

SUBMISSION NO. B0025/2024

May 13, 2024

OWNER(S): MARGARET MAZZUCA, 17A Young Street Capreol, ON P0N 1H0
TODD MAZZUCA, 17A Young Street Capreol, ON P0N 1H0

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

LOCATION: PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173 except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

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 776.5 sq.m east portion of the subject property, municipally known as 20 Crescent Avenue, and also, consolidate an approximate 90.0 sq.m south east portion with abutting PIN 73507-0315.

Comments concerning this application were submitted as follows:

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Development Approvals Section, May 09, 2024

The subject lands contain three single detached dwellings, one multiple unit dwelling, and accessory buildings. The purpose and effect of the applications is to create a lot for each residential structure and accessory buildings. The subject lands are designated 'Living Area I' within the City's Official Plan and are zoned 'Low Density Residential One R1-5' within the City's Zoning By-law. Residential lot creation is permitted within the Living Area designation.

Staff have reviewed the lands to be severed against the R1-5 zoning standards. The minimum lot frontage and area are being maintained as a result of the severance. The dwelling has an existing deficient front yard setback, which is not being altered as a result of the proposed severance. The two accessory buildings are located in the rear yard and meet setback requirements. Based on the concept provided, it appears that a staircase from 22 Crescent Avenue encroaches onto 20 Crescent Avenue. It is recommended that the staircase be removed from the severed lands as a condition of consent.

Staff have reviewed the lands to be retained against the R1-5 zone standards and note that a multiple dwelling unit is not a permitted use. Building services has advised that the four-unit multiple dwelling was legally established; however, due to the change in lot configuration, it will no longer be considered legal existing and will require a rezoning application to permit the use.

Staff have no concerns in regard to the proposed lot addition, as it will result in a more regular shaped lot configuration and increase the functionality of the lands receiving the lot addition. Additionally, 20 Crescent will continue to have adequate frontage and area as a result of the conveyance.

It is recommended that the application be granted subject to the following:

1. That a Zoning By-law Amendment Application which rezones the retained lands in order to permit a multiple unit dwelling be in full force and effect.
2. That the staircase of 22 Crescent Avenue be removed from the severed lands.

Greater Sudbury Hydro Inc., May 08, 2024

A three metre (3 m) Frontage Easement along Crescent Avenue, across the entire parcel (both severed and retained lands) and an easement to protect hydro infrastructure between 14 and 22 Crescent Avenue (as highlighted in sketch attached hereto) 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: Infrastructure Capital Planning Services, May 08, 2024

Roads: No Concerns.

Transportation and Innovation Support: No concerns.

Active Transportation: No concerns.

Technical Services: Municipal water services for #20. Municipal sewer services are not shown on the as-built. As-built incomplete. Owner to pay for any alterations or extensions to the existing services if necessary.

Drainage: No concerns.

CGS: Building Services Section, May 07, 2024

Building Services has reviewed the submitted application for Consent and can advise that we have no concerns with the proposal as it pertains with #20 Crescent Avenue.

The proposed severance line between #20 and #14 will cause a change to the property with a current Legal Existing 4-Plex. This change will have implications regarding the Legal Existing status of the 4-plex requiring a further application to re-zone the property to permit a multiple dwelling.

Nickel District Conservation Authority, May 03, 2024

Conservation Sudbury does not object to Consent Application B0025/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Development Engineering, April 30, 2024

No objection.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 29, 2024

No objections.

CGS: Tax Department, April 29, 2024

No objections.

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:

MARGARET MAZZUCA AND TODD MAZZUCA

the owner(s) of PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173 except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

for consent to transfer an east portion of the subject property, providing approximately 17.72m lot frontage, 35.6m lot depth and 776.5 sq.m lot area, and also, consolidate an approximate 90.0 sq.m south east portion with abutting PIN 73507-0315, Parcel 6628 SEC SES, Part Lot 10, Concession 6 as in LT37883, Township of Capreol, 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 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 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 apply for and receive final approval for a Zoning By-law Amendment in order to permit a multiple dwelling on the retained lands, municipally known as 14 Crescent Avenue, prior to the issuance of a Certificate.
- 7) That the owners/applicants convey and have registered on title to the subject property a three metre (3 m) Frontage Easement along Crescent Avenue, across the entire parcel, both severed and retained, and an easement to protect hydro infrastructure between 14 and 22 Crescent Avenue as highlighted in the sketch attached hereto 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/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.
- 8) 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. B0026/2024

