

## Request for Decision

**Application to extend a temporary use by-law in order to permit a garden suite, 880 Gravel Drive, Hanmer – Robert Mills**

Presented To:	Planning Committee
Presented:	Monday, Sep 29, 2014
Report Date	Thursday, Sep 11, 2014
Type:	Public Hearings
File Number:	751-7/14-11

### Recommendation

THAT the City of Greater Sudbury approve the application by Robert Mills to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73506-0088, Parcel 49299 S.E.S., Part 1, Plan 53R-12851, Lot 4, 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.

### STAFF REPORT

#### Applicant:

Robert Mills

#### Location:

PIN 73506-0088, Parcel 49299 S.E.S., Part 1, Plan 53R-12851, Lot 4, Concession 4, Township of Hanmer (880 Gravel Drive, Hanmer)

#### Application:

To extend a temporary use by-law for a period of three (3) years pursuant to Section 39.1(4) of the Planning Act.

#### Proposal:

To continue the use of a garden suite that is located in the westerly interior side yard of the subject lands.

#### Official Plan Conformity:

The subject lands are designated Rural in the Official Plan for the City of Greater Sudbury. Garden suites are permitted within the Rural designation subject to the policies under Section 3.2 and 5.2.1 of the Official

#### Signed By

##### Report Prepared By

Alex Singbush  
Senior Planner  
*Digitally Signed Sep 11, 14*

##### Reviewed By

Eric Taylor  
Manager of Development Approvals  
*Digitally Signed Sep 11, 14*

##### Recommended by the Division

Mark Simeoni  
Acting Director of Planning Services  
*Digitally Signed Sep 11, 14*

##### Recommended by the Department

Paul Baskcomb  
Acting General Manager of Growth & Development  
*Digitally Signed Sep 11, 14*

##### Recommended by the C.A.O.

Doug Nadorozny  
Chief Administrative Officer  
*Digitally Signed Sep 12, 14*

Plan. Garden suites are permitted in accordance with the following policies:

1. A single garden suite is permitted accessory to an existing dwelling unit;
2. Services shall be connected to the service lines of the host dwelling unit;
3. Garden suites should form a good fit with the prevailing character of the surrounding area; and,
4. An agreement may be required between the applicant and the City addressing such issues as the installation, location, occupancy and removal of the structure.
5. 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.
6. No garden suite should result in the creation of new residential lots within the Rural designation.

Conformity with the Official Plan is based on a review of the above noted considerations.

### **Site Description & Surrounding Land Uses:**

The subject lands are located on the north side of Gravel Drive, east of Deschene Road in Hanmer. The lands presently contain a single detached dwelling, a garden suite located to the west of the primary dwelling, a detached garage, a barn and two sheds. The lands have a total lot area of approximately 1.21ha (3 acres) with approximately 96 m (315 ft.) frontage on Gravel Drive.

Rural residential development occurs along the Gravel Drive frontage, with rural lands extending beyond the residential dwellings.

### **Departmental & Agency Comments:**

#### Building Services

No comments or concerns.

#### Development Engineering

This site is not presently serviced with municipal water or municipal sanitary sewer. We have no objection to the extension of a temporary use of a garden suite on the subject property.

#### Roads and Transportation Services

No concerns.

### **Neighbourhood Consultation:**

The owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

At the time of writing this report, no phone calls or written submissions objecting to the application have been received by the Planning Services Division.

### **Background:**

In 1994 the first temporary use by-law was passed for this property which allowed the placement of the garden suite on the property. Extensions to the approval have been granted over time and the applicant is now seeking a further three year approval.

The most recent temporary use by-law which passed by Council included a lapsing date of November 10, 2014. Staff sent a letter to the owner on February 24, 2014 requesting information from the owner with respect to their intentions of continuing or discontinuing the garden suite use. The owners subsequently applied for an extension to the temporary garden suite use on June 27, 2014.

Under Section 39.1(4) of the current Planning Act, Council may only grant a maximum three year extension for temporary uses in the form of a garden suite.

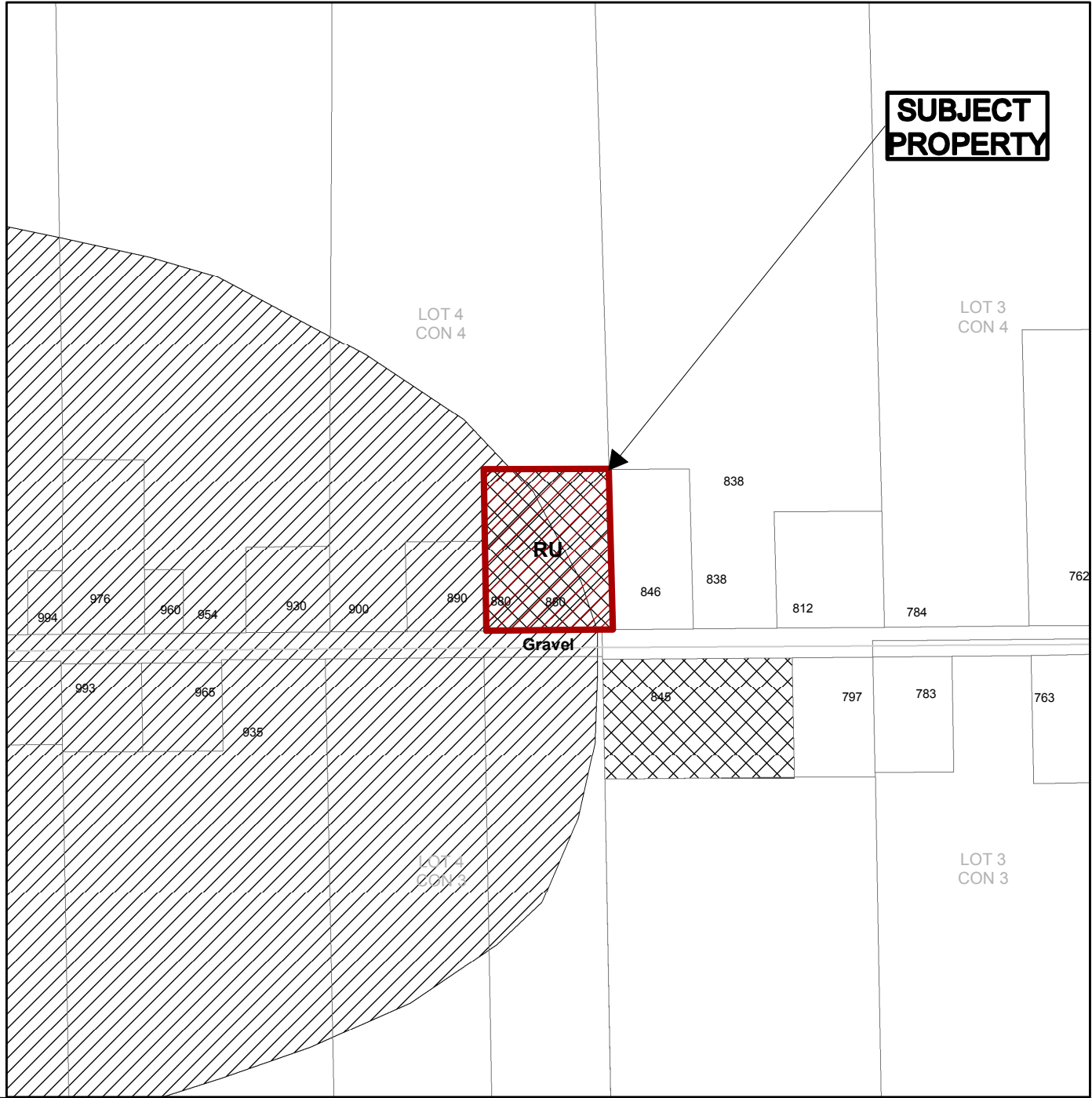
**Planning Considerations:**

Staff has reviewed the extension request and can advise that the continued use of the garden suite would not present any land use planning concerns.

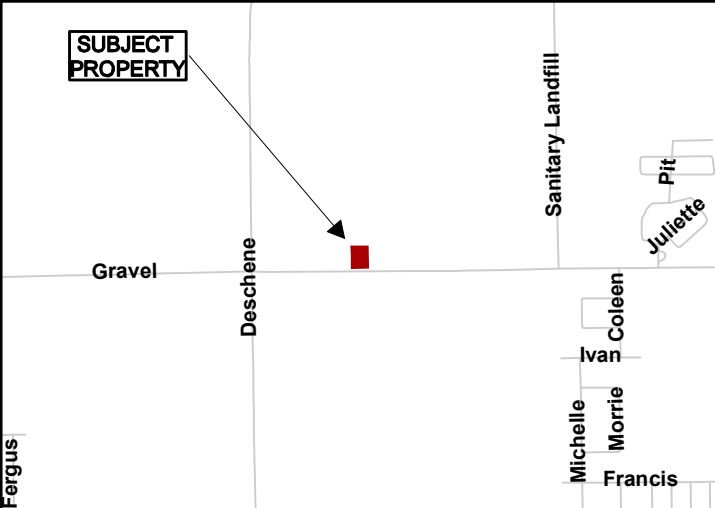
Staff would also note that it is the responsibility of the owners to contact the Development Approvals Section when the temporary use is no longer required. Under such circumstances, the temporary use by-law would be repealed and the garden suite must be removed. At the termination of the three year extension period, the owners may apply for another extension should they wish to continue utilizing the garden suite. The application should be submitted a minimum of four months prior to the lapsing date on the temporary use by-law.

Staff recommend that the application be approved and note that the T13 symbol in Table 12.1 – Temporary Uses under Part 12 of the Zoning By-law should be amended to reflect a three year extension with a new lapsing date of November 10, 2017.

**SUBJECT  
PROPERTY**



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PROPERTY**



**Growth and Development  
Department**



Subject Property being PIN 73506-0088,  
Pcl. 49299 SES, Part 1, Plan 53R-12851,  
Lot 4, Con. 4, Twp. of Hanmer, 880 Gravel  
Drive, Hanmer, City of Greater Sudbury

NTS  
Sketch 1

751-7/14-11  
Date: 2014 07 02

PROJ. PLAT. 53R-12851

1/4" INCH = APPROX. 50 FEET

PART 1 OF PARCELS 2479 OF LOT 4 CONCESSION 4

3.037 ACRES

315'

420'

OLD LOG SHED  
12' X 20'

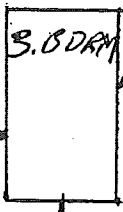
BARN  
32' X 32'

137'

UTILITY SHED  
9.5' X 9.5'

ALL WASTE WATER DISPOSAL TO CONFORM BOARD OF HEALTH SPECIFICATIONS

PROPOSED BUNGALOW  
29' X 42'



30'

43'

BUNGALOW  
30' X 32'



125'

43'

200'

GRAVEL DRIVE



42-381 50 SHEETS 5 SQUARE  
42-382 100 SHEETS 5 SQUARE  
42-389 200 SHEETS 5 SQUARE





PHOTO 1 880 GRAVEL DRIVE, HANMER – PRIMARY DWELLING ON THE SUBJECT LANDS VIEWED LOOKING NORTH FROM GRAVEL DRIVE



PHOTO 2 GARDEN SUITE ON SUBJECT LANDS, LOCATED WEST OF THE PRIMARY DWELLING, VIEWED LOOKING NORTH FROM GRAVEL DRIVE