

SUBMISSION NO. B0061/2024

October 21, 2024

OWNER(S): MIKE BELANGER, Box 1533 Azilda ON P0M 1B0

AGENT(S):

LOCATION: PIN 73345 0768, Survey Plan 53R-18842 Part(s) 1, Lot Part 7, Concession 5, Township of Rayside, Montee Principale, Chelmsford

SUMMARY

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

Application: Consolidate an approximate 1.0 ha north vacant portion of the subject property with abutting PIN 73345-0172 (LT).

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, October 18, 2024

The purpose and effect of the application is to convey 1 ha of land from PIN 73345-0768 to PIN 73345-0172, being the abutting parcel to the north.

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

The Provincial Planning Statement (PPS) and the City's Official Plan permit lot adjustments in the agricultural areas for legal or technical reasons. The PPS defines legal or technical reasons as "severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot." Although the applicant did not provide a detailed rationale for the lot addition, staff are of the opinion that the boundary adjustment is considered to be minor and does not result in the creation of a new lot. The applicant has advised that both parcels will continue to be used agriculturally. It is noted that both the subject lands and the lands receiving the lot addition are existing lots that are undersized from an Official Plan perspective. Both the subject lands and the lands receiving the lot addition would maintain the minimum lot frontage and area requirements of the Rural Zone as a result of the transfer.

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 and Zoning By-law. It is recommended that the application be granted.

Nickel District Conservation Authority, October 18, 2024

Conservation Sudbury does not object to Consent Application B0061/2024. Retained subject property and the consolidated portion are not located in any area regulated by the Conservation Authority.

CGS: Roads, October 18, 2024

No concerns.

CGS: Transportation & Innovation, October 18, 2024

No concerns.

CGS: Active Transportation, October 18, 2024

No concerns.

CGS: Technical Services, October 18, 2024

No concerns.

CGS: Drainage, October 18, 2024

No concerns.

CGS: Building Services Section, October 09, 2024

No concerns.

Ministry of Transportation, October 09, 2024

I can confirm that the subject lands are located outside the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Greater Sudbury Hydro Inc., October 09, 2024

Outside of our territory, therefore, we have no concerns.

CGS: Site Plan Control, October 08, 2024

No objection.

CGS: Development Engineering, October 08, 2024

No objection.

CGS: Tax Department, October 07, 2024

No objections.

CGS: Strategic and Environmental Planning, October 04, 2024

No concerns.

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:

MIKE BELANGER

the owner(s) of PIN 73345 0768, Survey Plan 53R-18842 Part(s) 1, Lot Part 7, Concession 5, Township of Rayside, Montee Principale, Chelmsford

for consent to consolidate an approximate 1.0 ha north vacant portion of the subject property with abutting PIN 73345-0172 (LT), 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 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.
- 3) That a copy of the final Plan of Survey be submitted to the Office of the Consent Official.
- 4) 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. B0079/2024

October 21, 2024

OWNER(S): SUZANNE LEBLANC, 4401 Elysee Crescent Hanmer ON P3P 1B3
RICHARD LEBLANC, 4401 Elysee Crescent Hanmer ON P3P 1B3

AGENT(S):

LOCATION: PIN 73504 1262, Parcel 39818 SEC SES SRO, Lot(s) 72, Subdivision M-699, Lot Part 5, Concession 2, Township of Hanmer, 1194 Evergreen Court, 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: To sever and create a new vacant lot from the north side of the subject property providing an approximate lot area of 726.0 sq. m.

Comments concerning this application were submitted as follows:

Nickel District Conservation Authority, October 18, 2024

Conservation Sudbury does not object to Consent Application B0079/2024. The subject property is not located in any area regulated by the Conservation Authority.

CGS: Roads, October 18, 2024

No concerns.

CGS: Transportation & Innovation, October 18, 2024

No concerns.

CGS: Active Transportation, October 18, 2024

No concerns.

CGS: Technical Services, October 18, 2024

That the owners/applicants provide evidence, to the satisfaction of the General Manager of Growth & Infrastructure, of the location of the sanitary sewer and water services on the subject property and ensure that the services are wholly within each proposed 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 applicants/owners expense.

CGS: Drainage, October 18, 2024

The subject property to be severed is within the Paquette Whitson Municipal Drain Area. Per the City Council Meeting held on Tuesday July 10, 2012, a cost contribution amount of \$3,882.42 is required due to the improvements undertaken of the Paquette Whitson Municipal Drain. The contribution is to be deposited to the Stormwater Reserve Account #36700-01.

CGS: Development Approvals Section, October 17, 2024

The purpose and effect of the application is to sever a parcel of land with a lot frontage of 15 m along Evergreen Court and an area of 726 m² from the subject lands, resulting in the creation of a new infill lot. The lands to be severed are vacant of any buildings and structures. The lands to be severed will need to establish a municipal water and sanitary connection and will need to confirm adequate access from Evergreen Court as part of the conditions of consent.

The lands to be retained will have a frontage of 15.48 m on Evergreen Court and a lot area of 750 m². The lands to be retained contain a single detached dwelling, deck, and two accessory buildings. One of the accessory buildings has been identified by the applicant as being removed. The lands to be retained are serviced by a municipal water and sanitary connection and have existing access from Evergreen Court.

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, and are located within a significant wellhead protection area under the Source Water Protection Plan.

Staff have evaluated the severed and retained lands against the zoning 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.

Source Water Protection Plan, October 16, 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.

CGS: Building Services Section, October 09, 2024

No concerns.

Ministry of Transportation, October 09, 2024

I can confirm that the subject lands are located outside the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Greater Sudbury Hydro Inc., October 09, 2024

Outside of our territory, therefore, we have no concerns.

CGS: Site Plan Control, October 08, 2024

No objection.

CGS: Development Engineering, October 08, 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, October 07, 2024

No objections.

CGS: Strategic and Environmental Planning, October 04, 2024

No concerns.

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:

SUZANNE LEBLANC AND RICHARD LEBLANC
the owner(s) of PIN 73504 1262, Parcel 39818 SEC SES SRO, Lot(s) 72, Subdivision M-699, Lot Part 5, Concession 2, Township of Hanmer, 1194 Evergreen Court, Hanmer

for consent to create a new lot on the north vacant side of the subject property providing an approximate 15.0m lot frontage, 48.0m lot depth and 726.0 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 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 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.
- 7) That the owners/applicants 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 owners/applicants.
- 8) That the owners/applicants provide evidence, to the satisfaction of the General Manager of Growth & Infrastructure, of the location of the sanitary sewer and water services on the subject property and ensure that the services are wholly within each proposed 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 applicants'/owners' sole expense.
- 9) That the owners/applicants contribute \$3,882.42 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:

A handwritten signature in black ink, appearing to read "M. K. L.", followed by a period.