



APPLICATION FOR CONSENT

SUBMISSION NO. B0078/2024

October 15, 2024

OWNER(S): JAMES IRA DASTI, 1253 Martindale Road Sudbury ON P3E 4J6

AGENT(S):

LOCATION: PINs 73589 0860 & 73589 0862, Survey Plan 53R-21641 Part(s) 3 to 7, 10 to 13, Lot(s) Part 24, Subdivision M-145, Lot Part 7, Concession 2, Township of McKim, 1253 Martindale Road, Sudbury

SUMMARY

Zoning: The property is zoned R2-2 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: To sever and create a new lot on the north westerly portion of subject property providing an approximate lot area of 3070.0 sq. m. together with an easement for access purposes.

Comments concerning this application were submitted as follows:

CGS: Development Engineering, October 11, 2024

No concerns.

CGS: Development Approvals Section, October 09, 2024

This application seeks to create one new urban residential lot having frontage on Martindale Road in Sudbury. Staff notes that the development proposal is a re-application of files B0048/2020 and B0004/2022 which both lapsed. The development proposal also includes an easement for mutual access purposes along an existing driveway entrance to Martindale Road. It is staff's understanding that although the lot to be severed has frontage along Martindale Road, technical services would not permit an entrance to be established along the frontage of the severed lot due to sight visibility concerns due to the curve of the road. Its staff's understanding that municipal services will be established that are wholly contained to the severed and retained lands respectively. The lands are designated Living Area 1 in the City's Official Plan and zoned "R2-2", Low Density Residential Two under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff has reviewed the resulting lot fabric and have no concerns with respect to the minimum lot area, minimum lot frontage and minimum lot depth requirements of the "R2-2" Zone. The lands to be severed are vacant of buildings or structures. Staff recommends that consideration be had to locate the proposed duplex closer to the existing established building line rather than to the rear of surrounding dwellings. The lands to be retained contain an existing single-detached dwelling. Staff has reviewed the submitted sketch depicting the location of the existing single-detached dwelling and has no concerns with respect to minimum yard setbacks and maximum lot coverage requirements under the applicable "R2-2" Zone. Staff recommends that the application be approved.

Greater Sudbury Hydro Inc., October 09, 2024

No objection.

CGS: Infrastructure Capital Planning Services, October 08, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Technical Services
Water service is at lot line.
Sewer service is not shown on the as built. As built is incomplete.

Drainage
No Drainage comments.

CGS: Strategic and Environmental Planning, October 07, 2024

No concerns.

CGS: Building Services Section, October 04, 2024

Based on the information provided, Building Services has no concerns with this application.

However, Applicant/Owner to be advised of the following comments:

1) With respect to the proposed Duplex, a Building Permit and Building Permit documents will be required to the satisfaction of the Chief Building Official.

Ministry of Transportation, September 26, 2024

I can confirm the subject lot is not located within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

CGS: Site Plan Control, September 26, 2024

No objection.

CGS: Tax Department, September 26, 2024

No objections.

This application is a resubmission of files B0048/2020 and B0004/2022 which both lapsed. The applicant cleared all of the conditions imposed in B0004/2022, but not before the provisional consent lapsed. No new conditions were requested from public agencies and municipal departments. Also, 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:

JAMES IRA DASTI

the owner(s) of PINs 73589 0860 & 73589 0862, Survey Plan 53R-21641 Part(s) 3 to 7, 10 to 13, Lot(s) Part 24, Subdivision M-145, Lot Part 7, Concession 2, Township of McKim, 1253 Martindale Road, Sudbury

for consent to create a new lot on the north westerly vacant side of the subject property providing an approximate 20.0m lot frontage, 98.0m lot depth and 3070.5 sq. m lot area, together with an easement/right-of-way for access purposes, be approved, subject to the following:

- 1) That all outstanding municipal taxes be paid.
- 2) 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 "P. Leung", is written below the text "Consent Official:". The signature is cursive and includes a period at the end.