

Appendix 1 – Departmental Comments

File 751-7-21-06, Application for Rezoning – 1390 Main Street, Val Caron

Building Services

- 1) The proposed parallel parking along the side of the building must be 3 m x 6.9 m in size, and must not encroach on the required front yard setback. Maintain a minimum 6 m wide access drive adjacent to the parking.
- 2) As per Order to Comply issued on April 13, 2016, the applicant is required to obtain a building permit for the additional dwelling units. Prior to the passing of the Zoning By-law amendment, a building permit will be required to the satisfaction of the Chief Building Official. Contact Building Services for information regarding required plans and documentation.

Development Engineering

This site is presently serviced with municipal water and sanitary sewer.

We have no objection in changing the zoning classification from “R1-5”, Low Density Residential One to “R3”, Medium Density Residential in order to permit the existing three (3) unit multiple dwelling.

Conservation Sudbury

Site Characteristics

The subject parcel is located on the north side of Main Street in Val Caron. The parcel contains a residential dwelling with an addition at the rear. The parcel includes a floodplain and it appears that the northwest corner of the addition may have been built within its extent. Given the floodplain, portions of the parcel are subject to Ontario Regulation 156/06.

History

Conservation Sudbury has no record of any permits or permissions issued for the construction of either the original dwelling unit nor the rear addition.

Delegated Responsibility and Statutory Comments:

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 156/06. The application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies.

Policy 3.1.1b) of the PPS states that “*Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards*”. ‘Development’ is defined as “the creation of a new lot, a change in land use, or the construction of buildings and structures”. The proposal has not yet been demonstrated to be outside of hazardous lands, being the floodplain.

Comments

The proponent is required to demonstrate that the structure is not at risk for flooding. This can be done by demonstrating that the structure is outside of the floodplain or that the structure has been floodproofed. To demonstrate that the proposed structure is outside of the floodplain is to provide a survey, prepared by a qualified Ontario Land Surveyor (OLS), which demonstrates that the extent of the floodplain is sufficiently away from the structure. If that is not possible, or if the structure is known to be floodproofed, the proponent must demonstrate which floodproofing measures have been incorporated. Either option must be to the satisfaction of Conservation Sudbury. A permit pursuant to Section 28 of the *Conservation Authorities Act* will be required.

Recommendation

Conservation Sudbury is requesting the following condition of approval for zoning by-law amendment application 751-7/21-06:

1. That the proponent demonstrate that the existing structures are not at risk of flooding within one (1) year of conditional approval, to the satisfaction of Conservation Sudbury.

Notes

The proponent is advised that future development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the *Conservation Authorities Act*. 'Development' is defined by the *Conservation Authorities Act* and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

The proponent is advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, and valley slopes.

