



**MEETING TYPE: Regular Council Meeting**

<b>To:</b>	Mayor and Council
<b>From:</b>	Jody Brinkman, Manager of Development Services/Chief Building Official
<b>Date:</b>	September 18, 2024
<b>Subject:</b>	Deeming By-Law - 86 Third Street, 77 Fourth Street and Plan M232 Lot 200 in Hudson.
<b>Report No.:</b>	2024-295

**TITLE:** Deeming By-Law - 86 Third Street, 77 Fourth Street and Plan M232 Lot 200 in Hudson.

**RECOMMENDATION:**

THAT Council authorizes the passing of By-law No. 83-24, Being a By-law to Deem the lots located at 86 Third Street, Hudson; 77 Fourth Street, Hudson and Plan M232 Lot 200 Pcl 19895 not to be within a registered Plan of Subdivision.

**PURPOSE:**

A Deeming By-law application has been submitted by Stacey George to deem the following lots not to be within a registered Plan of Subdivision:

- PIN 42044-0208 LT – 86 Third Street, Hudson, PLAN M232 LOT 177 PCL 12911 LOT 178 PCL13418
- PIN 42044-0224 LT – 77 Fourth Street, Hudson, PLAN M232 LOT 199 PCL 26601
- PIN 42044-0225 LT – No Civic Address, Hudson, PLAN M232 LOT 200 PCL 19895

The purpose of the Deeming By-law is to allow the adjacent lots to merge.

**BACKGROUND:**

In order for abutting lots to merge within a Plan of Subdivision, a Deeming By-law is required to deem the lots not to be within a Plan of Subdivision. When abutting lots are under the same ownership and are not within a Plan of Subdivision, they cannot be conveyed separately. The effect is that they “merge.”

When it is desirable for abutting lots in a Plan of Subdivision to “merge”, as per Section 50 (4) of the Planning Act, a Council of a local Municipality may by By-law, deem any part of a Plan of Subdivision that has been registered for eight years or more, to not be lots in a registered Plan of Subdivision. This has been requested for the lots described as 86 Third Street, 77 Fourth Street, and PLAN M232 LOT 200 PCL 19895. The subject properties are shown in Appendix 1.

**DISCUSSION:**

The purpose of passing the Deeming By-law is to deem the lots not to be lots within a Plan of Subdivision. This would allow the lots to be treated as one single lot for ownership, land use planning and legal purposes.

The resulting merged lot is proposed to have a lot area of 1,335 square metres and a lot frontage of 20 metres on Fourth Street. The lands are located within the Hudson Residential Zone in the Zoning By-law.

The Planning Division has no concerns with the request and recommend that Council pass Deeming By-law No. 83-24 for the lots located at 86 Third Street, 77 Fourth Street, and Lot 200 on Plan M232.

If Council agrees to the request to merge the three abutting lots and considers a Deeming By-law, the By-law does not require public notice or a public meeting prior to the passing of the By-law; however standard procedures apply to the passing of the By-law before Council.

**RELATIONSHIP TO THE STRATEGIC PLAN:**

Community Development

**FINANCIAL IMPLICATIONS:**

An application fee of \$200.00 was collected from the applicant to cover staff time to process the application.

**ATTACHMENTS:**

1. [Appendix 1.png](#)
2. [By-law 83-24.docx](#)

*Written By:*  
Jody Brinkman, Development Services  
Manager

*Approved By:*  
Brian P. MacKinnon, CAO/Municipal Clerk