

**Title: Nicole Giroux**

**Date: May 30, 2019**

## **STAFF REPORT**

### **Applicant:**

Nicole Giroux

### **Location:**

Parcel 49981 S.E.S., Part 1, Plan 53R-14091 in Lot 2, Concession 3, Township of Hanmer (327 Gravel Drive, Hanmer)

### **Official Plan and Zoning By-law:**

#### Official Plan

Garden suites are permitted in Rural Areas subject to the following criteria under Section 3.2:

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 (i.e., no separate connection to municipal sewer or water);
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.

In Rural Areas, a mobile home may be used as a garden suite if it is built on its own foundation in accordance with the Ontario Building Code.

The application conforms to the Official Plan.

#### Zoning By-law

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 and are subject to the setback requirements applied to accessory buildings.

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

The subject property is located on the south side of Gravel Drive in the community of Hanmer. The area is predominantly rural residential in character and is not fully serviced by municipal water and sanitary sewer. Gravel Drive is a Local Road constructed to a rural standard. The subject land is located outside Wellhead Protection Areas A, B and C of the Notre Dame Well.

Total lot area is 0.8 ha, with 60 metres of frontage and a depth of 133 metres. The garden suite, comprising a 107m<sup>2</sup> mobile home mounted on its own foundation, is sited on the east side of the property in close proximity to the main residence. Parking is accommodated by a second driveway.

A mobile home park (Pine Grove Mobile Home Park) is located on the north side of Gravel Drive directly opposite the subject land. Rural residential uses occupy adjacent lands.

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**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 mobile home as a garden suite accessory to a single detached dwelling.

**Departmental/Agency Circulation:**

There are no concerns from commenting departments and agencies.

**Neighbourhood Consultation:**

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to property owners and tenants within a minimum of 240 metres of the property.

The applicant 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.

No phone calls or written submissions have been received concerning this file.

**Background:**

The subject property was created as part of a consent process in 1992 (File B0355/1990). The main dwelling was constructed in 1993.

The accessory garden suite was first approved as a temporary use in 1996 for a maximum period of ten (10) years. Three-year extensions were granted in 2006, 2010, 2013 and 2016.

**Planning Considerations:**

There are no land use concerns related to the continued use of the garden suite. Compatibility with the surrounding residential area has been maintained and the dwelling unit continues to be used for its intended purpose. The subject land is located outside Wellhead Protection Areas A, B and C of the Notre Dame Well and there are no issues related to the Source Protection Plan.

2014 Provincial Policy Statement (PPS)

Section 1.4 of the PPS encourages a range of housing types in order to address housing needs within the community. Garden suites are an important component of this housing mix and have been supported by Council since the 1980s. The application is consistent with the PPS.

2011 Growth Plan for Northern Ontario (GPNO)

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. The application conforms to the GPNO.

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Summary

It is the responsibility of the owner to contact Planning Services 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 period, the owner may apply for another extension should they wish to continue utilizing the garden suite. The application should be submitted a minimum four months prior to the lapsing date. For the purposes of the file, Planning Services should also be advised in writing if ownership and/or occupancy of the garden suite has changed.

Alternatively, the owner may consider converting the garden suite to a permanent use under the secondary dwelling unit provisions of the Zoning By-law.

Planning Services recommends that the application be approved.