



APPLICATION FOR CONSENT

SUBMISSION NO. B0013/2024

May 06, 2024

OWNER(S): VALLEY GROWERS INC., 2960 Martin Road, Blezard Valley, ON P0M 1E0
JUSTIN GAUDET, 2960 Martin Road, Blezard Valley, ON P0M 1E0

AGENT(S): J.L. RICHARDS & ASSOCIATES, 314 Countryside Drive, Sudbury, ON P3E 6G2

LOCATION: PIN 73345 0472, Parcel 62 SEC SWS, Surveys Plan 53R-7143 Part(s) except 1 & Plan 53R-7519 Part(s) except 1 & 2 & Plan 53R-10298 Part(s) except 1 & Plan 53R-13580 Part(s) except 1 & 2, Lot Part 1, Concession 5, Township of Rayside, 3268 St Laurent Street, Blezard Valley

SUMMARY

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

Application: Transfer an approximate 0.47ha south portion of the subject property, and also, consolidate an approximate 0.06 ha south east portion with abutting PIN 73345-0297.

Comments concerning this application were submitted as follows:

Bell, May 06, 2024

No concerns.

CGS: Development Approvals Section, May 06, 2024

The purpose and effect of the application is to sever a surplus farm residence on a lot with a frontage of approximately 61 m (200 ft) along St. Laurent Street and an area of approximately 0.47 ha (1.1 ac) from a farm parcel with a total area of approximately 39.7 ha (98.1 ac). Additionally, the applicant has applied to facilitate a lot addition with an area of 0.06 ha (0.14 ac) to be legally merged with abutting lands to the east known municipally as 3260 St. Laurent Street. The proposal is summarized below:

Lands to be severed
3268 St. Laurent Street

Lot Area 0.47 ha (1.1 ac)
Lot Frontage 61 m (200 ft)
Lot Depth 78.2 m (256.56 ft)

Lands to be conveyed and merged with 3260 St Laurent Street

Lot Area 0.06 ha (0.14 ac)
Lot Frontage 9.1 m (29.8 ft)
Lot Depth 66.43 m (218 ft)

Lands to be retained
Remnant farmland

Lot Area 39.17 ha (96.94 ac)
Lot Frontage +/- 402 m (1,319 ft)
Lot Depth Irregular

The lands to be severed contains a single detached dwelling and five accessory buildings (4 have been identified by the applicant as being removed). The lands the be severed are serviced by private well and septic system and have an existing access from St. Laurent Street.
The lands to be conveyed and merged with 3260 St. Laurent Street are vacant of any buildings and

structures. Access to the lands will be from 3260 St. Laurent Street.

The lands to be retained contains agricultural lands in crop production and is vacant of any buildings or structures. An entrance permit was obtained for the retained lands in October 2023, resulting in access to the farmland that is separate from the residential driveway off of St. Laurent Street.

The subject lands are designated 'Agriculture Reserve' within the City's Official Plan, are zoned "Agricultural (A)" within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding land uses are predominantly agricultural in nature.

The Provincial Policy Statement (PPS) and City of Sudbury Official Plan permit lot creation in agricultural areas to dispose of a dwelling surplus to a farming operation as a result of farm consolidation, subject to evaluation criteria.

Staff are satisfied that a farm consolidation will be achieved, and that the residence may be deemed surplus to the needs of the farming operation as a result of farm consolidation. The applicants have provided supplementary information that demonstrates ownership of fourteen farm holdings containing at least one additional dwelling.

The Provincial Policy Statement and City Official Plan directs that lot creation may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided the new lot is limited to a minimum size needed to accommodate the use of the dwelling and appropriate sewage and water services. The intent of requiring the parcels to only be as large as necessary to accommodate the dwelling and services is to protect agricultural land. Staff note that the area of the proposed severed lands is 0.47 ha (1.1 ac) remaining consistent with the maximum size of 1.0 ha (2.5 ac) and the minimum lot size requirement of 0.4 ha (1 ac) of the Agricultural (A) Zone. Additionally, the severed lands are proposed to have a lot frontage of 61 m (200 ft) remaining consistent with the minimum lot frontage of 45 m of the Agricultural (A) Zone. Staff are satisfied that the lot is of an appropriate size for the use and services. Staff have reviewed the single detached dwelling and accessory building against the Agricultural (A) Zone standards and are of the opinion that the standards are being maintained as a result of the severance.

The lands to be retained will have a lot area of 39.17 ha (96.94 ac) remaining consistent with the minimum lot area requirement of 39 ha (96.37 ac) of the Agricultural (A) Zone. Additionally, the lands to be retained will have a frontage of +/- 402 m (1,319 ft) remaining consistent with the minimum lot frontage of 90 m (295 ft) requirement of the Agricultural (A) Zone. The retained land is vacant of building and structures. All other zoning standards are being maintained as a result of the severance.

As per Section 6.2.2.4b) of the City's Official Plan, the proposed severance was evaluated in accordance with the Minimum Distance Separation (MDS) Formula Implementation Guidelines. Staff note that MDS I formula is not applied when a dwelling to be severed is already located on a separate lot from an area livestock barn or facility. It is however required when the dwelling is being separated from an agricultural parcel containing livestock. As the lands proposed to be retained do not contain a livestock facility or anaerobic digester, staff have determined that MDS I does not apply.

As per Section 6.2.2.4c) of the City's Official Plan, a rezoning application will be required as part of the conditions of consent which would rezone the retained parcel to a 'Agricultural Special Zone' to prevent the construction of a single detached dwelling. Additionally, the rezoning application will rezone the severed lands to the 'Agricultural Special Zone' to recognize the residential use of the lands.

The Provincial Policy Statement (PPS) and City's Official Plan permit lot additions in the agricultural areas for legal or technical reasons. The applicant has advised that the additional lands would allow for proper operation of the existing residential dwelling and accessory buildings. Staff note that one of the existing buildings at 3260 St. Laurent appear to have little to no separation distance from the existing interior side lot line. The lot addition would increase the functionality and allow greater separation between the building and new lot line for rear yard access and maintenance purposes.

force and effect, to the satisfaction of the Director of Planning Services.

Ministry of Transportation, May 03, 2024

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

CGS: Strategic and Environmental Planning, May 03, 2024

No concerns.

Greater Sudbury Hydro Inc., April 30, 2024

No concerns.

CGS: Infrastructure Capital Planning Services, April 30, 2024

Roads

No concerns.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns.

Technical Services

No Municipal sewer or water available.

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: Building Services Section, April 29, 2024

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

A demolition permit to the satisfaction of the Chief Building Official is required for the structures that are to be removed.

Nickel District Conservation Authority, April 25, 2024

Conservation Sudbury does not object to Consent Application B0013/2024. The retained portion contains features regulated by Conservation Sudbury and comments have been provided to the rezoning application.

CGS: Development Engineering, April 24, 2024

No objection.

CGS: Tax Department, April 23, 2024

No objections.

CGS: Site Plan Control, April 22, 2024

No objection.

The following decision was reached:

DECISION:

THAT the application by:

VALLEY GROWERS INC. AND JUSTIN GAUDET

the owner(s) of PIN 73345 0472, Parcel 62 SEC SWS, Surveys Plan 53R-7143 Part(s) except 1 & Plan 53R-7519 Part(s) except 1 & 2 & Plan 53R-10298 Part(s) except 1 & Plan 53R-13580 Part(s) except 1 & 2, Lot Part 1, Concession 5, Township of Rayside, 3268 St Laurent Street, Blezard Valley

- 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 amending zoning by-law pertaining to File 751-5/24-03 be in full force and effect prior to the issuance of a Certificate.
- 7) That the owners/applicants provide the Consent Official with comments from the Sudbury & District Health Unit stating that both the part to be transferred and the part to be retained are capable of supporting a subsurface sewage disposal system.
- 8) That the owners/applicants prove to the satisfaction of the General Manager of Growth & Infrastructure that an adequate quantity of potable water is available and, if water can only be made potable by treatment, an agreement with the City must be entered into and registered on title to the subject property.
- 9) 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.
- 10) That no Certificate be issued after two years from the day the Notice of Decision is sent.

Consent Official:



SUBMISSION NO. B0014/2024

May 06, 2024

OWNER(S): 749459 ONTARIO LTD., Attn: Michel Belanger 366 Bodson Drive Box 21, Hanmer ON P3P 1S9

AGENT(S):

LOCATION: PIN 73503 1217, Parcel 20955 SEC SES SRO, Survey Plan 53R-21891 Part(s) 1, Lot Part 2, Concession 2, Township of Hanmer, 5887 Highway 69 North, 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 1036.47sq. m west portion of the subject property.

Comments concerning this application were submitted as follows:

Bell, May 06, 2024

No concerns.

CGS: Development Approvals Section, May 06, 2024

The purpose and effect of the application is to sever a parcel of land with an area of 1,036.47 m² from 5887 Municipal Road 80 in Hanmer, resulting in the creation of a new residential infill lot. The subject lands contain a single detached dwelling, one secondary dwelling unit in the single detached dwelling, and one secondary dwelling unit in an accessory building. The applicant has applied to sever the secondary dwelling unit in an accessory building from the subject lands. The secondary dwelling unit would need to be converted to a single detached dwelling in order for staff to be in a position to support the application, as you can not have a secondary unit without a main unit. Additionally, it will need to be demonstrated that the severed and retained lands have separate water and sanitary connections that are wholly contained to each lot.

The subject lands are designated 'Living Area 1' in the City's Official Plan and are zoned 'Low Density Residential R1-5' 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 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 a change of use permit be obtained for the second unit on the severed lands to convert to a single detached dwelling.
2. That the water and sanitary service connections be wholly contained on the severed lands.
3. That the water and sanitary service connections be wholly contained on the retained lands.
4. That 5% cash in lieu of parkland dedication be provided for the severed lot to the satisfaction of the Consent Official.

Ministry of Transportation, May 03, 2024

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

CGS: Strategic and Environmental Planning, May 03, 2024

No concerns.

CGS: Development Engineering, May 03, 2024

No objection.

Greater Sudbury Hydro Inc., April 30, 2024

No concerns.

CGS: Infrastructure Capital Planning Services, April 30, 2024

Roads

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 highway 69 North 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 3.5 meter strip of property along the entire frontage of highway 69 North 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.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns.

Technical Services

Municipal Sewer and water available at lot line. Owner to pay for any alterations or extensions to the existing service, if necessary.

Contact Technical Services regarding a private entrance permit.

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: Building Services Section, April 29, 2024

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

Applicant to be advised that the maximum driveway width is 6.3m, and a shared access agreement will be required.

Nickel District Conservation Authority, April 25, 2024

Conservation Sudbury does not object to Consent Application B0014/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Tax Department, April 23, 2024

No objections.

CGS: Site Plan Control, April 22, 2024

No objection.

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:

749459 ONTARIO LTD.

the owner(s) of PIN 73503 1217, Parcel 20955 SEC SES SRO, Survey Plan 53R-21891 Part(s) 1, Lot Part 2, Concession 2, Township of Hanmer, 5887 Highway 69 North, Hanmer

for consent to transfer a west portion of the subject property providing an approximate 17.12m lot frontage, 60.96m lot depth and 1036.47sq. 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 contribute \$1,000.00 toward the City of Greater Sudbury's future storm water management works downstream of the subject property.
- 7) That the owner/applicant enter into an agreement with the City of Greater Sudbury, to transfer a 3.5 metre strip of property along the frontage of Highway 69 North for the entire parcel 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.
- 8) That the owner/applicant dedicate a 0.3 metre reserve along the entire frontage of the lands to be transferred and retained on Highway 69, except for a 10-metre segment which is to be centered on the shared driveway, to the satisfaction of the City Solicitor.
- 9) That the owner/applicant enter into and have registered on title to both the land to be transferred and the land to be retained a Shared Access Agreement with the City of Greater Sudbury, to the satisfaction of the Chief Building Official and the City Solicitor, prior to the issuance of a certificate.
- 10) That the owner/applicant apply for and receive a change of use permit for the secondary dwelling unit on the lands to be transferred to covert it to a single detached dwelling, to the satisfaction of the Chief Building Official.
- 11) That the owner/applicant provide evidence on a legal survey, to the satisfaction of the Director of Infrastructure of Capital Planning, of the location of the sanitary sewer and water services on the subject property boundary. If it is determined that services are not within the proposed property boundaries of the retained and severed individual lots, new services will need to be constructed from the main to the lot lines at the owner's/applicant's sole expense.

- 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:

A handwritten signature in black ink, appearing to read "Pa. Lewis.", is written below the text "Consent Official:". The signature is cursive and includes a period at the end.

SUBMISSION NO. B0015/2024

May 06, 2024

OWNER(S): HEIDI ELINA MAKI, 935 Red Deer Lake Road North Wahnapiatae ON P0M 3C0
JOZEF LAKATOS, 935 Red Deer Lake Road North Wahnapiatae ON P0M 3C0

AGENT(S):

LOCATION: PIN 73480 0104, Parcel 39360A SEC SES, Surveys Plan 53R-5533 Part(s) except 2 & Plan 53R-10506 Part(s) except 1, Lot(s) V, Subdivision M-134, Lot Part 4, Concession 6, Township of Cleland, 935 Red Deer Lake Road North, Wahnapiatae

SUMMARY

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

Application: Transfer an approximate 2.0ha north east portion of the subject property.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 07, 2024

The purpose and effect of the application is to sever a parcel of land with an area 2 ha (5 ac) from 935 Red Deer Lake Road, resulting in the creation of a new residential infill lot.

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

Rural lot creation is permitted within the 'Rural' land use designation, subject to the following criteria:

a. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet).

b. Regardless of the size and frontage of the parent parcel, no more than three (3) new lots may be created from a single parent rural parcel in existence as of June 14, 2006.

Both the severed and retained lands meet the lot frontage and lot area requirements of the Official Plan. Previous severance information was not identified in the application, however, it appears one lot may have been previously severed.

Staff have evaluated the lands to be severed and retained against the 'Rural' zone standards and advise that all zoning standards appear to be met.

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.

Bell, May 06, 2024

No concerns.

Ministry of Transportation, May 03, 2024

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

CGS: Strategic and Environmental Planning, May 03, 2024

No concerns.

Greater Sudbury Hydro Inc., April 30, 2024

No concerns.

CGS: Infrastructure Capital Planning Services, April 30, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Technical Services
No Municipal sewer or water available.
Contact Technical Services regarding a private entrance permit.

Drainage
The subject property to be severed is within the Red Deer 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: Building Services Section, April 29, 2024

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

Nickel District Conservation Authority, April 25, 2024

Conservation Sudbury has no comment with regards to Consent Application B0015/2023. Subject property is located outside of jurisdictional boundary of Conservation Sudbury.

CGS: Development Engineering, April 24, 2024

No objection.

CGS: Tax Department, April 23, 2024

No objections.

CGS: Site Plan Control, April 22, 2024

No objection.

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:

HEIDI ELINA MAKI AND JOZEF LAKATOS

the owner(s) of PIN 73480 0104, Parcel 39360A SEC SES, Surveys Plan 53R-5533 Part(s) except 2 & Plan 53R-10506 Part(s) except 1, Lot(s) V, Subdivision M-134, Lot Part 4, Concession 6, Township of Cleland, 935 Red Deer Lake Road North, Wahnapiatae

for consent to transfer a north east portion of the subject property providing 131.0m lot frontage, 137.8m lot depth and 2.0ha 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 provide the Consent Official with comments from the Sudbury & District Health Unit stating that both the part to be transferred and the part to be retained are capable of supporting a subsurface sewage disposal system.
- 7) That the owners/applicants prove to the satisfaction of the General Manager of Growth & Infrastructure Services that an adequate quantity of potable water is available and, if water can only be made potable by treatment, an agreement with the City must be entered into and registered on title to the subject property.
- 8) 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.
- 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:



SUBMISSION NO. B0016/2024

May 06, 2024

OWNER(S): ALICIA GAUDET, 2960 Martin Road Blezard Valley ON P0M 1E0
JUSTIN GAUDET, 2960 Martin Road, Blezard Valley, ON P0M 1E0

AGENT(S): SOUMAYA BEN MILED, 314 Countryside Drive Sudbury ON P3E 6G2

LOCATION: PINs 73345 0176 & 73345 0105, Parcels 17959 SEC SWS SRO & 15846 SEC SWS, Survey Plan 53R-11564 Part(s) 1, Lot Part 1, Concession 4 as in LT145757, LT187135, Township of Rayside, 3261 St Laurent Street, Blezard Valley

SUMMARY

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

Application: Transfer an approximate 0.24 ha northeast portion of the subject property.

Comments concerning this application were submitted as follows:

CGS: Development Engineering, May 06, 2024

No objection.

Bell, May 06, 2024

No concerns.

CGS: Development Approvals Section, May 06, 2024

The purpose and effect of the application is to sever a surplus farm residence on a lot with a frontage of approximately 51.4 m (168 ft) along St. Laurent Street and an area of approximately 0.24 ha (0.59 ac) from a farm parcel with a total area of approximately 15.53 ha (38.29 ac). The proposal is summarized below:

Lands to be severed
3261 St. Laurent Street

Lot Area 0.24 ha (0.59 ac)
Lot Frontage 51.4 m (168 ft)
Lot Depth 47 m (154 ft)

Lands to be retained
Remnant farmland

Lot Area 15.29 ha (37.7 ac)
Lot Frontage 29.9 m (98 ft)
Lot Depth 1,576 m (5,170 ft)

The lands to be severed contains a single detached dwelling and is otherwise vacant of buildings and structures. The lands to be severed are serviced by private well and septic system and have an existing access from St. Laurent Street.

The lands to be retained contains agricultural lands in crop production and an accessory building that is identified by the applicant as being removed. The farmland is accessed from an existing driveway from St. Laurent Street.

The subject lands are designated 'Agriculture Reserve' within the City's Official Plan, are zoned 'Agricultural (A)' within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding land uses are predominantly agricultural in nature.

The Provincial Policy Statement (PPS) and City of Sudbury Official Plan permit lot creation in agricultural areas to dispose of a dwelling surplus to a farming operation as a result of farm consolidation, subject to evaluation criteria.

Staff are satisfied that a farm consolidation will be achieved, and that the residence may be deemed surplus to the needs of the farming operation as a result of farm consolidation. The applicants have provided supplementary information that demonstrates ownership of fourteen farm holdings containing at least one additional dwelling.

The Provincial Policy Statement and City Official Plan directs that lot creation may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided the new lot is limited to a minimum size needed to accommodate the use of the dwelling and appropriate sewage and water services. The intent of requiring the parcels to only be as large as necessary to accommodate the dwelling and services is to protect agricultural land. Staff note that the area of the proposed severed lands is 0.24 ha (0.59 ac), which is less than the minimum lot area requirement of 0.4 ha (1 ac) of the Agricultural (A) Zone. Staff are satisfied that the lot is of an appropriate size for the use and services.

As per Section 6.2.2.4b) of the City's Official Plan, the proposed severance was evaluated in accordance with the Minimum Distance Separation (MDS) Formula Implementation Guidelines. Staff note that MDS I formula is not applied when a dwelling to be severed is already located on a separate lot from an area livestock barn or facility. It is however required when the dwelling is being separated from an agricultural parcel containing livestock. As the lands proposed to be retained do not contain a livestock facility or anaerobic digester, staff have determined that MDS I does not apply.

As per Section 6.2.2.4c) of the City's Official Plan, a rezoning application will be required as part of the conditions of consent which would rezone the retained parcel to a 'Agricultural Special Zone' to prevent the construction of a single detached dwelling. As part of the special zone provisions, the minimum lot frontage deficiency of 29.9 m (98 ft) and the minimum lot area deficiency of 15.29 ha (37.7 ac) will need to be requested. The retained land will be vacant of buildings and structures once the accessory building has been removed (as identified by the applicant). All other zoning standards are being maintained as a result of the severance.

The rezoning application will also rezone the severed lands to the 'Agricultural Special Zone' to recognize the residential use of the lands and the minimum lot area of 0.24 ha (0.59 ac). Staff have reviewed the single detached dwelling against the Agricultural (A) Zone standards and are of the opinion that all other standards are being maintained as a result of the severance. It is recommended that the application be granted subject to the following conditions:

1. That a Zoning By-law Amendment Application that rezones the severed and retained lands be in full force and effect, to the satisfaction of the Director of Planning Services.

Nickel District Conservation Authority, May 03, 2024

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

CGS: Strategic and Environmental Planning, May 03, 2024

No concerns.

Greater Sudbury Hydro Inc., April 30, 2024

No concerns.

CGS: Infrastructure Capital Planning Services, April 30, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Technical Services
No Municipal sewer or water available.
Newly created lot is allowed only one entrance. Remove second entrance.

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: Building Services Section, April 29, 2024

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

Applicant to be advised that a Demolition Permit to the satisfaction of the Chief Building Official is required for the removal of the storage shed on the retained lot.

Nickel District Conservation Authority, April 25, 2024

Conservation Sudbury does not object to Consent Application B0016/2024. The retained portion contains features regulated by Conservation Sudbury and comments have been provided to the rezoning application.

CGS: Tax Department, April 23, 2024

No objections.

CGS: Site Plan Control, April 22, 2024

No objection.

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:

ALICIA GAUDET AND JUSTIN GAUDET
the owner(s) of PINs 73345 0176 & 73345 0105, Parcels 17959 SEC SWS SRO & 15846 SEC SWS, Survey Plan 53R-11564 Part(s) 1, Lot Part 1, Concession 4 as in LT145757, LT187135, Township of Rayside, 3261 St Laurent Street, Blezard Valley

for consent to transfer an easterly portion of the subject property providing 51.4m lot frontage, 47.0m lot depth and 0.24 ha 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 amending zoning by-law pertaining to File 751-5/24-02 be in full force and effect prior to the issuance of a Certificate.
- 7) That the owners/applicants apply for and receive a demolition permit to remove the storage shed located on the lands to be retained, to the satisfaction of the Chief Building Official.
- 8) That the owners/applicants remove the second driveway on the lands to be transferred, to the satisfaction of the Director of Infrastructure and Capital Planning.
- 9) 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.
- 10) 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:

