



APPLICATION FOR CONSENT

SUBMISSION NO. B0037/2024

July 08, 2024

OWNER(S): CYNTHIA TOMINI, 1883 Southview Drive Sudbury ON P3E 4V7
DAVID TOMINI, 1883 Southview Drive Sudbury ON P3E 4V7

AGENT(S):

LOCATION: PIN 73397 0032, Parcel 21078 SEC SWS, Survey Plan SR-3097 Part(s) 1, Lot Part 4, Concession 1, Township of Louise, 121 Little Panache Road, Whitefish

SUMMARY

Zoning: The property is zoned RS (Rural Shoreline) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Consolidate an approximate 905.0 sq.m. north portion of the subject property with abutting PIN 73397-0109, municipally known as 123 Little Panache Road.

Comments concerning this application were submitted as follows:

Bell, July 08, 2024

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable is [NEZ] joint use with Hydro on what appears to be Bell owned poles within easement request provided crossing through lot and within property line(s) as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement and LTTs documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If there are any questions or concerns, please do not hesitate to contact me. Laurie-Ann Lee, Associate, External Liason, Right of Way Control Centre at 1-416-353-4415.

Nickel District Conservation Authority, July 03, 2024

Conservation Sudbury does not object to Consent Application B0037/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Building Services Section, July 03, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

CGS: Infrastructure Capital Planning Services, July 03, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Technical Services
No Municipal sewer or water available.

Drainage
No concerns.

CGS: Development Approvals Section, July 03, 2024

The purpose and effect of the application is to facilitate a lot addition with a frontage of 6 m and an area of 905 m² to be conveyed from 121 Little Panache Road, to be merged with the abutting lands to the west, being 123 Little Panache Road. The lands being conveyed would have the effect of establishing legal access from a public road to 123 Little Panache Road.

The subject lands are designated 'Rural' in the City's Official Plan and are zoned 'RS' Rural Shoreline in the City of Greater Sudbury Zoning By-law.

123 Little Panache Road is currently a waterfront lot, which is defined as "a lot which abuts a shoreline but has no street line". The lot frontage of a waterfront lot is located along the shoreline. As a result of the lot addition, the lands will no longer be considered a waterfront lot as it will abut the street line. The lands are zoned 'RS' which requires a minimum lot frontage of 45 m. Staff recommend that as a condition of approval that a minor variance be obtained to permit the reduced lot frontage of 6 m. All other zoning standards appear to be maintained as a result of the proposed lot addition.

Staff are of the opinion that the proposed lot addition has regard for matters of Provincial interest, is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario, and is in conformity with the City of Sudbury Official Plan. It is recommended that the application be granted subject to the following condition:

1. That a minor variance be obtained to permit a lot frontage of 6 m; whereas the minimum lot frontage required is 45 m.

Greater Sudbury Hydro Inc., July 02, 2024

No concerns as application is outside of our service territory.

CGS: Strategic and Environmental Planning, June 26, 2024

No concerns.

CGS: Development Engineering, June 24, 2024

No objection.

CGS: Tax Department, June 24, 2024

No objections.

CGS: Site Plan Control, June 21, 2024

No objections.

Ministry of Transportation, June 21, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

Reliance was placed on the public agencies and municipal departments notified for the purpose of identifying any major concerns or issues of a technical nature that would have precluded the severance. Development Approvals expressed concern for the benefitting lot and the effect of the lot addition in that a change of use from a waterfront lot to a lot abutting a streetline would occur once the lot addition was complete. An email outlining the concerns and the effect were sent to the applicant as a caution.

The following decision was reached:

DECISION:

THAT the application by:

CYNTHIA TOMINI AND DAVID TOMINI
the owner(s) of PIN 73397 0032, Parcel 21078 SEC SWS, Survey Plan SR-3097 Part(s) 1, Lot Part 4, Concession 1, Township of Louise, 121 Little Panache Road, Whitefish

, for consent to consolidate an approximate 905.0 sq.m. north portion of the subject property, being Part 2 on Plan 53R-21858, with abutting PIN 73397-0109 (LT), municipally known as 123 Little Panache Road, be approved, with the stipulation that subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction and subject to the following conditions:

- 1) That all outstanding municipal taxes be paid.
- 2) That the owners/applicants provide a digital copy of the integrated 53R plan prior to registration of the final plan of survey. The integrated plan must be referenced to NAD83(CSRS) with coordinates expressed in UTM Zone 17 projection or the City of Greater Sudbury's custom MTM z81 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The integrated plan must be submitted in an AutoCAD compatible digital format with the corresponding registered 53R number. The submission shall be the final integrated 53R plan in content, form and format and properly geo-referenced.
- 3) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 4) That the owners/applicants convey to Bell Canada a blanket easement over the subject lands or a 3.0metre wide corridor to be measured 1.5 metres on either side of the aerial cable, then to extend from the pole to a minimum of 1.0 metre past any anchor installation to be measured 0.5 metres on either side of the guy, as can be accommodated. The owners/applicants will be responsible for all costs associated with this transaction. The owners/applicants are responsible for obtaining registered Postponements for any mortgages and certification title.
- 5) That no Certificate be issued after two years from the day the Notice of Decision is sent.

Consideration was given to Section 51(24) of the Planning Act. The proposal is in conformity with the Official Plan and is consistent with the Provincial Policy Statement. As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

Consent Official:



SUBMISSION NO. B0038/2024

July 08, 2024

OWNER(S): LUC MESSIER, 3416 Martin Road Blezard Valley ON P0M 1E0

AGENT(S): SARAH VAILLANCOURT, 3416 Martin Road Blezard Valley ON P0M 1E0

LOCATION: PIN 73503 1224, Parcel 20550 SEC SES SRO, Lot(s) 4, Subdivision M-566, Lot Part 2, Concession 3, Township of Hanmer, 5780 Municipal Road 80, 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: Transfer an approximate 989.0 sq.m east vacant portion of the subject property.

Comments concerning this application were submitted as follows:

Source Water Protection Plan, July 03, 2024

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.

Nickel District Conservation Authority, July 03, 2024

Conservation Sudbury does not object to Consent Application B0038/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Building Services Section, July 03, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

Building Services has provided the following comments for the Owners information.

1. Owner to be advised future development will require building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, July 03, 2024

Roads
No concerns.

Transportation and Innovation Support

As a condition of approval, we require the owner dedicate to the City a 0.3-meter reserve across the entire frontage of the severed and retained land along Municipal Road 80 except for a 10 meter segment which is to be centered on the shared driveway.

The owner understands and agrees that they will transfer to the City up to a 4.5-meter strip of property along the entire frontage of Municipal Road 80 of both the severed and retained lands for future road improvements, free of mortgages, charges, trust deeds and other encumbrances securing financing. The City shall be responsible for all survey and legal costs associated with this transfer.

Active Transportation
No concerns.

Technical Services
Water service is at the Municipal Road 80 lot line.
Sewer service is at the rear easement line.

Drainage
The subject property to be severed is within the Whitson River watershed. Stormwater improvements are required within the watershed and cost contribution in the amount of \$1,000 is required as a condition of approval. The contribution is to be deposited to the Stormwater Reserve Account #36700-01.

CGS: Development Approvals Section, July 03, 2024

The purpose and effect of the application is to sever a parcel of land with an area of 989.38 m² from 5780 Municipal Road 80 in Hanmer, resulting in the creation of a new residential infill lot. The lands to be retained contain a single detached dwelling with a secondary unit. The lands are serviced by a municipal water and municipal sanitary connection and have an existing access from Municipal Road 80.

The lands to be severed are vacant of any buildings and structures. Access is proposed through the existing entrance as a shared driveway. Municipal servicing will be required. The applicant has advised that the intended use is for a single detached dwelling with a secondary unit. The applicant has not provided a concept plan for the future building at this time. The applicant will need to demonstrate zoning conformity for the proposed use at the time of building permit.

The subject lands are designated 'Living Area 1' in the City's Official Plan, are zoned 'Low Density Residential R1-5' in the City of Greater Sudbury Zoning By-law, and a portion of the lands are located within a significant wellhead protection area within the source water protection plan. The rear of the subject lands contains an easement.

Residential lot creation is permitted within the 'Living Area 1' land use designation. Staff have evaluated the severed and retained lands against the minimum lot area and minimum lot frontage standards of the 'R1-5 Zone' and are of the opinion that the standards will be met as a result of the severance.