May 13, 2024

OWNER(S): MARGARET MAZZUCA, 17A Young Street Capreol, ON P0N 1H0
TODD MAZZUCA, 17A Young Street Capreol, ON P0N 1H0

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

LOCATION: PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

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 373.3 sq.m middle portion of the subject property, municipally known as 49 Crescent Avenue.

Comments concerning this application were submitted as follows:

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Development Approvals Section, May 09, 2024

The subject lands contain three single detached dwellings, one multiple unit dwelling, and accessory buildings. The purpose and effect of the applications is to create a lot for each residential structure and accessory buildings. The subject lands are designated 'Living Area I' within the City's Official Plan and are zoned 'Low Density Residential One R1-5' within the City's Zoning By-law. Residential lot creation is permitted within the Living Area designation.

Staff have reviewed the lands to be severed against the R1-5 zoning standards. The proposed lot area is deficient and will require a minor variance application. The minimum lot frontage is being maintained as a result of the severance. The dwelling has an existing deficient rear yard setback, which is not being altered as a result of the proposed severance. The accessory building appears to straddle the rear lot line. As a condition, the accessory building will need to be relocated to be wholly contained on the severed lands in accordance with the accessory building provisions.

Staff have reviewed the lands to be retained against the R1-5 zone standards and note that a multiple dwelling unit is not a permitted use. Building services has advised that the four-unit multiple dwelling was legally established; however, due to the change in lot configuration, it will no longer be considered legal existing and will require a rezoning application to permit the use.

It is recommended that the application be granted subject to the following:

1. That a Zoning By-law Amendment Application which rezones the retained lands in order to permit a multiple unit dwelling be in full force and effect.
2. That a Minor Variance Application to seek permission for a deficient minimum lot area be in full force and effect.
3. That the accessory building be relocated to be wholly contained on the severed lands in accordance with the accessory building provisions.

Greater Sudbury Hydro Inc., May 08, 2024

A three metre (3 m) Frontage Easement along Crescent Avenue, 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: Infrastructure Capital Planning Services, May 08, 2024

Roads: No concerns.

Transportation and Innovation Support: No concerns.

Active Transportation: No concerns.

Technical Services: Municipal water services for #14, but no sanitary is shown on the as-built. No Municipal services shown on the as-built for #49. As-built incomplete. Owner to pay for any alterations or extensions to the existing services if necessary.

Drainage: No concerns.

CGS: Building Services Section, May 07, 2024

Building Services has reviewed the submitted application for Consent and can advise that we have no concerns with the proposal pertaining with #49 Crescent Avenue.

The proposed severance line between #49 and #14 will cause a change to the property with a current Legal Existing 4-Plex. This change will have implications regarding the Legal Existing status of the 4-plex requiring a further application to re-zone the property to permit a multiple dwelling.

Applicant to be advised that any accessory buildings must be located on the severed property and with setbacks conforming with the current Zoning By-law.

Nickel District Conservation Authority, May 03, 2024

Conservation Sudbury does not object to Consent Application B0026/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Development Engineering, April 30, 2024

No objection.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 29, 2024

No objections.

CGS: Tax Department, April 29, 2024

No objections.

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:

MARGARET MAZZUCA AND TODD MAZZUCA

the owner(s) of PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

for consent to transfer a middle portion of the subject property, providing approximately 15.25m lot frontage, 23.5m lot depth and 373.3 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 owners/applicants submit a preliminary Plan of Survey to confirm the accessory structure on the lands to be transferred complies with the Zoning By-law, or a variance to the Zoning By-law be obtained.
- 5) 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.
- 6) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 7) That the owners/applicants apply for and receive final and binding approval of a minor variance for the deficient minimum lot area from the Committee of Adjustment and that the necessary approvals be in full force and effect prior to the issuance of a Certificate.
- 8) That the owners/applicants apply for and receive final approval for a Zoning By-law Amendment in order to permit a multiple dwelling on the retained lands, municipally known as 14 Crescent Avenue, prior to the issuance of a Certificate.
- 9) That the owners/applicants convey and have registered on title to the subject property a three metre (3 m) Frontage Easement along Crescent Avenue, across the entire parcel, both severed and retained, 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/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.
- 10) That the Certificate for this application be issued at the same time as the Certificates for Consent Applications B0027/2024 and B0028/2024.
- 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:



SUBMISSION NO. B0027/2024

May 13, 2024

OWNER(S): MARGARET MAZZUCA, 17A Young Street Capreol, ON P0N 1H0
TODD MAZZUCA, 17A Young Street Capreol, ON P0N 1H0

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

LOCATION: PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

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 612.2 sq.m south west portion of the subject property, municipally known as 30 Crescent Avenue.

Comments concerning this application were submitted as follows:

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Development Approvals Section, May 09, 2024

The subject lands contain three single detached dwellings, one multiple unit dwelling, and accessory buildings. The purpose and effect of the applications is to create a lot for each residential structure and accessory buildings. The subject lands are designated 'Living Area I' within the City's Official Plan and are zoned 'Low Density Residential One R1-5' within the City's Zoning By-law. Residential lot creation is permitted within the Living Area designation.

Staff have reviewed the lands to be severed against the R1-5 zoning standards. The minimum lot area and minimum lot frontage are being maintained as a result of the severance. The dwelling has an existing deficient rear yard setback, which is not being altered as a result of the proposed severance. The dwelling will have a deficient interior side yard setback as a result of the severance and will be required to obtain a minor variance as a condition of consent. There appears to be an accessory building on privately owned lands. It is recommended that the accessory building be relocated onto the severed lands.

Staff have reviewed the lands to be retained against the R1-5 zone standards and note that a multiple dwelling unit is not a permitted use. Building services has advised that the four-unit multiple dwelling was legally established; however, due to the change in lot configuration, it will no longer be considered legal existing and will require a rezoning application to permit the use.

It is recommended that the application be granted subject to the following:

1. That a Zoning By-law Amendment Application which rezones the retained lands in order to permit a multiple unit dwelling be in full force and effect.
2. That a Minor Variance Application to seek permission for a deficient interior side yard setback be in full force and effect.
3. That the accessory building be relocated to be wholly contained on the severed lands in accordance with the accessory building provisions.

Greater Sudbury Hydro Inc., May 08, 2024

A three metre (3 m) Frontage Easement along Crescent Avenue, 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: Infrastructure Capital Planning Services, May 08, 2024

Roads: No concerns.

Transportation and Innovation Support: No concerns.

Active Transportation: No concerns.

Technical Services: Municipal water and sewer services for #30. Owner to pay for any alterations or extensions to the existing services if necessary.

Drainage: No concerns.

CGS: Building Services Section, May 07, 2024

Building Services has reviewed the submitted application for Consent and can advise of the following comments:

· To verify the required westerly side yard setback, the applicant must demonstrate the building height in storeys, in consideration of the Zoning By-law definition:

Attic - The top most storey of a building, situated within a roof, where 50% or more of the horizontal space within such roof has less than 2.0 metres vertical clearance from the base of such storey.

The required setback for 2-storeys is 1.8m. The indicated 1.5m would require a minor variance.

· Applicant to be advised that any accessory buildings must be located on the severed property and with setbacks conforming with the current Zoning By-law.

Nickel District Conservation Authority, May 03, 2024

Conservation Sudbury does not object to Consent Application B0027/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Development Engineering, April 30, 2024

No objection.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 29, 2024

No objections.

CGS: Tax Department, April 29, 2024

No objections.

