplus to the City's needs vacant land north of Moxam Landing Road, Lively, legally described as PIN 73372-0040(LT), being Part 3 on Plan 53R-7039, part of Lot 2, Concession 5, Township of Waters, City of Greater Sudbury;

AND THAT the land be marketed for sale to the public pursuant to the procedures governing the sale of full marketability surplus land in accordance with Property By-law 2008-174, as amended, as outlined in the report entitled "Moxam Landing Road, Lively – Declaration of Surplus Vacant Land", from the General Manager of Corporate Services, presented at the Planning Committee meeting on April 14, 2025.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

This report refers to operational matters and has no connection to the Climate Action Plans.

Financial Implications

There are no financial implications associated with this report.

Background

The subject land measures approximately 7 acres in size and is zoned 'RU' – Rural. The location of the subject land is identified on the attached Schedule 'A' and a photograph of the subject land is shown on the attached Schedule 'B'.

In 2004, the City of Greater Sudbury became the registered owner of the subject land through the vesting of title, subsequent to a failed tax sale.

Recently, the Real Estate Section received a request to sell the subject land from an abutting landowner to the west.

The proposal to declare the subject land surplus to the City's needs was circulated to all City departments and outside agencies in accordance with Property By-law 2008-174. No objections were received. The following conditions and requirements were identified:

- Planning Services advised the property is not recommended for land banking for the purpose of affordable housing given that it is located outside of the settlement area.
- Conservation Sudbury advised they have no objection to the sale of the property. However, there are some hazards on the property that will restrict development, including flood hazard, watercourses and associated erosion hazards and wetlands. Generally, development is prohibited in all hazards, and within 12m of wetlands, and 15m of watercourses. There is a sufficient building envelopment area to support residential development. Development of the property will require a permit from Conservation Sudbury.
- Infrastructure Capital Planning advised there is a major watercourse within and along the easterly boundary of this property. A survey plan should be prepared by an OLS to define the alignment, top of bank, any obstructions, and invert elevations. Based on this plan, an easement will be required to capture the creek and to allow access along the creek for future access and maintenance.
- The City's Roads Operations Engineer confirmed that the road fronting the subject property is maintained by the City year-round. It is considered to have been assumed as a public road, although the City ownership of the road is not reflected in the Land Titles office.
- Building Services has no objection or conditions with the proposal. As the City's Zoning By-law requires frontage on an assumed road, Building Services advised that when reviewing a building permit application for a property such as the subject, it considers only the public road status. As a result, ownership of the road should not adversely affect the use of the land.

Conditions and requirements received through the circulation process will form part of the terms and conditions of any future agreement of purchase and sale.

If approved, the land will be declared surplus to the City's needs and marketed for sale to the public. A further report will follow with respect to any future sale transaction.

Resources Cited

Property By-law 2008-174, as amended.

<https://www.greatersudbury.ca/do-business/available-lands-and-buildings/general-procedures/bylaw-2008-174/>

Zoning By-law 2010-100Z

<https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/>