

Request for Decision

Application to amend draft plan of condominium approval, 766 Lasalle Boulevard, Sudbury – 2121917 Ontario Inc

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2015
Report Date	Thursday, Jun 04, 2015
Type:	Routine Management Reports
File Number:	741-6/13003

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the draft approval for a plan of condominium on those lands described as PIN 02171-0336, Parcel 27097 S.E.S., Lot 2, Plan M-397, Lot 3, Concession 6, Township of McKim, File 741-6/13003, as follows:

a) By deleting Condition #1 and replacing it with the following:

"1. That this approval applies to the draft plan of condominium of PIN 02171-0336, Parcel 27097 S.E.S., Lot 2, Plan M-397, Lot 3, Concession 6, Township of McKim, as shown on a plan prepared by Tulloch Engineering, Terry Del Bosco, O.L.S. and dated January 7, 2014, as amended by a plan prepared by Tulloch Engineering, Terry Del Bosco, O.L.S. and dated May 27, 2015."

STAFF REPORT

Background:

The subject lands are zoned "C2", General Commercial under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. An application for draft plan of condominium was approved by Council on March 6, 2014 in order to apply condominium form of tenure to an existing two building commercial development containing 25 units fronting Lasalle Boulevard in Sudbury. To date the final plan has not been registered.

The owner is proposing to amend the draft plan of condominium by adding a roof unit. This would allow the owner to retain ownership of the roof and the air space above it. Alternatively, the owner could sell the unit, which could potentially accommodate solar panels and/or telecommunications equipment. Access to the roof unit would be restricted to the condominium corporation, the owner of the roof unit and any persons authorized to access the unit (eg. for maintenance purposes).

The agent for the owner at 766 Lasalle Boulevard also submitted a supporting letter dated October 14, 2014

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Jun 4, 15

Reviewed By

Eric Taylor
Manager of Development Approvals
Digitally Signed Jun 4, 15

Recommended by the Division

Mark Simeoni
Acting Director of Planning Services
Digitally Signed Jun 4, 15

Recommended by the Department

Paul Baskcomb
General Manager of Growth & Development
Digitally Signed Jun 4, 15

Recommended by the C.A.O.

Bob Johnston
Interim Chief Administrative Officer
Digitally Signed Jun 8, 15

from Robson Carpenter LLP with respect to another draft plan of condominium amendment at 1703 Main Street in Val Caron which the Planning Committee recommended for approval on May 25, 2015 (File # 741-6/13007). The letter outlines that the purpose of the roof-top unit is to retain ownership of the roof and airspace above in order to possibly accommodate solar panels and/or telecommunication equipment on the roof of the building. Matters relating to accessing the roof unit and references to other municipalities that have approved roof units in the past are also described.

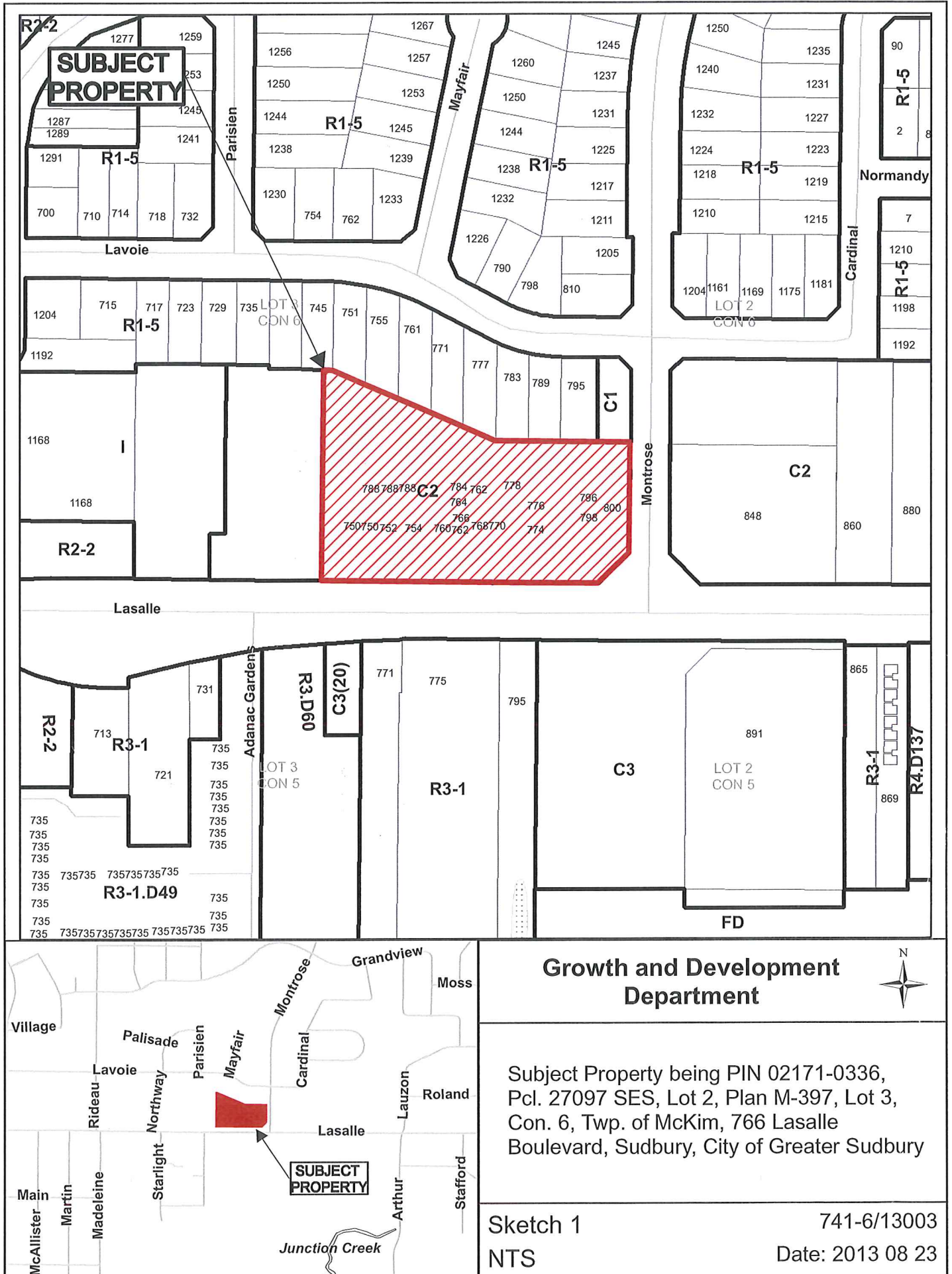
Robson Carpenter, the solicitors for the owner, have also advised that the proposed condominium declaration would provide that the condominium corporation would be responsible for all aspects of the maintenance, repair and replacement of the roof unit (eg. repair or replacement after wear and tear and/or damage, etc.), but the corporation would not be responsible for the maintenance, repair and replacement of any other installations or improvements on the roof unit (eg. solar panels, tele-communications equipment, etc.).

Departmental & Agency Comments:

There are no comments/concerns from staff.

Summary:

The request to amend the draft condominium plan to incorporate a roof unit reflects the increasing demand for alternative energy facilities and telecommunications infrastructure. Planning Services has no objection to the unitization of the roof given that there is no apparent negative impact on the future owners of the other units within the existing building. Planning Services recommends that the draft plan of condominium approval be amended as outlined in the recommendation section of this report.

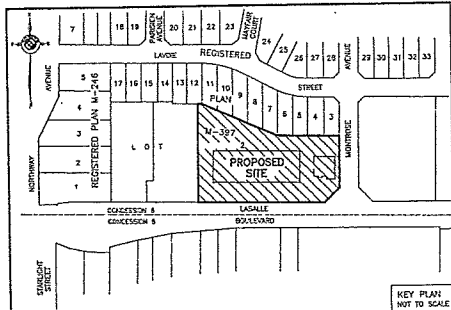


**Growth and Development
Department**

Subject Property being PIN 02171-0336,
Pcl. 27097 SES, Lot 2, Plan M-397, Lot 3,
Con. 6, Twp. of McKim, 766 Lasalle
Boulevard, Sudbury, City of Greater Sudbury

Sketch 1
NTS

741-6/13003
Date: 2013 08 23



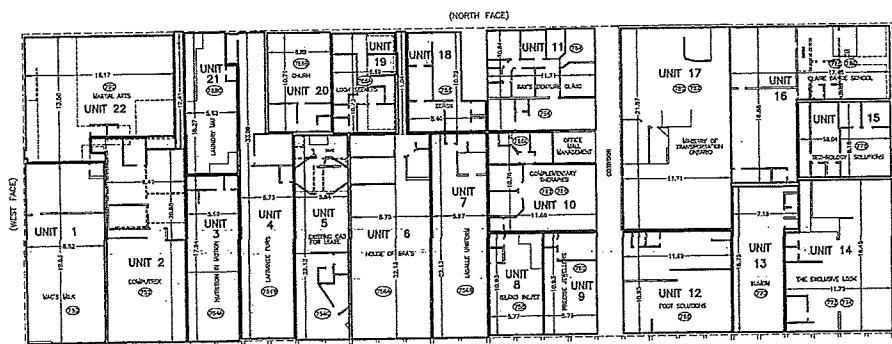
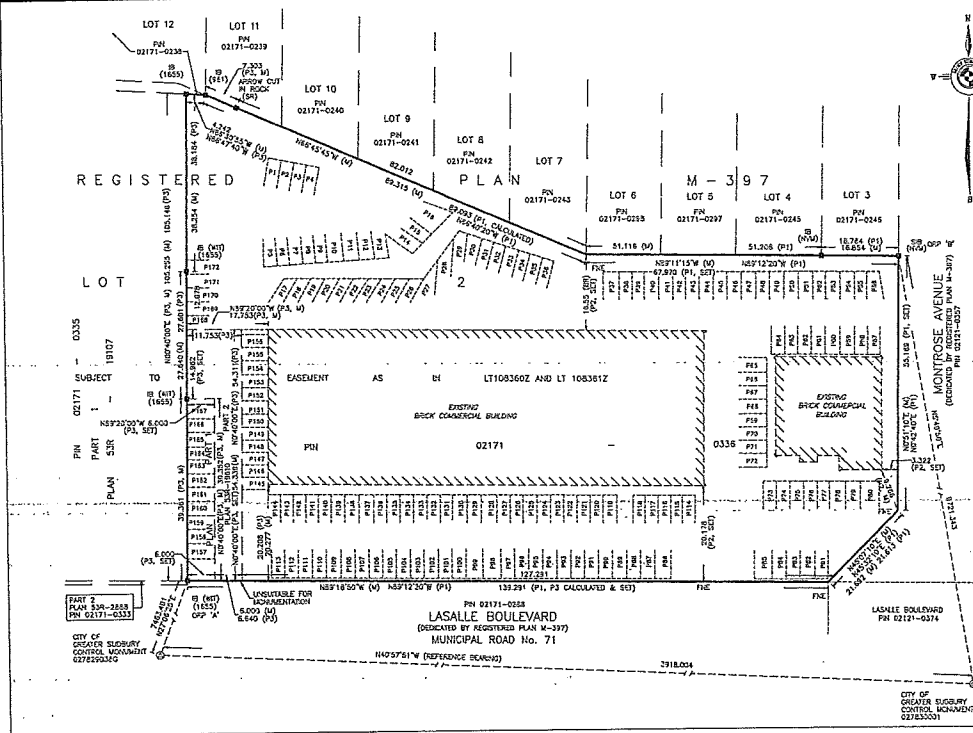
NOTE

BEARINGS ARE UTM GRID, DERIVED FROM THE LINE BETWEEN SPECIFIED CONTROL POINTS 02171-02172 AND 02171-02173 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 18 BY WEST LONGITUDE.