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:

MARGARET MAZZUCA AND TODD MAZZUCA

the owner(s) of PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

for consent to transfer a south west portion of the subject property, providing approximately 24.23m lot frontage, 20.9m lot depth and 612.2 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 owners/applicants submit a preliminary Plan of Survey to confirm the accessory structure on the lands to be transferred complies with the Zoning By-law, or a variance to the Zoning By-law be obtained.
- 5) 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.
- 6) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 7) That the owners/applicants apply for and receive final and binding approval for a Zoning By-law Amendment in order to permit a multiple dwelling on the retained lands, municipally known as 14 Crescent Avenue, prior to the issuance of a Certificate.
- 8) That the owners/applicants submit an upper floor plan and section of the attic to verify building height in storeys to the satisfaction of the Chief Building Official, or a variance to the Zoning By-law be obtained for the deficient interior side yard setback.
- 9) That the owners/applicants convey and have registered on title to the subject property a three metre (3 m) Frontage Easement along Crescent Avenue, across the entire parcel both severed and retained lands and an easement to protect hydro infrastructure between 14 and 22 Crescent Avenue as highlighted in sketch attached hereto registered on title to the subject property. The owners/applicants will be responsible for all legal and survey costs. 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 of land registered on title to the subject property. The owners/applicants will be responsible for all costs associated with obtaining said Postponement.
- 10) That the Certificate for the application be issued at the same time as the Certificates for Consent Applications B0026/2024 and B0028/2024.
- 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:





APPLICATION FOR CONSENT

SUBMISSION NO. B0028/2024

May 13, 2024

OWNER(S): MARGARET MAZZUCA, 17A Young Street Capreol, ON P0N 1H0
TODD MAZZUCA, 17A Young Street Capreol, ON P0N 1H0

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

LOCATION: PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

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 718.80 sq.m south portion of the subject property, municipally known as 18 Crescent Avenue.

Comments concerning this application were submitted as follows:

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Development Approvals Section, May 09, 2024

The subject lands contain three single detached dwellings, one multiple unit dwelling, and accessory buildings. The purpose and effect of the applications is to create a lot for each residential structure and accessory buildings. The subject lands are designated 'Living Area I' within the City's Official Plan and are zoned 'Low Density Residential One R1-5' within the City's Zoning By-law. Residential lot creation is permitted within the Living Area designation.

Staff have reviewed the lands to be severed against the R1-5 zoning standards. The minimum lot area and minimum lot frontage are being maintained as a result of the severance. The accessory building is required to be removed as a condition of the consent as you are not permitted a stand alone accessory building without a main use.

Staff have reviewed the lands to be retained against the R1-5 zone standards and note that a multiple dwelling unit is not a permitted use. Building services has advised that the four-unit multiple dwelling was legally established; however, due to the change in lot configuration, it will no longer be considered legal existing and will require a rezoning application to permit the use.

It is recommended that the application be granted subject to the following:

1. That a Zoning By-law Amendment Application which rezones the retained lands in order to permit a multiple unit dwelling be in full force and effect.
2. That the accessory building be removed.

Greater Sudbury Hydro Inc., May 08, 2024

A three metre (3 m) Frontage Easement along Crescent Avenue, 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: Infrastructure Capital Planning Services, May 08, 2024

Roads: No concerns.

Transportation and Innovation Support: No concerns.

Active Transportation: No concerns.

Technical Services: Municipal water is at the lot line. Municipal sewer is not shown on the as-built.

Owner to pay for any alterations or extensions to the existing services if necessary.

Drainage: No concerns.

CGS: Building Services Section, May 07, 2024

Building Services has reviewed the submitted application for Consent and can advise of the following comment:

· The proposed severance will leave the accessory garage without a primary residential use. A condition of consent will be the removal of the garage with a Demolition Permit to the satisfaction of the Chief Building Official.

Nickel District Conservation Authority, May 03, 2024

Conservation Sudbury does not object to Consent Application B0028/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Development Engineering, April 30, 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.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 29, 2024

No objections.

CGS: Tax Department, April 29, 2024

No objections.

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:

MARGARET MAZZUCA AND TODD MAZZUCA

the owner(s) of PINs 73507 0316 & 73507 0333, Parcel 6443 and 4385 SEC SES, Lot Part 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 14 Crescent Avenue, 18 Crescent Avenue, 20 Crescent Avenue, 30 Crescent Avenue, 49 Crescent Avenue, Capreol

for consent to transfer a south portion of the subject property, providing approximately 45.55m lot frontage, 16.86m lot depth and 718.80 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 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 apply for a demolition permit to remove the existing garage in compliance with the Zoning By-law, to the satisfaction of the Chief Building Official.
- 7) That the owners/applicants 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 owners/applicants will also be responsible for the construction of any drainage outlet that may be required. The owners/applicants shall be responsible for the legal costs of preparing and registering the associated lot grading agreement, to the satisfaction of the City Solicitor.
- 8) That the owners/applicants provide such 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 and City Solicitor. All legal and survey costs shall be borne by the owners/applicants.
- 9) That the owners/applicants apply for and receive final approval for a Zoning By-law Amendment in order to permit a multiple dwelling on the retained lands, municipally known as 14 Crescent Avenue, prior to the issuance of a Certificate.
- 10) That the owners/applicants convey and have registered on title to the subject property a three metre (3 m) Frontage Easement along Crescent Avenue, across the entire parcel, both severed and retained, 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/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.
- 11) That the Certificate for the application be issued at the same time as the Certificates for Consent Applications B0026/2024 and B0027/2024.
- 12) 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. B0029/2024

May 13, 2024

OWNER(S): BRETT KILGOUR,

AGENT(S):

LOCATION: PIN 73507 0315, Parcel 6628 SEC SES, Lot Part 10, Concession 6 as in LT37883, Township of Capreol, 10 Crescent Avenue, 18 Crescent Avenue, Capreol

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 696.85 sq.m west portion of the subject property, municipally known as 18 Crescent Avenue, and also, consolidate an approximate 99.0 sq.m north west portion with abutting PIN 73507-0316.

Comments concerning this application were submitted as follows:

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Development Approvals Section, May 09, 2024

The subject lands contains two single detached dwellings. The purpose and effect of the applications is to create a lot for each residential structure. The subject lands are designated 'Living Area I' within the City's Official Plan and are zoned 'Low Density Residential One R1-5' within the City's Zoning By-law. Residential lot creation is permitted within the Living Area designation.

Staff have reviewed the lands to be severed against the R1-5 zoning standards. All zoning standards are being met as a result of the severance.

Staff have reviewed the lands to be retained against the R1-5 zoning standards. The dwelling has an existing deficient rear yard setback, which is not being altered as a result of the proposed severance. All other zoning standards are being maintained as a result of the severance.

Staff have no concerns in regard to the proposed lot addition, as it will result in a more regular shaped lot configuration and increase the functionality of the lands receiving the lot addition. Additionally, 18 Crescent will continue to have adequate area as a result of the conveyance.

It is recommended that the application be granted.

Greater Sudbury Hydro Inc., May 08, 2024

A three metre (3 m) Frontage Easement along Crescent Avenue, 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: Infrastructure Capital Planning Services, May 08, 2024

Roads: No concerns.

Transportation and Innovation Support: No concerns.

Active Transportation: No concerns.

Municipal water services for #18, but no sanitary is shown on the as-built. Owner to pay for any alterations or extensions to the existing services if necessary.

Drainage: No concerns.

CGS: Building Services Section, May 07, 2024

No concerns.

Nickel District Conservation Authority, May 03, 2024

Conservation Sudbury does not object to Consent Application B0029/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Development Engineering, April 30, 2024

No objection.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 29, 2024

No objections.

CGS: Tax Department, April 29, 2024

No objections.

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:

BRETT KILGOUR

the owner(s) of PIN 73507 0315, Parcel 6628 SEC SES, Lot Part 10, Concession 6 as in LT37883, Township of Capreol, 10 Crescent Avenue, 18 Crescent Avenue, Capreol

for consent to transfer a west portion of the subject property, providing approximately 9.25m lot frontage, 31.12m lot depth and 696.85 sq.m lot area, and also, consolidate an approximate 99.0 sq.m north west portion with abutting PINs 73507-0316 and 73507-0333, Parcel 6443 and 4385 SEC SES, Part Lot 10, Concession 6, as in LT37173, except LT143003, Township of Capreol, 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 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 owners/applicants convey and have registered on title to the subject property a three metre (3 m) Frontage Easement along Crescent Avenue, across the entire parcel, both severed and retained, 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/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.
- 7) 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:

