

1236 Gravel Drive, Hanmer

Presented To:	Planning Committee
Meeting Date:	October 3, 2022
Type:	Public Hearing
Prepared by:	Mauro Manzon Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-7/22-007

Report Summary

This report provides a recommendation regarding an application to extend a temporary use by-law permitting a garden suite.

This report is presented by Mauro Manzon, Senior Planner.

Resolution

That the City of Greater Sudbury approves the application by Marc & Louise Menard to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73506-0067, Parcel 49847 S.E.S., Part 2, Plan 53R-12627 in Lot 5, Concession 4, Township of Hanmer in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled “1236 Gravel Drive, Hanmer” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 3, 2022.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The application to amend the Zoning By-law is an operational matter under the *Planning Act* to which the City is responding. The application seeks to provide an alternative form of housing for a family member that aligns with the housing objectives of the City. There is no conflict with the Community Energy & Emissions Plan.

Financial Implications

There are no financial implications associated with this report for the extension of a temporary use of an existing garden suite.

Report Overview

An application to extend a temporary use by-law has been submitted in order to permit the continued use of a mobile home as a garden suite on the property municipally known as 1236 Gravel Drive, Hanmer. The garden suite has been occupied since 1999 and there are no land use concerns related to the application. Planning Services recommends a three-year extension pursuant to Section 39.1(4) of the Planning Act.

STAFF REPORT

PROPOSAL:

An application to extend a temporary use by-law for a three-year period has been submitted in order to continue the use of a mobile home as a garden suite. Under Section 39.1(4) of the *Planning Act*, a maximum three-year extension is permitted for garden suites.

Existing Zoning: "RU", Rural

The subject land is zoned "RU", Rural, which permits a residential use in the form of a single detached dwelling or a mobile home. Secondary dwelling units are also permitted subject to the provisions of Section 4.2.10.

Under Section 4.10 of the Zoning By-law, garden suites may be converted to secondary dwelling units subject to the applicable provisions including registration of the unit with Building Services.

Requested Zoning: Extension of a temporary use by-law identified as T46 in the Zoning By-law

The extension would permit the garden suite to continue until November 10, 2025.

Location and Site Description:

PIN 73506-0067, Parcel 49847 S.E.S., Part 2, Plan 53R-12627 in Lot 5, Concession 4, Township of Hanmer (1236 Gravel Drive, Hanmer)

The subject property is located on the north side of Gravel Drive, west of Deschene Road. Municipal water and sanitary sewer are not available. The area is rural residential in character, comprising a mix of large parcels and smaller estate lots.

Total site area is 0.4 hectare, with 60 metres of frontage and a depth of 67.4 metres. The garden suite comprises an 80 m² mobile home situated on the easterly portion of the lot, with a detached garage and shed as accessory uses. Both dwellings share the driveway. A small southerly portion of the lot is located in a designated flood plain.

Rural residential uses in the form of single detached dwellings occupy adjacent lands. The subject property is located approximately 445 metres west of Deschene Municipal Well A.

Surrounding Land Uses:

The area surrounding the site includes the following:

North:	Undeveloped rural lands
East:	Single detached dwelling
South:	Single detached dwelling
West:	Single detached dwelling

Related Applications:

The garden suite was first approved as a temporary use in 1999 for a maximum period of ten (10) years. Three-year extensions were granted in 2010, 2013, 2016 and 2019.

Public Consultation:

The notice of complete application was circulated to the public and surrounding property owners on July 6, 2022. The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out circulated to the public and surrounding property owners within 240 metres of the property on September 15, 2022.

As of the date of this report, no phone calls or written submissions have been received by Planning Services.

POLICY & REGULATORY FRAMEWORK:

The property is subject to the following policy and regulatory framework:

- [2020 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement.

Section 1.4 of the PPS encourages a range of housing types in order to address housing needs within the community, including persons who need to live within close proximity of family members but also desire a measure of independent living. Garden suites are intended to provide such accommodation subject to the provisions of Section 39.1 of the *Planning Act*.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario.

Section 4.3.3 of the GPNO encourages an appropriate range and mix of housing types in Economic and Services Hubs such as Greater Sudbury.

Official Plan for the City of Greater Sudbury:

The subject property is designated Rural under the Official Plan. Under Section 5.2.1 of the Official Plan, garden suites are permitted in Rural Areas in accordance with the criteria under Section 2.3.5 as follows:

- a single garden suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
- services will be connected to the service lines of the host dwelling unit to City specifications;
- a garden suite can be integrated with the prevailing character of the surrounding area, and will be removed at no expense to the City at the termination of its use; and,

- d. an agreement may be required between the applicant and the City dealing with such conditions as the installation, location, maintenance, occupancy and removal of the structure.

Notwithstanding the above, a garden suite may be served by its own individual on-site sewage and water services, where appropriate. A mobile home may be used as a garden suite if it is built on its own foundation and in accordance with the Ontario Building Code. None of these policies are intended to result in the creation of new residential lots in the Rural Area.

Zoning By-law 2010-100Z:

The subject land is zoned "RU", Rural. Residential uses in the form of a single detached dwelling or a mobile home on a permanent foundation are permitted. Garden suites are also permitted subject to the setback requirements applied to accessory buildings.

Site Plan Control:

A Site Plan Control Agreement is not required.

Department/Agency Review:

Commenting departments and agencies have no concerns related to the extension of the temporary use by-law.

PLANNING ANALYSIS:

The continued use of the garden suite does not present any land use concerns. Compatibility with the surrounding rural residential area has been maintained. There are no environmental concerns, as the subject property is located outside the Wellhead Protection Area for Deschene Municipal Well A. Furthermore, the dwelling unit is not situated within the designated flood plain, which encompasses a small southerly portion of the property.

The owners do not wish to make the garden suite a permanent use under the secondary dwelling unit provisions of the Zoning By-law at this time.

CONCLUSION:

The application to extend the temporary use by-law for another three-year period is recommended for approval.