Staff are of the opinion that the proposed lot creation has regard for matters of Provincial interest, is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario, and is in conformity with the City of Sudbury Official Plan. It is recommended that the application be granted subject to the following conditions:

1. That 5% cash in lieu of parkland dedication be provided for the severed lot to the satisfaction of the Consent Official.

Greater Sudbury Hydro Inc., July 02, 2024

No concerns as application is outside of our service territory.

CGS: Strategic and Environmental Planning, June 26, 2024

No concerns.

CGS: Development Engineering, June 25, 2024

Lot Grading & Drainage Condition:

That the owner/applicant provide a grading and drainage plan, designed by a consulting civil engineer with a Valid Certificate of Authorization from the Association of Professional Engineers of Ontario or an Ontario Land Surveyor specialized in this work. Said plan shall deal with the lot being created, the retained lot and abutting properties, to the satisfaction of the General Manager of Growth and Infrastructure. The owner/applicant will also be responsible for the construction of any drainage outlet that may be required. The owner/applicant shall be responsible for the legal and survey costs.

The owner/applicant shall provide such drainage easements as may be required for drainage purposes on the lot to be created and the lot to be retained to the satisfaction of the General Manager of Growth and Infrastructure/City Solicitor. All legal and survey costs shall be borne by the owner/applicant.

CGS: Tax Department, June 24, 2024

Please contact Revenue Services by calling 311, extension 2601.

CGS: Site Plan Control, June 21, 2024

No objections.

Ministry of Transportation, June 21, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

Reliance was placed on the public agencies and municipal departments notified for the purpose of identifying any major concerns or issues of a technical nature that would have precluded the severance. None were identified.

The following decision was reached:

DECISION:

THAT the application by:

LUC MESSIER

the owner(s) of PIN 73503 1224, Parcel 20550 SEC SES SRO, Lot(s) 4, Subdivision M-566, Lot Part 2, Concession 3, Township of Hanmer, 5780 Municipal Road 80, Hanmer

for consent to transfer an east vacant portion of the subject property providing approximately 21.0 m lot frontage, 45.0 m lot depth and 989.0 sq.m lot area, be approved, subject to the following conditions:

- 1) That all outstanding municipal taxes be paid.
- 2) That an administrative processing fee be paid to the City of Greater Sudbury.
- 3) That 5% of the value of the land to be transferred as of the day before the day of the giving of the consent be paid to the City of Greater Sudbury for park or other recreational purposes.
- 4) That the owner/applicant provide a digital copy of the integrated 53R plan prior to registration of the final plan of survey. The integrated plan must be referenced to NAD83(CSRS) with coordinates expressed in UTM Zone 17 projection or the City of Greater Sudbury's custom MTM z81 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The integrated plan must be submitted in an AutoCAD compatible digital format with the corresponding registered 53R number. The submission shall be the final integrated 53R plan in content, form and format and properly geo-referenced.
- 5) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 6) That the owner/applicant provide a grading and drainage plan, designed by a consulting civil engineer with a Valid Certificate of Authorization from the Association of Professional Engineers of Ontario or an Ontario Land Surveyor specialized in this work. Said plan shall deal with the lot being created, the retained lot and abutting properties, to the satisfaction of the General Manager of Growth & Infrastructure. The owner/applicant will also be responsible for the construction of any drainage outlet that may be required. The owner/applicant shall be responsible for the legal costs of preparing and registering the associated lot grading agreement to the satisfaction of the City Solicitor.
- 7) That the owner/applicant provide such drainage easements as may be required for drainage purposes on the lot to be created and the lot to be retained to the satisfaction of the General Manager of Growth & Infrastructure/City Solicitor. All legal and survey costs shall be borne by the owner/applicant.
- 8) That the owner/applicant transfer to the city a 4.5 metre strip of land along the entire frontage of Municipal Road 80 of both the lands to be severed and retained for future road improvements free of mortgages, charges, trust deeds and other encumbrances securing financing to the satisfaction of the City Solicitor. The city shall be responsible for all survey and legal costs associated with this transfer.

- 9) That the owner/applicant dedicate a 0.3 metre reserve along the entire frontage of both the lands to be severed and retained on Municipal Road 80, except for a 10.0 metre segment which is to be centered on the shared driveway, to the satisfaction of the City Solicitor.
- 10) That the owner/applicant contribute \$1,000.00 toward the City of Greater Sudbury's future storm water management works downstream of the subject property.
- 11) That no Certificate be issued after two years from the day the Notice of Decision is sent.

Consideration was given to Section 51(24) of the Planning Act. The proposal is in conformity with the Official Plan and is consistent with the Provincial Policy Statement. As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

Consent Official:

A handwritten signature in black ink, appearing to read "A. Lutz", is written below the text "Consent Official:". The signature is cursive and somewhat stylized.



APPLICATION FOR CONSENT

SUBMISSION NO. B0039/2024

July 08, 2024

OWNER(S): LISA DUCHARME, 50 Bayridge Court Sudbury ON P3B 0B2
RONALD DUCHARME, 50 Bayridge Court Sudbury ON P3B 0B2

AGENT(S): SIMONE RENELLI, 69 Bayridge Court Sudbury ON P3B 3X7

LOCATION: PIN 73578 0501, Lot(s) 9, Subdivision 53M-1347, Lot Part 12, Concession 3, Township of Neelon, 50 Bayridge Court, Sudbury

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: Consolidate an approximate 95.0 sq.m. south vacant portion of the subject property with abutting PIN 73578-0014, municipally known as 69 Baycrest Road.

Comments concerning this application were submitted as follows:

Source Water Protection Plan, July 03, 2024

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.

Nickel District Conservation Authority, July 03, 2024

Conservation Sudbury does not oppose consent application B0039/2024. Both subject properties contain regulated hazards, including floodplain. Future development in regulated areas requires permission of Conservation Sudbury.

Notes

Development includes, but is not limited to the construction of structures, addition to existing buildings, placement or removal of fill, site grading or alteration to watercourses.

Please be advised that Conservation Sudbury regulates the hazards associated with natural features. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must contact Conservation Sudbury. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, and valley slopes.

CGS: Building Services Section, July 03, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

CGS: Infrastructure Capital Planning Services, July 03, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Technical Services
Sewer and water at lot line.

Drainage
No concerns.

CGS: Development Approvals Section, July 03, 2024

The purpose and effect of the application is to facilitate a lot addition with an area of 95 m², to be conveyed from 50 Bayridge Court to be merged with the abutting lands to the south, being 69 Baycrest Road. The lands being conveyed appears to have the effect of correcting the encroachment of a retaining wall.

The subject lands are designated 'Living Area I' in the City's Official Plan, are zoned 'R1-5' Low Density Residential One in the City of Greater Sudbury Zoning By-law, are regulated by the Nickel District Conservation Authority (NDCA), and are located within the Ramsey Lake Intake Protection Zone within the Source Water Protection Plan.

Both the subject lands and the lands receiving the conveyance will maintain minimum lot area requirements as a result of the lot addition. No alterations to existing lot frontage will occur. Staff were unable to review the impacts of the lot addition on lot coverage and setbacks for the subject lands as the concept plan did not contain building details. It is recommended that zoning compliance be confirmed prior to a decision.

Similarly, building details were not provided for 69 Bayridge Court. Staff recommend that the height of the retaining wall be confirmed to comply with 1 m or less requirement of the zoning by-law or that as a condition of approval a minor variance be obtained to permit a retaining wall greater than 1 m in height in the required side yard.

Greater Sudbury Hydro Inc., July 02, 2024

As a condition of consent, Greater Sudbury Hydro Inc. will require the following:

An easement or an agreement to grant easement for existing infrastructure as highlighted on attached hereto sketch, across the entire parcel (both severed and retained lands), registered on title to the subject property. The Owner/Applicant will be responsible for all legal and survey costs. The Owner/Applicant is also responsible for obtaining/providing a Postponement to be registered on title to the subject property, in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and or Encumbrance of Land registered on title to this property. The Owner/Applicant will be responsible for all costs associated with obtaining said Postponement.

Prior to satisfying the above condition, please contact the Energy Supply Department for further details/direction at 705-675-7536 extension 2265.

CGS: Strategic and Environmental Planning, June 26, 2024

No concerns.

CGS: Development Engineering, June 25, 2024

The portion of land being conveyed contains a City easement and the retaining wall encroaches onto this City easement. A letter of tolerance will be required as a condition of the consent

CGS: Tax Department, June 24, 2024

No objections.

CGS: Site Plan Control, June 21, 2024

No objections.

Ministry of Transportation, June 21, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

Reliance was placed on the public agencies and municipal departments notified for the purpose of identifying any major concerns or issues of a technical nature that would have precluded the severance. Development Approvals expressed concern with the retaining wall that currently staggers the property line between the subject property and the benefitting property. The agent was advised of this concern and removed the portion of the retaining wall that was encroaching into the property and onto the City's easement. The agent advised that the retaining wall was approximately 1.2m in height which requires a 0.6m setback from the side lot line. As the lot addition is 2.4m in width it will resolve the non-compliance of the retaining wall's setback from the side lot line. Development Approvals, as well as Development Engineering have advised that they no longer have any concerns.

The following decision was reached:

DECISION:

THAT the application by:

LISA DUCHARME AND RONALD DUCHARME

the owner(s) of PIN 73578 0501, Lot(s) 9, Subdivision 53M-1347, Lot Part 12, Concession 3, Township of Neelon, 50 Bayridge Court, Sudbury

for consent to consolidate an approximate 95.0 sq.m. south vacant portion of the subject property with abutting PIN 73578-0014 (LT), municipally known as 69 Baycrest Road, be approved, with the stipulation that subsection 5 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction and subject to the following conditions:

- 1) That all outstanding municipal taxes be paid.
- 2) That the owners/applicants provide a digital copy of the integrated 53R plan prior to registration of the final plan of survey. The integrated plan must be referenced to NAD83(CSRS) with coordinates expressed in UTM Zone 17 projection or the City of Greater Sudbury's custom MTM z81 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The integrated plan must be submitted in an AutoCAD compatible digital format with the corresponding registered 53R number. The submission shall be the final integrated 53R plan in content, form and format and properly geo-referenced.
- 3) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 4) That the owners/applicants convey an easement or enter into an agreement to grant an easement for existing infrastructure as highlighted on the attached sketch, across the entire parcel (both severed and retained), registered on title to the subject property in favour of Greater Sudbury Hydro Inc. The owners/applicants will be responsible for all legal and survey costs. The owners/applicants are also responsible for obtaining and providing a Postponement to be registered on title to the subject property, in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and/or encumbrance of land registered on title to the subject property. The owners/applicants will be responsible for all costs associated with obtaining said Postponement.
- 5) That no Certificate be issued after two years from the day the Notice of Decision is sent.

Consideration was given to Section 51(24) of the Planning Act. The proposal is in conformity with the Official Plan and is consistent with the Provincial Policy Statement. As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

Consent Official:





APPLICATION FOR CONSENT

SUBMISSION NO. B0040/2024

July 08, 2024

OWNER(S): ANNE PIGEAU, 5345 Deschene Road Hanmer ON 3P 1R3
LUC PIGEAU, 5345 Deschene Road Hanmer ON 3P 1R3

AGENT(S): ADRIAN BORTOLUSSI, 144 Elm Street, Sudbury ON P3C 1T7

LOCATION: PIN 73507 0057, Parcel 53412 SEC SES, Survey Plan 53R-12270 Part(s) 11, 12, and 13, Lot Part 10, Concession 6, Township of Capreol, 0 Municipal Road 84, Capreol

SUMMARY

Zoning: The property is zoned C2 (General Commercial) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Transfer an approximate 5562.0 sq.m south vacant portion of the subject property.

Comments concerning this application were submitted as follows:

Nickel District Conservation Authority, July 03, 2024

Conservation Sudbury does not object to Consent Application B0040/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Building Services Section, July 03, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

Building Services has provided the following comments for the Owners information.

1. Owner to be advised future development will require building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, July 03, 2024

Roads
No concerns.

Transportation and Innovation Support
Municipal Road 84 is designated as a Primary Arterial Roadway and in accordance with the policies of the official plan, "Access to this type of roadway is to be strictly regulated and kept to a minimum." Therefore, as a condition of approval, we require that only a single shared entrance be permitted to service the severed and retained lands.

As a condition of approval, we require the owner dedicate to the City a 0.3-meter reserve across the entire frontage of the severed and retained land along Municipal Road 84 except for a 10 meter segment which is to be centered on the shared driveway.

Active Transportation
No concerns.

Technical Services
Sewer and water mains cross the property within easements.
No servicing shown on as-built.

Drainage

The subject property to be severed is within the Upper Vermillion watershed. Stormwater improvements are required within the watershed and cost contribution in the amount of \$1,000 is required as a condition of approval. The contribution is to be deposited to the Stormwater Reserve Account #36700-01.

CGS: Development Approvals Section, July 03, 2024

The purpose and effect of the application is to sever a parcel of land with an area of 5562.15 m2 from 0 Municipal Road 84 in Capreol, resulting in the creation of a new infill lot. Both the lands to be severed and the lands to be retained are currently vacant of buildings and structures. The applicant has advised that both parcels of land are intended to be used for a multiple dwelling unit. Municipal servicing and access will be required through the development process. The applicant has not provided a concept plan for the future building at this time. The applicant will need to demonstrate zoning conformity for the proposed use at the time of site plan control and/or building permit.

The subject lands are designated 'Mixed Use Commercial' in the City's Official Plan and are zoned 'C2' General Commercial in the City of Greater Sudbury Zoning By-law. Portions of the lands are subject to easements.

Residential uses are permitted within the 'Mixed Use Commercial' land use designation. Staff have evaluated the severed and retained lands against the minimum lot area and minimum lot frontage standards of the 'C2' Zone and are of the opinion that the standards will be met as a result of the severance.

Staff are of the opinion that the proposed lot creation has regard for matters of Provincial interest, is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario, and is in conformity with the City of Sudbury Official Plan. It is recommended that the application be granted subject to the following conditions:

1. That 5% cash in lieu of parkland dedication be provided for the severed lot to the satisfaction of the Consent Official.

Greater Sudbury Hydro Inc., July 02, 2024

As a condition of consent, Greater Sudbury Hydro Inc. will require the following:

A three metre (3 m) Frontage Easement along Regional Road 84 and a four metre (4 m) easement on either side of the existing hydro infrastructure located on northerly part of property, as well as 2 metre easement around the anchor on the pole at the North West Corner of the property as highlighted on attached hereto sketch, across the entire parcel (both severed and retained lands), registered on title to the subject property. The Owner/Applicant will be responsible for all legal and survey costs. The Owner/Applicant is also responsible for obtaining/providing a Postponement to be registered on title to the subject property, in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and or Encumbrance of Land registered on title to this property. The Owner/Applicant will be responsible for all costs associated with obtaining said Postponement.

Prior to satisfying the above condition, please contact the Energy Supply Department for further details/direction at 705-675-7536 extension 2265.

CGS: Strategic and Environmental Planning, June 26, 2024

No concerns.

CGS: Development Engineering, June 25, 2024

No objection.

CGS: Tax Department, June 24, 2024

Please contact Revenue Services by calling 311, extension 2601.

CGS: Site Plan Control, June 21, 2024

No objections.

Ministry of Transportation, June 21, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

Three emails of concern were received from area residents expressing concern with the legislated notice timeframe and its contents, impact on an easement, environmental concerns, construction noise and disturbance, the loss of wildlife habitat and the loss of the buffer created by the natural vegetation to the noise of the railroad and traffic noise. Public notice of the application and the contents contained therein was provided in compliance with the Planning Act. Any existing easement registered on title to the subject lands will continue, there was no application to alter any existing easement. The subject land is not within Sudbury Conservation's regulation area and no objection was received from them. The subject property does not contain source water protection features. It is also under private ownership and zoned C2, General Commercial in the City's Zoning By-law. Any proposed development would need to comply with the zoning standards provided for in the City's Zoning By-law and will be monitored through the building permit process. Reliance was placed on the public agencies and municipal departments notified for the purpose of identifying any major concerns or issues of a technical nature that would have precluded the severance. None were identified.

The following decision was reached:

DECISION:

THAT the application by:

ANNE PIGEAU AND LUC PIGEAU

the owner(s) of PIN 73507 0057, Parcel 53412 SEC SES, Survey Plan 53R-12270 Part(s) 11, 12, and 13, Lot Part 10, Concession 6, Township of Capreol, 0 Municipal Road 84, Capreol

for consent to transfer a south vacant portion of the subject property providing approximately 86.0 m lot frontage, 63.0 m lot depth and 5562.0 sq.m lot area be approved, subject to the following conditions:

- 1) That all outstanding municipal taxes be paid.
- 2) That an administrative processing fee be paid to the City of Greater Sudbury.
- 3) That 2% of the value of the land to be transferred as of the day before the day of the giving of the consent be paid to the City of Greater Sudbury for park or other recreational purposes.
- 4) That the owners/applicants provide a digital copy of the integrated 53R plan prior to registration of the final plan of survey. The integrated plan must be referenced to NAD83(CSRS) with coordinates expressed in UTM Zone 17 projection or the City of Greater Sudbury's custom MTM z81 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The integrated plan must be submitted in an AutoCAD compatible digital format with the corresponding registered 53R number. The submission shall be the final integrated 53R plan in content, form and format and properly geo-referenced.
- 5) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 6) That the owners/applicants dedicate a 0.3 metre reserve along the entire frontage of Municipal Road 84 of both the severed and retained lands except for a 10.0 metre segment which is to be centered on the shared driveway to the satisfaction of the City Solicitor.
- 7) That the owners/applicants contribute \$1,000.00 toward the City of Greater Sudbury's future storm water management works downstream of the subject property.

- 8) That the owners/applicants convey and have registered on title to the subject property a three metre (3.0m) Frontage Easement along the entire frontage of Municipal Road 84 both severed and retained, 4.0 metre easement on either side of the existing hydro infrastructure located on the northerly part of the subject property, and a two metre (2.0m) easement around the anchor on the pole at the north west corner of the subject property as highlighted on the sketch attached hereto, in favour of Greater Sudbury Hydro Inc. The owners/applicants will be responsible for all legal and survey costs associated with the conveyance. The owners/applicants are also responsible for obtaining/providing a Postponement to be registered on title to the subject property in favour of Greater Sudbury Hydro Inc.'s interest with respect to any and all existing Charge/Mortgage/Lien and/or encumbrance registered on title to the subject property. The owners/applicants will be responsible for all costs associated with obtaining said Postponement.
- 9) That no Certificate be issued after two years from the day the Notice of Decision is sent.

Consideration was given to Section 51(24) of the Planning Act. The proposal is in conformity with the Official Plan and is consistent with the Provincial Policy Statement. Public comment was received and considered, there was no effect on the Consent Official's decision.

Consent Official:





APPLICATION FOR CONSENT

SUBMISSION NO. B0041/2024

July 08, 2024

OWNER(S): DONNIE KENNETH ROBICHAUD, 1687 Second Street Val Caron ON P3N 1K1

AGENT(S): LUC PIGEAU, 5345 Deschene Road Hanmer ON P3P 1R3
ANNE PIGEAU, 5345 Deschene Road Hanmer ON P3P 1R3

LOCATION: PIN 73501 0891, Parcel 26661 SEC SES SRO, Lot(s) 21, Subdivision M-512, Lot Part 7, Concession 5, Township of Blezard, 1687 Second Street, Val Caron

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: Transfer an approximate 713.0 sq.m west vacant portion of the subject property.

Comments concerning this application were submitted as follows:

Nickel District Conservation Authority, July 03, 2024

Conservation Sudbury does not object to Consent Application B0041/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Building Services Section, July 03, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

Building Services has provided the following comments for the Owners information.

1. Owner to be advised future development will require building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, July 03, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Technical Services
Water and sewer at lot line.
Owner to pay for a second sewer and water service.

Drainage
The subject property to be severed is within the Whitson River watershed. Stormwater improvements are required within the watershed and cost contribution in the amount of \$1,000 is required as a condition of approval. The contribution is to be deposited to the Stormwater Reserve Account #36700-01.

CGS: Development Approvals Section, July 03, 2024

The purpose and effect of the application is to sever a parcel of land with an area of 713.95 m² from 1687 Second Street, Val Caron, resulting in the creation of a new residential infill lot. Both the severed and retained lands are currently vacant of buildings and structures. The applicant has advised that both parcels are intended to be used for single family dwellings. Municipal services and access will be required as part of the development process. The applicant has not provided a concept plan for the future buildings at this time. The applicant will need to demonstrate zoning conformity for the proposed use at the time of building permit.

The subject lands are designated 'Living Area 1' in the City's Official Plan and are zoned 'R1-5' Low Density Residential in the City of Greater Sudbury Zoning By-law. Residential lot creation is permitted within the 'Living Area 1' land use designation. Staff have evaluated the severed and retained lands against the minimum lot area and minimum lot frontage standards of the 'R1-5 Zone' and are of the opinion that the standards will be met as a result of the severance.

Staff are of the opinion that the proposed lot creation has regard for matters of Provincial interest, is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario, and is in conformity with the City of Sudbury Official Plan. It is recommended that the application be granted subject to the following conditions:

1. That 5% cash in lieu of parkland dedication be provided for the severed lot to the satisfaction of the Consent Official

Greater Sudbury Hydro Inc., July 02, 2024

No concerns as application is outside of our service territory.

CGS: Strategic and Environmental Planning, June 26, 2024

No concerns.

CGS: Development Engineering, June 25, 2024

Lot Grading & Drainage Condition:

That the owner/applicant provide a grading and drainage plan, designed by a consulting civil engineer with a Valid Certificate of Authorization from the Association of Professional Engineers of Ontario or an Ontario Land Surveyor specialized in this work. Said plan shall deal with the lot being created, the retained lot and abutting properties, to the satisfaction of the General Manager of Growth and Infrastructure. The owner/applicant will also be responsible for the construction of any drainage outlet that may be required. The owner/applicant shall be responsible for the legal and survey costs.

The owner/applicant shall provide such drainage easements as may be required for drainage purposes on the lot be created and the lot to be retained to the satisfaction of the General Manager of Growth and Infrastructure/City Solicitor. All legal and survey costs shall be borne by the owner/applicant.

CGS: Tax Department, June 24, 2024

Please contact Revenue Services by calling 311, extension 2601.

CGS: Site Plan Control, June 21, 2024

No objections.

Ministry of Transportation, June 21, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

Reliance was placed on the public agencies and municipal departments notified for the purpose of identifying any major concerns or issues of a technical nature that would have precluded the severance. None were identified.

The following decision was reached:

DECISION:

THAT the application by:

DONNIE KENNETH ROBICHAUD

the owner(s) of PIN 73501 0891, Parcel 26661 SEC SES SRO, Lot(s) 21, Subdivision M-512, Lot Part 7, Concession 5, Township of Blezard, 1687 Second Street, Val Caron

for consent to transfer a west vacant portion of the subject property providing approximately 18.0 m lot frontage, 39.0 m lot depth and 713.0 sq.m lot area be approved, subject to the following:

- 1) That all outstanding municipal taxes be paid.
- 2) That an administrative processing fee be paid to the City of Greater Sudbury.
- 3) That 5% of the value of the land to be transferred as of the day before the day of the giving of the consent be paid to the City of Greater Sudbury for park or other recreational purposes.
- 4) That the owner/applicant provide a digital copy of the integrated 53R plan prior to registration of the final plan of survey. The integrated plan must be referenced to NAD83(CSRS) with coordinates expressed in UTM Zone 17 projection or the City of Greater Sudbury's custom MTM z81 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The integrated plan must be submitted in an AutoCAD compatible digital format with the corresponding registered 53R number. The submission shall be the final integrated 53R plan in content, form and format and properly geo-referenced.
- 5) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 6) That the owner/applicant provide a grading and drainage plan, designed by a consulting civil engineer with a Valid Certificate of Authorization from the Association of Professional Engineers of Ontario or an Ontario Land Surveyor specialized in this work. Said plan shall deal with the lot being created, the retained lot and abutting properties, to the satisfaction of the General Manager of Growth & Infrastructure. The owner/applicant will also be responsible for the construction of any drainage outlet that may be required. The owner/applicant shall be responsible for the legal costs of preparing and registering the associated lot grading agreement to the satisfaction of the City Solicitor.
- 7) That the owner/applicant provide such drainage easements as may be required for drainage purposes on the lot to be created and the lot to be retained to the satisfaction of the General Manager of Growth & Infrastructure/City Solicitor. All legal and survey costs shall be borne by the owner/applicant.
- 8) That the owner/applicant contribute \$1,000.00 toward the City of Greater Sudbury's future storm water management works downstream of the subject property.
- 9) That no Certificate be issued after two years from the day the Notice of Decision is sent.

Consideration was given to Section 51(24) of the Planning Act. The proposal is in conformity with the Official Plan and is consistent with the Provincial Policy Statement. As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

Consent Official:

