

Presented To:	Planning Committee
Presented:	Tuesday, May 18, 2010
Report Date	Tuesday, May 04, 2010
Type:	Public Hearings
File Number:	751-7/09-16

Request for Decision

Application to permit the temporary use of a garden suite for a period of ten years, 221 Linden Drive, Hanmer - Patrick & Carol Kirwan

Recommendation

That the application by Patrick & Carol Kirwan with respect to Parcel 49266 SES, Part 1, 53R-12670, Lot 12, Concession 3, Township of Capreol, to permit a second dwelling as a garden suite for a period of 10 years be approved.

STAFF REPORT

Applicant:

Patrick & Carol Kirwan

Location:

Parcel 49266 SES, Part 1, Plan 53R-12670, Lot 12, Concession 3, Township of Capreol, 221 Linden Drive, Hanmer

Application:

To permit a second dwelling unit (garden suite) on the subject property as a temporary use under Section 39 of the Planning Act for a period of ten years.

Proposal:

This application is to permit a second dwelling in the form of a garden suite for the owners' parents.

Official Plan Conformity:

The subject lands are designated Rural in the Official Plan for the City of Greater Sudbury

Garden Suites are small, self-contained independent living units that are designed for family members who require some level of support. Subject to rezoning under the provisions of the Temporary Use By-law in Section 20.5.3 of the Official Plan garden suites are permitted in Rural designations in accordance with the following conditions:

Signed By

Report Prepared By

Celia Teale
Senior Planner
Digitally Signed May 4, 10

Reviewed By

Art Potvin
Manager of Development Services
Digitally Signed May 4, 10

Recommended by the Division

Paul Baskcomb
Acting Director of Planning Services
Digitally Signed May 4, 10

Recommended by the Department

Bill Lautenbach
General Manager of Growth and
Development
Digitally Signed May 4, 10

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed May 4, 10

- a) a single garden suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
- b) services shall be connected to the service lines of the host dwelling unit to City specification;
- c) the 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.

As such this application would not contravene the intent of the Official Plan.

Site Description & Surrounding Land Uses:

The subject property has approximately 91 metres (300 feet) of frontage along Linden Drive and consists of an area of approximately 2 hectares (5 acres). The surrounding land uses consist of Rural residential uses on the south side of Linden and some industrial land uses on the north side of Linden Drive.

Departmental & Agency Comments:

Development Engineering

Development Engineering has reviewed the above noted application. This site is presently serviced with municipal water. The water supply for both the new residence and the existing dwelling must be metered. Thus the water service to the new home must be connected past the discharge end of the meter within the existing dwelling or the existing dwelling must be disconnected from the main and connected past the discharge end of the meter within the new residence. Sanitary sewer is not available for this site. We have no objection to permitting a garden suite on the subject property for a maximum of 10 years.

Transportation Engineering

No concerns.

Planning Considerations:

Public Consultation

Due to the minor nature of the application the applicant was not advised to hold a neighbourhood meeting.

Land Use

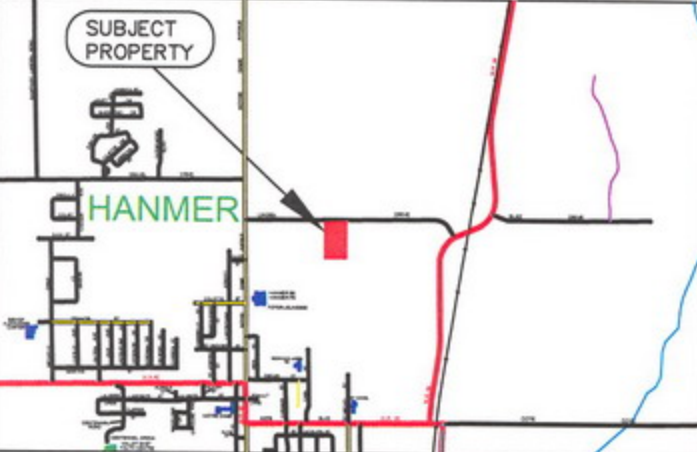
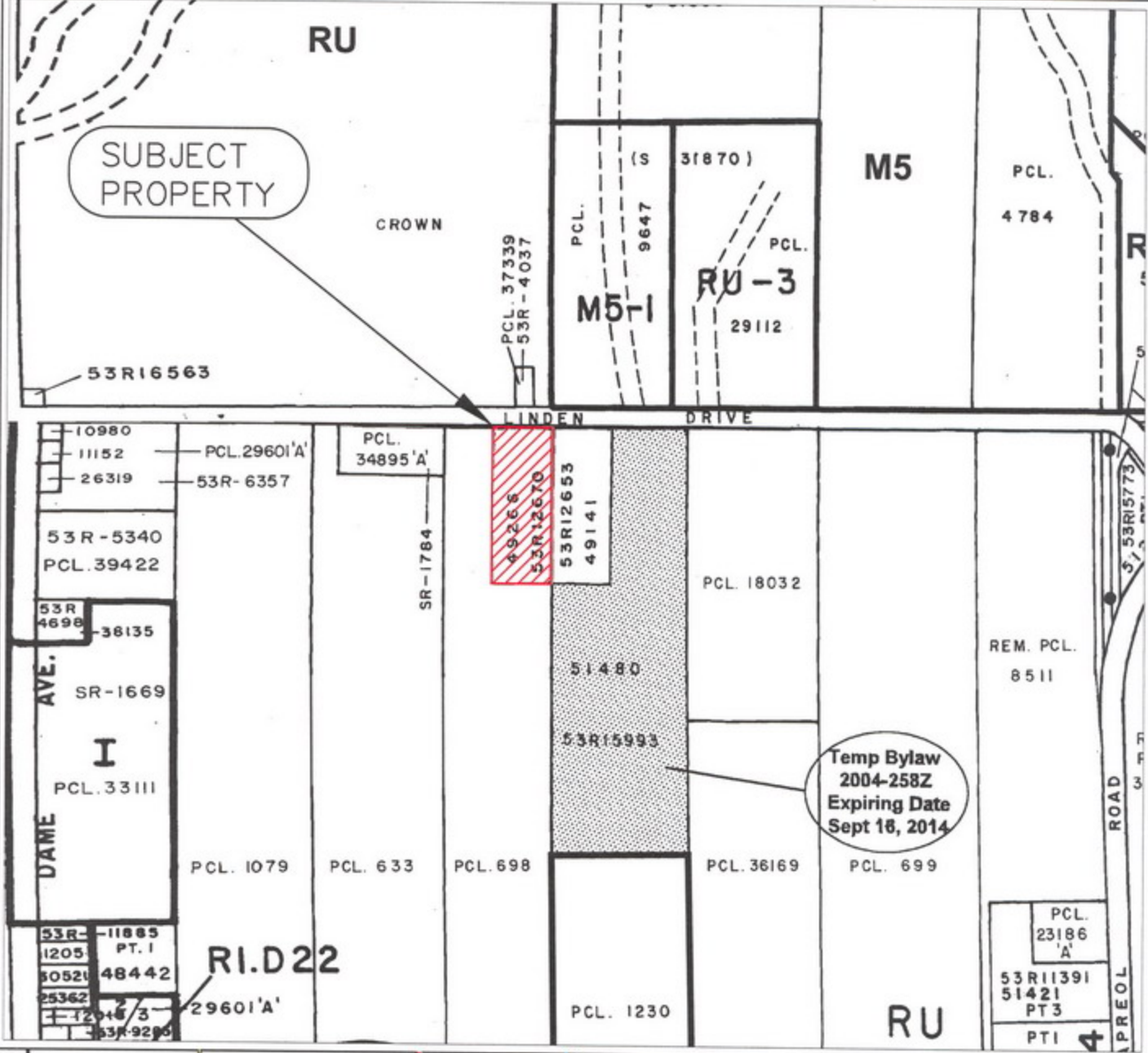
This proposal complies with the intent of the Official Plan. The subject lands are currently zoned "RU", Rural according to By-Law 83-300. The Official Plan outlines that garden suites will be permitted as an accessory unit on a lot containing a single dwelling unit.

There would be sufficient area on the subject lands to accommodate the garden suite and the existing septic system is of sufficient size to allow the garden suite to be tied into it. This is significant since the subject lands also fall under the well head protection area of the Official Plan. This designation prohibits lot creation that would require the installation of new septic systems. The applicant has had the Health Unit undertake

an inspection that has verified that the garden suite can be tied to the existing septic system.

The applicant should be advised that once the garden suite is no longer required for its intended purpose, the Planning Services Division should be advised, and the unit must be removed from the property.

In summary we see no adverse impacts resulting from this application, and therefore, it is recommended for approval.



Growth and Development Department

Subject Property being Pcl. 49266 SES, Part 1, Plan 53R-12670, Lot 12, Con. 3, Twp. of Capreol, 221 Linden Drive, Hanmer, City of Greater Sudbury

Sketch 1
Not to Scale

751-7/09-16
Date: 2010 01 05

ED ROAD (KNOWN AS LINDEN DRIVE)
REFERENCE BEARING 1756.7

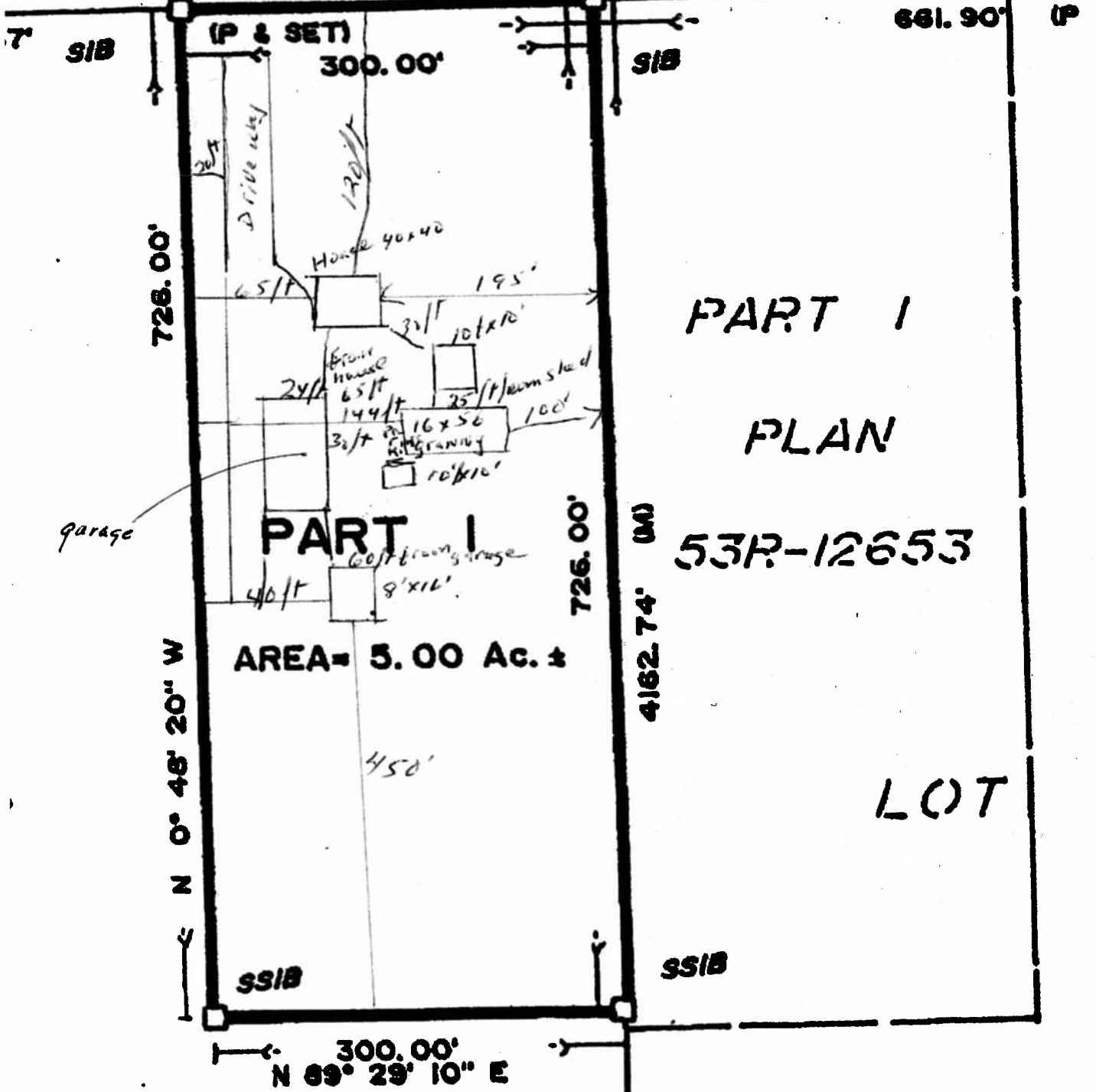




Photo 1 SUBJECT PROPERTY LOOKING SOUTH FROM
LINDEN DRIVE



Photo 2 SUBJECT PROPERTY LOOKING SOUTH FROM
LINDEN DRIVE

751-7/09-16 Photography April 26, 2010



Photo 3 SUBJECT PROPERTY LOOKING SOUTH FROM
LINDEN DRIVE

751-7/09-16 Photography April 26, 2010