



SIoux LOOKOUT
Hub of the North

REPORT

MEETING TYPE: Regular Council Meeting

To:	Mayor and Council
From:	Jody Brinkman, Manager of Development Services/Chief Building Official
Date:	September 18, 2024
Subject:	Deeming By-Law Application - 5 & 7 Carlbom Drive
Report No.:	2024-294

TITLE: Deeming By-Law Application - 5 & 7 Carlbom Drive

RECOMMENDATION:

THAT Council authorizes the passing of By-law No. 78-24, Being a By-law to Deem the lots located at 5 Carlbom Drive and 7 Carlbom Drive not to be within a registered Plan of Subdivision.

PURPOSE:

A Deeming By-law application has been submitted by Nate Hochstetler on behalf of Sioux Lookout Food Bank to deem the following lots not to be within a registered Plan of Subdivision:

- PIN 42043-1951 LT – 5 Carlbom Drive, Sioux Lookout, PLAN 23M965 LOT 1
- PIN 42043-1952 LT – 7 Carlbom Drive, Sioux Lookout, PLAN 23M965 LOT 2

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 two 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 5 Carlbom Drive and 7 Carlbom Drive. 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 1,500 square metres and a lot frontage of 34 metres on Carlbom Drive. The lands are located within the Residential Type 2 Exception thirteen (R2-13) Zone in the Zoning By-law.

The Planning Division has no concerns with the request and recommend that Council pass Deeming By-law No. 78-24 for the lots located at 5 Carlbom Drive and 7 Carlbom Drive.

If Council agrees to the request to merge the two 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 - Aerial.png](#)
2. [By-law 78-24.docx](#)

Written By:
Jody Brinkman, Development Services
Manager

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