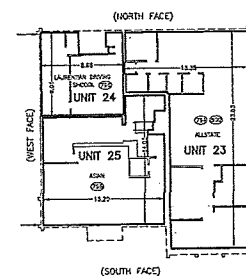
POINT ID	ADDITIONAL	EXISTING
SCP 02171-02171	5142258.919	501718.913
SCP 02171-02172	5142216.171	492226.448
SCP 'A'	5151571.009	502615.651
SCP 'B'	5151925.782	502781.629

COORDINATES CANNOT BE THEMSELVES BE USED TO RE-CONSTRUCT CORNERS OR BOUNDARIES SHOWN ON THIS PLAN. THIS PLAN SHOWS HORIZONTAL METRIC COORDINATES AND CAN BE CONVERTED TO GRID COORDINATES BY MULTIPLYING BY THE ABOVE-GIVEN SCALE FACTOR OF 0.999999.

FOR COMPARISON PURPOSES, BEARINGS ON PLAN P1 HAVE BEEN ROTATED 0.0100° COUNTERCLOCKWISE TO ACCOUNT FOR DIFFERENCES IN REFERENCE MERIDIAN.



BUILDING 'A'
UNITS 1 TO 22 INCLUSIVE
SCALE 1:250



BUILDING 'B'
UNITS 23 TO 25 INCLUSIVE
SCALE 1:250

DRAFT PLAN OF CONDOMINIUM ON PART OF LOT 2 REGISTERED PLAN M-397 GEOGRAPHIC TOWNSHIP OF MCKIM CITY OF GREATER SUDBURY DISTRICT OF SUDBURY TERRY DEL BOSCO, LAND SURVEYOR 2014 SCALE 1:500

SYMBOL	DESCRIPTION
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ADDITIONAL INFORMATION

AS REQUIRED BY SECTION 51(1) OF THE PLANNING ACT

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**COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN
FOR REGISTRATION OF THE SUBJECT CONDOMINIUM ARE AS FOLLOWS:**

1. That this approval applies to the draft plan of condominium of part of Lot 2, Registered Plan M-397, in Lot 3, Concession 6, McKim Township, as shown on the plan prepared by Terry Del Bosco, O.L. S. and dated January 7, 2014.
2. That that final Condominium Plan be integrated with the City of Greater Sudbury Control Network. Final plan coordinate listings and an AutoCAD simple line file for the resultant parcel fabric (with coordinated points labeled) are to be provided to Planning Services as part of this requirement. The final plan must also be provided in AutoCAD.dwg format.
3. That prior to the signing of the final plan the owner must satisfy Canada Post with respect to mail delivery facilities for the site.
4. That prior to the signing of the final plan, the owner shall provide a cash payment in lieu of the 2 percent parkland dedication in accordance with Section 51.1(3) of the Planning Act, to the satisfaction of the Director of Planning Services.
5. All outstanding building permits are to be completed to the satisfaction of the Chief Building Official for the City of Greater Sudbury.
6. The owner shall submit to the City of Greater Sudbury a building assessment prepared by an architect or engineer licensed in the Province of Ontario, inspecting and reporting on the mechanical, electrical, structural and architectural components of the building, to the satisfaction of the Chief Building Official and the owner shall agree to implement the recommendations of the report and to obtain any and all permits as required to the satisfaction of the Chief Building Official.
7. All parking spaces are to be common elements on the final plan.
8. That this draft approval shall lapse on March 6, 2017, unless an extension is granted by Council pursuant to Section 51 (33) of the Planning Act.