

STAFF REPORT

Department: Planning Services

Date: February 27, 2024

Item: Recommendation regarding Consent Application B01/24, B02/24, B03/24

Recommendation: Be It Resolved That: Council Approve Applications B01/24, B02/24 and B03/24 providing that: 1. That the owner file with the Clerk three copies of the registered Reference Plan, prepared by an Ontario Land Surveyor registered in the Province of Ontario, for the purposes of facilitating the transactions to which these consents apply, and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office. The Reference plan should conform substantially to the sketch filed with the Applications for Consent 2. The balance of any outstanding taxes, including penalties and interest shall be paid to the Town of Espanola, if required. 3. Any outstanding orders in relation to the Zoning Bylaw on the subject lands including the benefitting properties be resolved. 4. That the land being severed by application B01/24 be conveyed as an addition to MERRITT CON 1 LOT 10 PCL 23911 RP SR5240 PART 1 (PIN 73421-0040) and that the retained lands be consolidated with MERRITT CON 1 LOT 9 PCL 28141 RP53R 9821 PART 1 + 2 (PIN 73427-0051). 5. That the land being severed by application B02/24 be conveyed as an addition to MERRITT CON 1 LOT 10 PCL 23911 RP SR5240 PART 1 (PIN 73421-0040). 6. That the Land being severed by application B03/24 be conveyed as an addition to MERRITT CON 1 LOT 9 PCL 28141 RP53R 9821 PART 1 + 2 (PIN 73421-0051). 7. In the case of all conveyances for applications B01, B02, B03 – 24, the Town of Espanola shall be provided with a copy of the abutting property owner's deed for verification. The provisions of Subsections 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended, shall apply to any subsequent conveyance relating to the said lots.

Background: Pursuant to Section 53 of the Planning Act, three consent applications are being put forward. B01 and B02 have the intention of rectifying various encroachment issues to the benefit of the property known as MERRITT CON 1 LOT 10 PCL 23911 RP SR5240 PART 1 (PIN 73421-0040) while B03 is an addition to MERRITT CON 1 LOT 9 PCL 28141 RP53R 9821 PART 1 + 2 (PIN 73427-0051) from MERRITT CON 1 LOT 9 PCL 7997 (PIN 73427-0066) at the desire of the owner who owns both the subject lands and benefitting lands.

The subject lands are designated as Waterfront and Rural in the Town's Official Plan and Waterfront Residential Special Exception 3 in the Town's Zoning Bylaw.



Analysis: The proposed consents do not alter the lot fabric in such a way as to cause the Town to have concern for lot creation or added development that otherwise would not be possible. These proposed consents are seen as improvements to a lot fabric that has become challenging due to past conveyances and use of the land prior to it becoming part of the organized municipality known as the Town of Espanola. Further, these applications are not out of alignment with any provisions or policies contained in the Provincial Policy Statement (PPS), 2020, the Growth Plan for Northern Ontario (GPNO), the Town's Official Plan, or the Town's Zoning Bylaw. In consideration of the zoning of the subject lands, appropriate zoning of WR-3 has already been applied and rezoning as a result of these lot fabric adjustments is not necessary.

Given the above, staff recommends approval of these consent applications with the conditions outlined.

Existing Policy: Planning Act, Provincial Policy Statement, 2020, Growth Plan for Northern Ontario, Town of Espanola Official Plan, Town of Espanola Zoning Bylaw

Strategic Goal: N/A

Financial Commitment: N/A

Budgeted: Yes No

Implementation: Upon Council Recommendation

Prepared By: Joseph Burke

Department Manager: Joseph Burke

CAO/Clerk:

Approval of Recommendation: Yes No

Comments: