



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0023/2023

March 29, 2023

OWNER(S): CHRISTINE HURST, 5792 Onwatin Lake Rd Hanmer ON P3P 1J5
STEVE BILTON, 5792 Onwatin Lake Rd Hanmer ON P3P 1J5

AGENT(S): STEVE BILTON, 5792 Onwatin Lake Rd Hanmer ON P3P 1J5

LOCATION: PIN 73504 1667, Parcel 35179 SEC SES SRO , Lot(s) 19, Subdivision M-507, Lot Part 4, Concession 2, Township of Hanmer, 1005 Service Road, Hanmer

SUMMARY

Zoning: The property is zoned R1-5 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval of a lot to be retained subject of Consent Application B0009/2023, providing minimum driveway width at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, March 27, 2023

Roads
No concerns.

Transportation and Innovation Support
Based on the provided sketch, it is unclear if the owner intends to park his vehicle between the east wall of the house and the property line of the severed lot. We wish to inform the owner that the driveway of the retained lot might not be overly functional. The width of the driveway between the property line and the building is narrow, thus, impacting the Ingress and Egress from vehicles. It could be a challenge to open vehicle doors without nudging the adjacent wall.

Active Transportation
No concerns.

CGS: Development Engineering, March 24, 2023

No objection.

Source Water Protection Plan, March 22, 2023

No activity or activities engaged in or proposed to be engaged in on the above noted property are considered to be significant drinking water threats at this time. You may undertake the activity or activities described in your application and proceed to apply for a Building Permit or Planning Approval as they are neither prohibited nor restricted for the purpose of Part IV of the Clean Water Act, 2006.

Greater Sudbury Hydro Inc., March 21, 2023

Outside of our territory - no concerns.

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CGS: Building Services Section, March 21, 2023

Based on the information provided, Building Services has the following comments:

- 1) A demolition permit is required for the removal of the shed.
- 2) A building permit is required for the removal of the staircase on the eastern side of the property to access the rear for parking.

The Nickel District Conservation Authority, March 20, 2023

Conservation Sudbury does not object to Minor Variance Application A0023/2023. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Site Plan Control, March 20, 2023

No objection.

CGS: Development Approvals Section, March 17, 2023

The variance being sought would permit a reduced driveway width along the easterly wall of the existing residential dwelling in order to facilitate access to a required parking space in the rear yard of a future retained lot having frontage on Service Road in Hanmer. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the existing residential dwelling is askew to the future new lot line and the proposed driveway width increases to a maximum width of 2.93 m (9.61 ft). The owner might also wish to include an easement along the future new interior side lot line for access purposes in order to ensure any trespass matters are addressed for larger vehicles. Staff otherwise has no concerns with respect to the variance being sought given that similar driveway widths are present along this portion of Service Road whereby required parking spaces are provided alongside existing residential dwellings or within rear yards (eg. detached garages). Staff recommend that the variance be approved as it is minor, appropriate development for the area and the intent of both the City's Official Plan and Zoning By-law are maintained subject to the following condition:

1. That the owner remove the existing stairs and landing from the side of the residential dwelling to the satisfaction of the Director of Planning Services within one year of the variance decision.

CGS: Strategic and Environmental Planning, March 16, 2023

No concerns.

The Applicants appeared before Committee and provided a summary of the application. Chair Dumont went over the comments from Building Services and Development Approvals with respect to the removal of the stairs and obtaining a building permit for the same if necessary. The Applicants confirmed. Staff clarified that Building Services indicated that a building permit would be required for the removal of the stairs and that they should be contacted prior to removal. Staff confirmed that they did not require a condition on the approval.

The following decision was reached:

DECISION:

THAT the application by:

CHRISTINE HURST AND STEVE BILTON
the owner(s) of PIN 73504 1667, Parcel 35179 SEC SES SRO , Lot(s) 19, Subdivision M-507, Lot Part 4, Concession 2, Township of Hanmer, 1005 Service Road, Hanmer

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for relief from Part 5, Section 5.4.3.1 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve the lands to be retained subject of a Consent Application B0009/2023, providing a minimum driveway width of 2.74m, where 3.0m is required, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Building. The general intent and purpose of the By-Law and the Official Plan are maintained.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
David Murray	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring