

Presented To:	Planning Committee
Presented:	Monday, Jun 24, 2019
Report Date	Friday, May 31, 2019
Type:	Public Hearings
File Number:	751-7/19-1

## Request for Decision

**Marc & Julie Bodson - Application for rezoning in order to sever a residential lot containing an existing dwelling and to permit a reduced lot frontage for the rural remainder, 1830 Yorkshire Drive, Val Caron**

### Resolution

THAT the City of Greater Sudbury approves the application by Marc and Julie Bodson to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "R1-1", Low Density Residential One and "RU(S)", Rural Special on lands described as PINs 73505-0907 & 73505-1023, Parcels 1031 & 1032 S.E.S., in Lot 7, Concession 1, Township of Hanmer, as outlined in the report entitled "Marc and Julie Bodson" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of June 24, 2019, subject to the following conditions:

1. That the subject lands be rezoned as follows:

i) PINs 73505-0907 & 73505-1023, excluding an approximate 0.62 ha southeast portion of PIN 73505-0907 identified as Parts 1, 2 and 5 on the preliminary plan, as "RU(S)", Rural Special, subject to the following site-specific provisions:

a. The minimum lot frontage shall be 25 metres; and, b. Buildings, structures and septic systems shall be located outside the regulated area of Conservation Sudbury.

ii) Part of PIN 73505-0907, being an approximate 0.62 ha southeast portion identified as Parts 1, 2 and 5 on the preliminary plan, as "R1-1", Low Density Residential One.

2. That prior to the enactment of the amending by-law, the owner shall address the following conditions:

a. That lands located within the designated flood plain have been removed from the flood plain to the satisfaction of Conservation Sudbury in order to provide driveway access to the rural remainder; b. Provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to R1-1 to enable the preparation of an amending zoning by-law.

3. Conditional approval shall lapse on July 9, 2021 unless Condition 2 above has been met or an extension

### Signed By

#### **Manager Review**

Alex Singbush  
Manager of Development Approvals  
*Digitally Signed May 31, 19*

#### **Recommended by the Division**

Jason Ferrigan  
Director of Planning Services  
*Digitally Signed May 31, 19*

#### **Financial Implications**

Jim Lister  
Manager of Financial Planning and  
Budgeting  
*Digitally Signed Jun 7, 19*

#### **Recommended by the Department**

Tony Cecutti  
General Manager of Growth and  
Infrastructure  
*Digitally Signed Jun 9, 19*

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

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Jun 9, 19*

has been granted by Council.

Resolution regarding Consent Referral Request:

THAT the City of Greater Sudbury permits the application to create one (1) additional lot on lands described as PINs 73505-0907 & 73505-1023, Parcels 1031 & 1032 S.E.S., in Lot 7, Concession 1, Township of Hanmer to proceed by way of the consent process as outlined in the report entitled "Marc and Julie Bodson" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of June 24, 2019.

### **Relationship to the Strategic Plan / Health Impact Assessment**

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

### **Report Summary**

An application for rezoning has been submitted in order to sever an existing single detached dwelling from the rural parent parcel located at 1830 Yorkshire Drive, Val Caron. The proposed driveway access to the rural remainder encroaches into a designated flood plain associated with Whitson River Tributary VIII.

Conservation Sudbury advised that safe driveway access may be possible provided the owner submit a cut and fill analysis to the satisfaction of the Conservation Authority. There are no concerns related to land use compatibility, as the proposed use is consistent with the existing character of the area. Planning Services recommends a conditional approval subject to the owner satisfying the permit requirements of Conservation Sudbury.

### **Financial Implications**

If approved, this rezoning will allow for future development on the remaining land. The report notes a proposed single family dwelling on the remaining land and staff estimate approximately \$4,700 in taxation revenue, based on the assumption of one single family dwelling at estimated assessed value of \$400,000 and based on the 2018 tax rates.

In addition, the proposed dwelling would result in total development charges \$17,800 based on assumption of one single family dwelling and based on the rates in effect as of this report.

**Title: Marc & Julie Bodson**

**Date: May 30, 2019**

## **STAFF REPORT**

### **Applicant:**

Marc & Julie Bodson

### **Location:**

PINs 73505-0907 & 73505-1023, Parcels 1031 & 1032 S.E.S., in Lot 7, Concession 1, Township of Hanmer (1830 Yorkshire Drive, Val Caron)

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

#### Official Plan

The subject lands have three (3) land use designations. The southerly portion is designated as Living Area 1, which includes the existing single detached dwelling on Yorkshire Drive. A northwesterly portion of the property is designated as Parks and Open Space, which aligns with the designated flood plain. The remainder of the land is designated as Rural.

#### *a. Living Area 1*

Low density housing is permitted in all Living Area designations to a maximum net density of 36 units per hectare. In reviewing rezoning applications, the following criteria under Section 3.2.1 of the Official Plan shall be considered:

- suitability of the site to accommodate the proposed density and building form;
- physical compatibility with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;
- adequate on-site parking, lighting, landscaping and amenity areas; and,
- traffic impact on local streets.

#### *b. Residential Uses in Rural Areas*

Rural residential development consistent with the character of surrounding existing uses is permitted, provided no additional public services would be required.

One single detached dwelling is permitted on any existing lot, provided that it fronts onto a public road that is maintained year-round. The lot must also have the capability to provide an individual on-site sewage disposal system and water supply with both quantity and quality suitable for domestic uses.

#### *c. Flood Plain*

The Parks and Open Space designation encompasses a flood plain associated with Tributary VIII of the Whitson River. Flood plain boundaries are illustrated on Schedule 4, Hazard Lands, and are also delineated on the location map. Private lands with natural hazards are generally not suitable for development. The policies of Section 10.2, Flooding Hazards are applied as follows:

**Title: Marc & Julie Bodson**

**Date: May 30, 2019**

1. Because flooding and related hazards may cause loss of life and may result in damage to property, development in Flood Plains is generally restricted. In addition, no development is permitted within 15 metres of the Flood Plain boundaries illustrated on Schedule 4, Hazard Lands. Only uses that \*by their nature must locate within the Flood Plain including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows\* are permitted (2007 MMAH Mod #15b).
2. Severances, subdivisions, \*changes in land use\*, permanent new buildings and structures and private sewage disposal systems will not be permitted within the Flood Plain, except those severances \*for passive non-structural uses associated with\* roads, drainage, erosion control, utilities, flood protection, agriculture, forestry and outdoor recreation (2007 MMAH Mod #15c, d & e).
3. Any alterations to the terrain within the Flood Plain which may have an effect on drainage and the erection of any structures must first receive the approval of the Nickel District Conservation Authority and, where applicable, from the Ministry of Natural Resources.

*d. Servicing for New Development*

Section 12.2.2 of the Official Plan addresses the servicing of new development as follows:

Development in urban areas is permitted provided that existing and planned public sewage and water services have confirmed capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including the adequacy of fire flows.

Zoning By-law

The subject lands are zoned Rural, which permits the following uses: single detached dwelling, mobile home dwelling, bed and breakfast establishment, group home type 1, private home daycare, agricultural use, animal shelter, forestry use, hunting or fishing camp that is a legal existing use, garden nursery, kennel, public utility and veterinary clinic.

**Site Description & Surrounding Land Uses:**

The subject property is located on the north side of Yorkshire Drive in Val Caron. The area is serviced by municipal water and sanitary sewer. Yorkshire Drive is designated as a Local Road and is constructed to a rural standard. The closest transit stop is located south on MR 80 at Cecile Street, an approximate 900-metre walking distance.

Total area of the parcel is 29.5 ha, with 80.7 metres of frontage on Yorkshire Drive. The land is occupied by a one-storey, 342 m<sup>2</sup> single detached dwelling and a 141 m<sup>2</sup> detached garage. The larger rural portion to the north is vacant.

Whitson River Tributary VIII and original Tributary VIII-A traverse the property, portions of which fall within a designated flood plain (see attached Conservation Sudbury mapping). The Whitson tributary also forms part of the Hope Municipal Drain.

The surrounding area has a rural residential character, with single detached dwellings on large lots. A hydro sub-station is located opposite the subject property. The Valley East Wastewater Treatment Plant is located further to the west at the end of Yorkshire Drive.

**Title: Marc & Julie Bodson**

**Date: May 30, 2019**

**Application:**

To amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law from "RU", Rural to "R1-1", Low Density Residential One and "RU(S)", Rural Special.

**Proposal:**

Application for rezoning in order to sever a residential lot containing an existing single detached dwelling and to permit a reduced lot frontage for the rural remainder.

The preliminary survey plan shows the proposed severance of the existing dwelling located at 1830 Yorkshire from the parent parcel. Driveway access for the rural remainder is proposed over Parts 3 and 4.

The second sketch illustrates the approximate location of a new dwelling on the remaining rural lands, which will retain Rural zoning.

**Departmental/Agency Circulation:**

Development Engineering advised that there is insufficient fire flow on Yorkshire Drive.

Building Services indicated that a soils report will be required at the building permit stage.

Conservation Sudbury confirmed that the proposed driveway encroaches into a designated flood plain. A permit application including a cut and fill analysis is required as a condition of approval. Conservation Sudbury further advised that the owner has conducted site alteration within the flood plain without benefit of a permit and that this matter needs to be rectified. In regards to the new dwelling, any proposed buildings, structures and septic systems must be located outside the regulated area.

**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.

The owner advised that area residents would be canvassed prior to the public hearing.

As of the date of this report, three (3) written submissions have been received.

**Background:**

In 1998, an application to rezone the subject lands was submitted in order to create up to 16 residential lots along the Yorkshire Drive road frontage. As a condition of approval, the owner was required to enter into an agreement with the Region to upgrade water services due to the inadequacy of fire flows. The application was subsequently abandoned in favour of the consent process.

In 1998, consent approval was granted to create one lot (B70/98). Two additional lots were approved in 1999 (B25/1999 and B26/1999). Since the applications proceeded by way of consent, there was no requirement to upgrade services.

**Title: Marc & Julie Bodson**

**Date: May 30, 2019**

In September 1999, consent applications were submitted to create two (2) additional lots (B51/1999 and B52/1999). Given the three (3) previous consents, Planning and Development Committee approved the applications conditional upon upgrading the 100 mm (4") watermain. In May 2000, the condition to upgrade water services was rescinded, and the consents proceeded.

In 2011, the current owner submitted an application for rezoning in order to create one (1) residential lot along the easterly limit of the property (File 751-7/11-10). The lot required R1-4 zoning in order to reflect the reduced lot area and frontage. The application was not supported by Staff but approved by Planning Committee (Recommendation 2011-251). The owner subsequently filed applications for consent and minor variance in 2012 (Files B27/2012 & A17/2012).

In total, six (6) lots have been created from the parent parcel since 1998.

### **Planning Considerations:**

There are two main issues to consider related to this proposal:

- Inadequate fire flow to support additional lot creation on Yorkshire Drive; and,
- Encroachment into the flood plain in order to provide driveway access to the rural remainder.

### Land use compatibility

There are no issues related to land use compatibility. The proposed residential use is consistent with adjacent uses, being single detached dwellings on large estate lots. The remainder of the parent parcel will retain Rural zoning and associated permitted uses, including a residential use in the form of a single detached dwelling or a mobile home on a permanent foundation.

There are no concerns related to the proximity to the Valley East Wastewater Treatment Plant. Both existing and proposed dwellings are more than 150 metres from the noise/odour-producing source, which is the minimum separation distance recommended under MOECP's Guideline D-2: Compatibility between Sewage Treatment and Sensitive Land Use.

### Suitability of site

#### *a. Proposed R1-1 lot*

The owner is proposing to sever the existing single detached dwelling and detached garage from the larger parent parcel and rezone the new lot as R1-1, similar to adjacent properties. Total lot area will be 0.62 ha with 55 metres of frontage, where a minimum 0.4 ha and 45 metres are required. The lot configuration is consistent with the existing lot fabric in the area.

#### *b. Rural remainder*

The main physical constraint on the rural remainder is the designated flood plain. The owner is proposing to construct a new single detached dwelling approximately 155 metres north of Yorkshire Drive. Driveway access would be provided across Parts 3 and 4 of the preliminary plan, portions of which encroach into the flood plain. The driveway location is constrained by the presence of a detached garage, which the owner would like to retain.

**Title: Marc & Julie Bodson**

**Date: May 30, 2019**

The owner had submitted a preliminary Section 28 application to Conservation Sudbury, which was deemed incomplete, however the owner proceeded with site alteration within the flood plain without securing a permit and an approved cut and fill analysis. A Notice of Violation was subsequently issued by Conservation Sudbury. This matter needs to be reconciled regardless of the outcome of this application.

Notwithstanding the above, Conservation Sudbury advised that based on their initial review of the proposal, the proposed driveway across Parts 3 and 4 may be possible subject to an approved cut and fill analysis, which would subsequently be verified in the field. The following condition of approval is therefore recommended:

- That prior to the adoption of the amending by-law, lands located within the designated flood plain have been removed from the flood plain to the satisfaction of Conservation Sudbury in order to provide driveway access to the rural remainder.

There is ample site area to accommodate a single detached dwelling on the northerly lands without encroaching into the regulated area of Conservation Sudbury. The owner is advised that a soils report will be required at the building permit stage. The following are recommended as site-specific provisions to be applied to the rural remainder:

- Relief for a lot frontage of 25 metres, which does not conflict with the Official Plan given that the southerly portion of the subject land is located within the Living Area designation; and,
- No buildings, structures or septic systems shall be located within the regulated area of Conservation Sudbury.

### Servicing

Yorkshire Drive is underserviced in terms of fire flow, which is approximately 7 litres per second where a minimum 75 litres per second is required for low density residential uses. There are no fire hydrants on the street. In the event of a fire emergency, tanker trucks would have to be utilized to shuttle water to the site.

Lot creation in areas with inadequate services is not considered good land use planning. Planning Services have not supported previous applications on Yorkshire Drive on this basis, including the 2011 rezoning application for the R1-4 lot. The requirement to upgrade water services as a condition of approval has been tested before the Ontario Municipal Board, which ruled in favour of the City (OMB File # PL031208).

In this case, however, the proposed new lot is occupied by an existing dwelling that is already connected to municipal sewer and water services. Staff is of the opinion that this is a mitigating factor which may support an exception by Council, provided the owner can secure a permit from Conservation Sudbury to ensure safe access to the rural remainder.

Concerning future development on the rural remainder, the owner is advised that under By-laws 1987-340 and 1987-341, all owners of buildings of all classes shall connect said buildings to municipal sewer and water works where such services are available. If the owner or future owner is proposing to install private services on the rural remainder, exceptions to the above noted by-laws would have to be granted, subject to the approval of the General Manager of Growth and Infrastructure.

**Title: Marc & Julie Bodson**

**Date: May 30, 2019**

#### 2014 Provincial Policy Statement (PPS)

The proposal to install one (1) single detached dwelling on the rural remainder is consistent with the interpretation of limited residential development in Rural Areas. Furthermore, the lands are not designated as Agricultural Reserve or for other resource-related uses that require protection under the PPS. The application is consistent with Provincial policies applied to Rural Lands in Municipalities under Section 1.1.5.

Concerning the proposed access that partially encroaches into the flood plain, site alteration may be permitted on hazardous lands under Section 3.1.7 of the PPS provided vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and further, that new hazards are not created and existing hazards are not aggravated. Staff are satisfied that the flooding risks can be mitigated provided the owner satisfies the requirements of Conservation Sudbury.

#### 2011 Growth Plan for Northern Ontario (GPNO)

There is no conflict with the GPNO, as there are no specific policies applied to rural lands within municipalities.

#### Summary

Planning Services recommends that the application for rezoning be approved subject to the conditions outlined in the Resolution section of this report.

The owner is advised that a final plan of survey is required in order to enact the amending by-law.

# Appendix 1

## Departmental & Agency Comments

File: 751-7/19-1

**RE:** Application for Rezoning – Marc & Julie Bodson  
PINs 73505-0907 & 73505-1023, Parcels 1031 & 1032 S.E.S., in Lot 7, Concession 1,  
Township of Hanmer (1830 Yorkshire Drive, Val Caron)

---

### Development Engineering

Water and sanitary sewer services are available in the Yorkshire Drive road allowance. There is not sufficient fire flow to support the creation of the R1 lot.

### Traffic and Transportation

No comments.

### Building Services

1. Portions of the driveway/access identified as Parts 3 and 4 are in a designated flood plain and will require NDCA approval.
2. If a basement is to be constructed for the proposed dwelling, a soils report prepared by a qualified geotechnical professional shall be submitted for review to the satisfaction of the Chief Building Official documenting construction parameters for the residential structures such as soil bearing capacity, frost cover for foundations and groundwater table characteristics effecting sub-soil foundation drainage and sump pump design.

### Conservation Sudbury

The subject property appears as a partial flood plain/regulated area on our Regulation mapping. The applicant has made an application under Section 28 of the *Conservation Authorities Act*. The application was incomplete and no permit was issued for any works. However, the applicant has undertaken the work (cut and fill) to create a new driveway. The Conservation Authority is working with the owner and his consultant to ensure that the owner addresses this issue in order to come into compliance with Ontario Regulation 156/06.

Until such time that the owner comes into compliance with Section 28 of the *Conservation Authorities Act* and Ontario Regulation 156/06, Conservation Sudbury requests that this compliance becomes a condition of rezoning prior to the adoption of the amending By-law.

Any proposed buildings, structures, septic systems must be located outside the regulated area on this property. The regulated area is the flood plain plus 15 meters offset of the flood plain area.

Also please be advised that a Violation Notice has been issued to these property owners. Conservation Sudbury has given the owners until May 27, 2019 to come into compliance with the Authority's regulations regarding the cut and fill balance for the proposed driveway.



PLAN OF SURVEY OF  
**PART OF  
 LOT 7  
 CONCESSION 1**  
 GEOGRAPHIC TOWNSHIP OF HANMER  
 CITY OF GREATER SUDBURY  
 DISTRICT OF SUDBURY  
 TERRY DEL BOSCO, ONTARIO LAND SURVEYOR  
 2017

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).  
 COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	N 5163311.159	E 498555.720
ORP B	N 5163312.292	E 498679.833
ORP C	N 5163312.877	E 498740.411

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM 17, NAD83 (CSRS) (2010.0).  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999561

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA
1	PART OF LOT 7	1	PART OF PIN 73505-0907	2513±SQ.M.
2				2722±SQ.M.
3				267±SQ.M.
4				95±SQ.M.
5				974±SQ.M.

TOWNSHIP OF HANMER  
 PARTS 4 & 5: SUBJECT TO EASEMENT No. LT39785

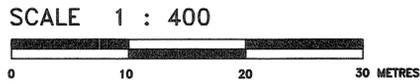
**PLAN 53R-**

RECEIVED AND DEPOSITED  
 DATE \_\_\_\_\_

REPRESENTATIVE FOR THE LAND REGISTRAR  
 FOR THE LAND TITLES DIVISION OF SUDBURY

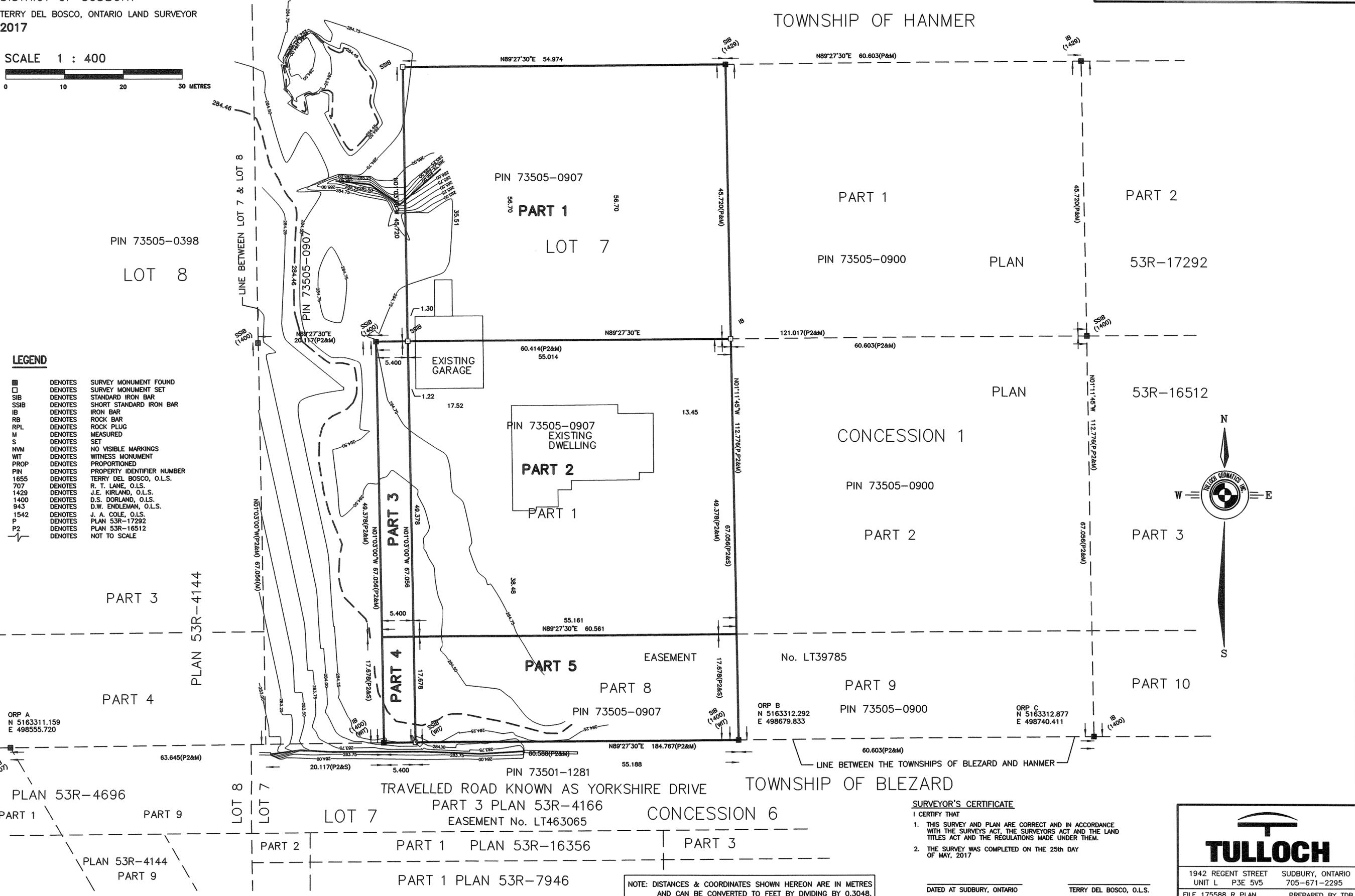
I REQUIRE THIS PLAN TO BE DEPOSITED  
 UNDER THE LAND TITLES ACT.

DATE \_\_\_\_\_ TERRY DEL BOSCO, O.L.S.



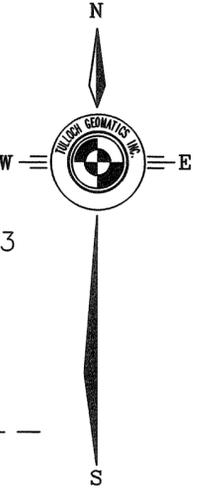
**LEGEND**

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
RB	DENOTES ROCK BAR
RPL	DENOTES ROCK PLUG
M	DENOTES MEASURED
S	DENOTES SET
NVM	DENOTES NO VISIBLE MARKINGS
WIT	DENOTES WITNESS MONUMENT
PROP	DENOTES PROPORTIONED
PIN	DENOTES PROPERTY IDENTIFIER NUMBER
1655	DENOTES TERRY DEL BOSCO, O.L.S.
707	DENOTES R. T. LANE, O.L.S.
1429	DENOTES J.E. KIRLAND, O.L.S.
1400	DENOTES D.S. DORLAND, O.L.S.
943	DENOTES D.W. ENDLEMAN, O.L.S.
1542	DENOTES J. A. COLE, O.L.S.
P	DENOTES PLAN 53R-17292
P2	DENOTES PLAN 53R-16512
-	DENOTES NOT TO SCALE



**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 25TH DAY OF MAY, 2017

NOTE: DISTANCES & COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



**TULLOCH**

1942 REGENT STREET SUDBURY, ONTARIO  
 UNIT L P3E 5V5 705-671-2295  
 FILE 175588 R PLAN PREPARED BY TDB

DATED AT SUDBURY, ONTARIO TERRY DEL BOSCO, O.L.S.

SKETCH TO SHOW PROPOSED LOCATION OF DWELLING  
**PART OF**  
**LOT 7**  
**CONCESSION 1**  
 GEOGRAPHIC TOWNSHIP OF HANMER  
 CITY OF GREATER SUDBURY  
 DISTRICT OF SUDBURY  
 FERRY DEL BOSCO, ONTARIO LAND SURVEYOR  
 20

PROPOSED DWELLING:  
 12m ± \* 9M ±  
 ELEVATION OF LOWEST  
 OPENING: 284.97  
 SET BACK FROM  
 YORKSHIRE DRIVE: 155m ±



SCALE 1 : 400

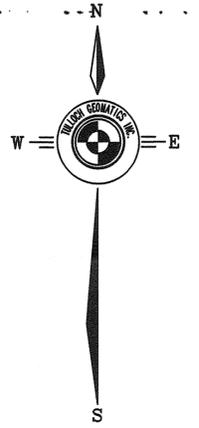


**NOTE**

THIS IS NOT A PLAN OF SURVEY  
 THIS SKETCH HAS BEEN PREPARED FROM PLAN 53R-20955  
 THE SURVEY RECORDS OF TULLOCH GEOMATICS AND  
 CONSERVATION SUDBURY MAPPING

•285.2

PIN 73505-0907  
 TOWNSHIP OF HANMER



•285.2

PIN 73505-0907  
 PART 1  
 LOT 7

PART 1

PART 2

LOT 7

•285.1

PIN 73505-0900

PLAN

53R-17292

EXISTING GARAGE

PIN 73505-0907

EXISTING DWELLING

PART 2

PART 1

PLAN 53R-20955

CONCESSION 1

PIN 73505-0900

PLAN

53R-16512

PART 2

PART 3

PART 5

EASEMENT

No. LT39785

PART 8

PART 9

PART 10

PIN 73505-0900

PIN 73505-0900

PIN 73505-0900

•284.7

•284.9

CONCESSION 6



1942 REGENT STREET SUDBURY, ONTARIO  
 UNIT L P3E 5V5 705-671-2295  
 FILE 175588 53R-20955 WITH NDCA MAPPING

NOTE: DISTANCES & COORDINATES SHOWN HEREON ARE IN METRES  
 AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

655

PLAN 53R-4144  
 PART 9

PLAN 53R-16356

PLAN 53R-746

PLAN 53R-4144  
 PART 1

PLAN 5163311189

PLAN 53R-4144  
 PART 7

PLAN 53R-4144  
 PART 5

PLAN 53R-4144  
 PART 3

PLAN 53R-4144  
 PART 1

# Rezoning 1830 Yorkshire Drive Township of Hanmer

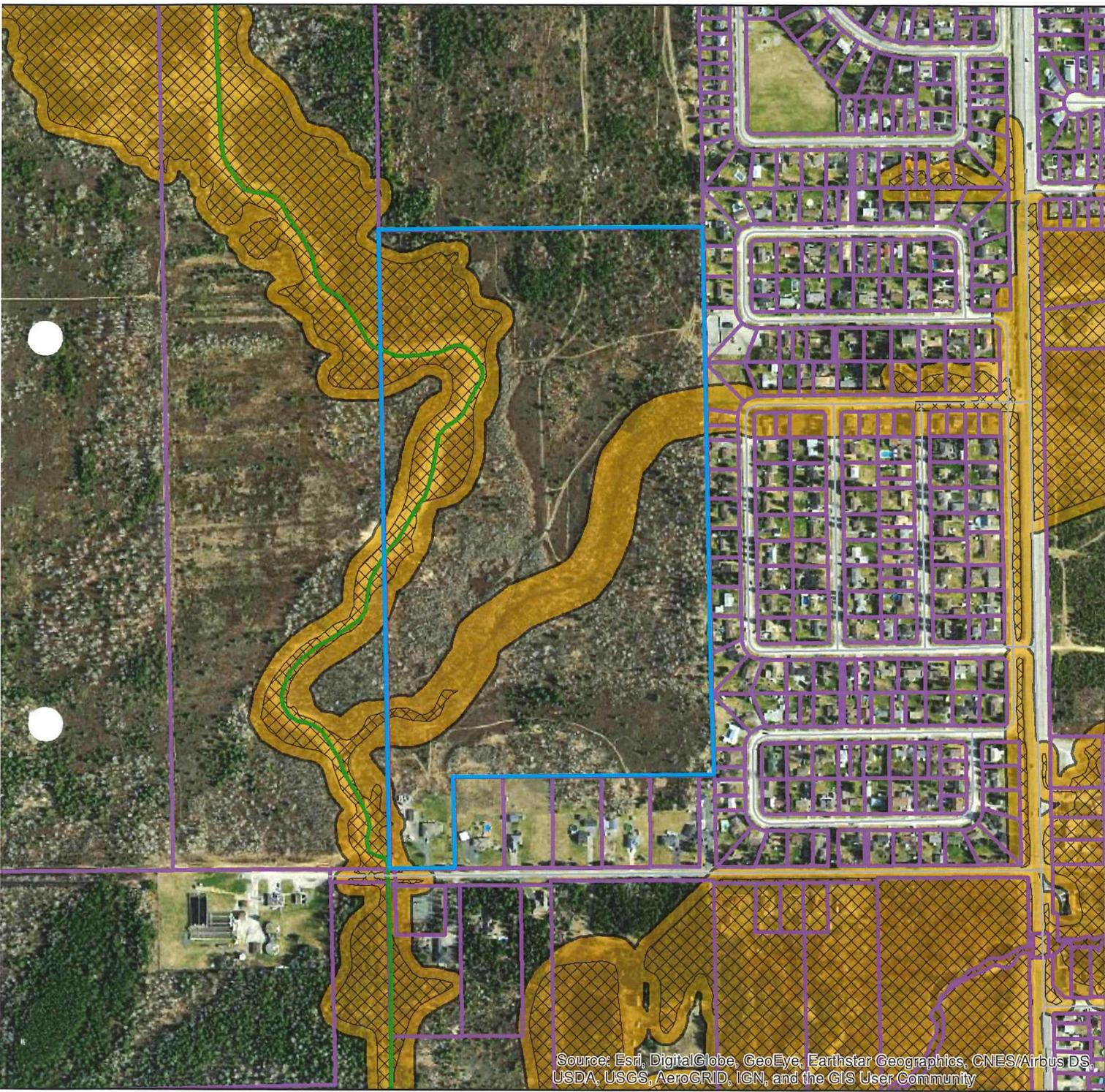
## NOTE:

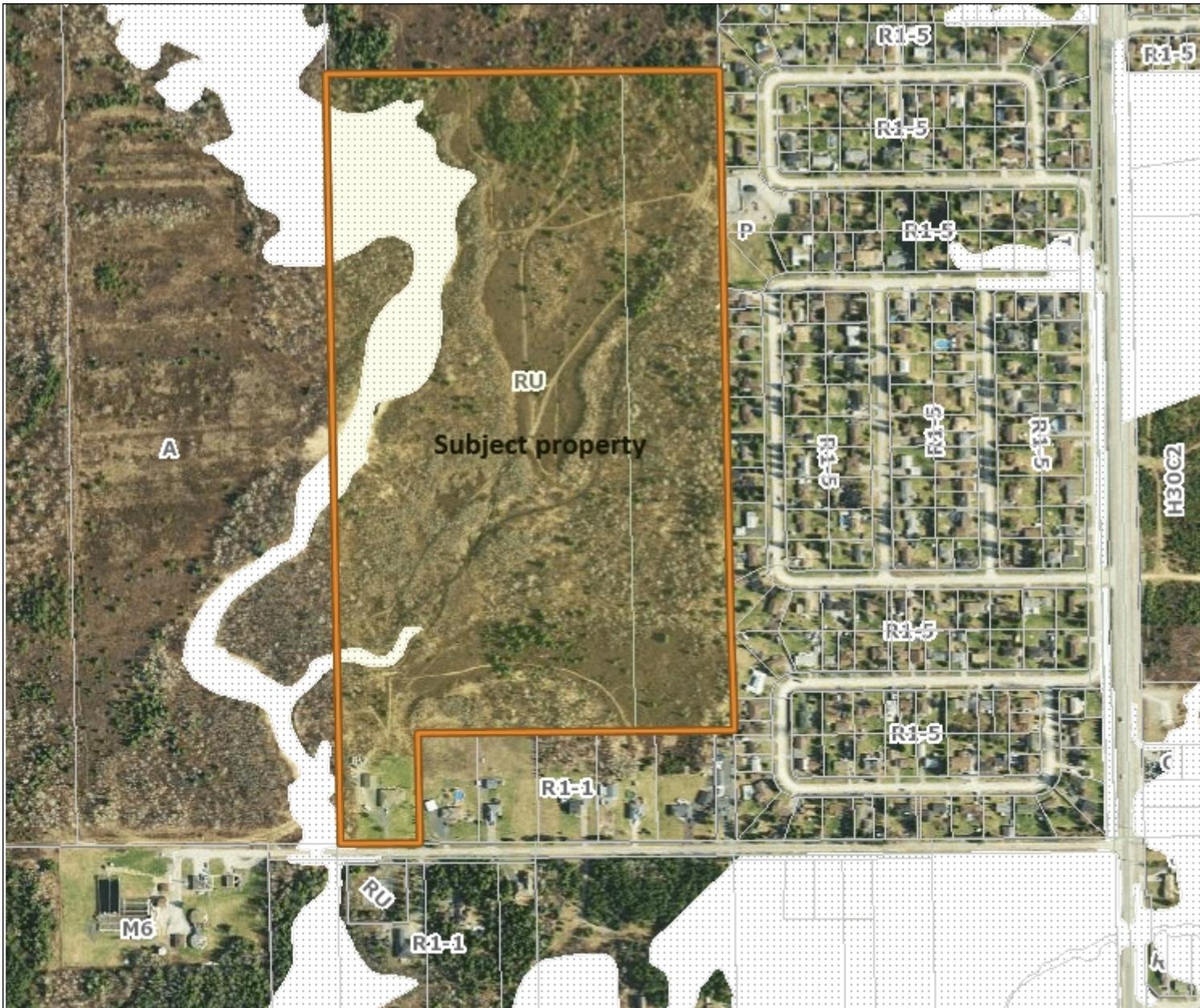
Based on ground condition and floodplain mapping, a portion of the property would be subject to flooding. An application under Ontario Regulation 156/06 must be approved to any addition to existing structure, new structures, placement of fill, alteration to land-form or watercourses, or development in a Regulated Area.

## Legend

- Roads
-  Waterbody
-  Wetlands
-  Watercourse
-  Parcels
-  Flood Plain
-  Regulation Limits

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





### Legend

- Parcel Owners
- Parcel PIN
- Flood Plain**
  - Flood Fringe and Cond. Dev. A-G
  - Flood Plain, Floodway and Cond. Dev. H
- IPZ (part IV policies)**
  - IPZ 1 Ramsey, Wanapitei, Vermilion (Score 10)
  - Ramsey Lake IPZ 2 Score 9
  - Ramsey Lake IPZ 3 Score 6+
  - Wanapitei River IPZ 2 Score 8
  - Wanapitei River IPZ 3 score 8
- WHPA (significant)**
  - WHPA-C Vulnerability 8 Scoring
  - WHPA-A and B Vulnerability 10 Scoring
- Subwatershed
- Temporary Zoning
- Zoning

### Notes

2016 Orthophotography

458.6 0 229.31 458.6 Meters

Scale 1: 9,028

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



Photo 1: 1830 Yorkshire Drive, Val Caron  
Single detached dwelling to be severed from parent parcel  
File 751-7/19-1 Photography May 17, 2019



Photo 2: 1830 Yorkshire Drive, Val Caron  
New culvert providing drainage southerly under Yorkshire Drive  
File 751-7/19-1 Photography May 17, 2019



Photo 3: 1830 Yorkshire Drive, Val Caron  
Location of proposed new driveway providing access to northerly lands  
File 751-7/19-1 Photography May 17, 2019



Photo 4: 1830 Yorkshire Drive, Val Caron  
Drainage course along westerly limit of property  
File 751-7/19-1 Photography May 17, 2019



Photo 5: 1830 Yorkshire Drive, Val Caron  
Evidence of site alteration within regulated area  
File 751-7/19-1 Photography May 17, 2019



Photo 6: 1830 Yorkshire Drive, Val Caron  
Typical conditions north of existing dwelling (vicinity of proposed new dwelling)  
File 751-7/19-1 Photography May 17, 2019

"WITHOUT PREJUDICE" RECEIVED

MAY 08 2019

PLANNING SERVICES



DENNIS & ANN MOUNT  
1733 YORKSHIRE DR  
VA

CITY OF GREATER SUDBURY

APRIL 29, 2019

PLANNING SERVICES

Box 5000, STATION A

200 BRADY ST.

SUDBURY, ONT., P3A-5P3

ASV  
mm

ATTENTION: MAURO MANZON, SENIOR PLANNER.

DEAR MR. MANZON

REGARDING: FILE # 751-7/19-1 / APRIL 10/19  
1830 YORKSHIRE DR., VAL CARON,  
APPLICATION TO AMEND  
BY-LAW 2010-100Z

THIS APPLICATION DOES NOT COMPLY  
WITH THE "VALLEY EAST SECONDARY PLAN REVIEW"  
WHICH WAS APPROVED BY THE O.M.B. NOV, 22/97.

THE OFFICIAL PLAN STATED THAT LIMITED  
DEVELOPEMENT WOULD BE PERMITTED ALONG  
"YORKSHIRE DRIVES ROAD FRONTAGE" ONLY  
DUE TO SUB-STANDARD ROAD CONDITIONS  
AND SERVICES, NAMELY A 4" WATER MAIN  
THAT WAS INSTALLED FROM CAROL RICHARD  
PARK TO THE SEWAGE TREATMENT PLANT.

FILE # 751-7-19-1 / PAGE-2

SUBDIVISION OF LAND BEYOND THE ROAD FRONTAGE WOULD NOT MEET PROVINCIAL GROWTH AND SETTLEMENT POLICIES.

SUBBURY'S PLANNING MANAGER AT THAT TIME, MR. ART POTVIN, STATED THAT "THREE" SEVERENCES WOULD BE ALLOWED PER PARCEL OF LAND PER LAND OWNER, AND THAT "NO FURTHER SEVERENCES OF NEWLY CREATED LOTS WOULD BE PERMITTED."

THIS APPLICATION IS AN OBVIOUS STEPPING STONE TO OBTAIN A ROAD ALLOWANCE TO THE RURAL (BACK) PROPERTY FOR DEVELOPEMENT AFTER THEIR HOUSE IS REZONED TO R1-1 AND SEVERED.

AS HISTORICALLY RECORDED IN THE CITIES FILES, THIS PARCEL OF LAND FORMERLY OWNED AND DEVELOPED BY JOHN ROBERT AND MARC BODSON HAVE BEEN GRANTED MANY MORE SEVERENCES ALREADY, THAN WAS EVER INTENDED SINCE THE OFFICIAL PLAN AMENDMENTS WERE APPROVED.

FILE # 751-7-19-1 / PAGE-3

FOR REFERENCE TO THESE FACTS, I HAVE ATTACHED A COPY OF MY LETTER TO YOU RELATING TO A PREVIOUS APPLICATION BY MR. BOBSON & MR. ROBERT, FILE # 751-7/11-10 YORKSHIRE DRIVE, DATED MARCH 26, 2012. THIS LETTER (2-PAGES) IS AN OVERVIEW OF THE SAME PROPERTY IN THIS NEW APPLICATION,

PEOPLE WHO LIVE ON YORKSHIRE DRIVE ARE HAVING CONCERNS WITH GROWING TRAFFIC ON OUR DEAD END ROAD. THE SEWAGE TREATMENT PLANT HAS HEAVY TRAFFIC WITH CITY AND SERVICE TRUCKS/VEHICLES ALONG WITH AN EVERY INCREASING NUMBER OF RECREATIONAL VEHICLES USING THE DUMPING FACILITIES. THERE IS ALSO A LARGE NUMBER OF A.T.V.'S USING THE ROAD AS WELL, SUMMER AND WINTER.

IN OUR OPINION, THIS APPLICATION SHOULD NOT BE APPROVED,

SINCERELY,  
DENNIS MOUNT  
Dennis Mount.

"Without Prejudice"

COPY TO CITY OF GREATER SUDBURY  
REGARDING NEW APPLICATION #751-7-19-1  
MARC & JULIE BODSON - APRIL 29, 2019

Dennis Mount  
1733 Yorkshire Drive  
Val Caron, ON P3N 1R9

March 26<sup>th</sup>, 2012

City of Greater Sudbury  
Growth and Development Department  
Box 5000, Station A  
200 Brady Street  
Sudbury, ON P3A 5P3

Attention: Mr. E. Taylor, MCIP, RPP  
Manager of Development Approvals

Regarding: File 751-7/ 11-10 Yorkshire Drive  
Applicant: Marc Bodson  
Agent John Robert  
Bylaw 2012-112-Date- 24-01-2012  
Rezoning - Rural to R1-4  
Application for consent for severance

Dear Mr. Taylor,

Further to my submissions of facts stating why I feel this application should be rejected, dated November 2<sup>nd</sup>, 2011 and December 1<sup>st</sup>, 2011, I wish to further comment as follows.

From this block of land that John Robert owned, immediately west of Carol Richard Park, Pinecrest subdivision and fronting on Yorkshire Drive and Dominion Drive, some 1266 ft (give or take) in width, Mr Robert has created at least 19 land sales transactions by way of rural severances, minor variances and consent process.

- They are as follows - Dominion Drive - 4 parcels
- Harry Street (Pinecrest) - 4 parcels
  - Yorkshire Drive - 5 parcels - 200' x 200'
  - Yorkshire Drive - 5 extensions - 200' x 120'
  - Yorkshire Drive - 75 acres - Marc Bodson

If approval is granted for this application, this will bring the total land transactions for this land up to twenty for John Robert. There could be more as I know other applications were made by Mr. Robert. This is far more than the city planning limit of three.

How do I know Mr. Robert will benefit financially by the sale of this lot? Shortly after Marc Bodson and agent John Robert made the application for re-zoning last fall, Mr. Robert canvassed the neighbourhood for support in his desire to create the lot.

When he talked to me, I asked him how could he possibly apply for a piece of property he no longer owned. Mr. Robert replied that it was not a problem as he had made an agreement with Mr. Bodson when he sold him the 75 acres. This agreement stated that Mr. Robert would retain the right of ownership should it be possible in the future to create a lot on this 66' wide property. If this were to happen, Mr. Bodson would pay Mr. Robert the proceeds of the sale of the lot.

This is how this situation is unfolding. Last week I observed ~~builder~~ <sup>TAKING</sup> measurements on this property and called City Hall to see if an application for consent for severance had been received. I talked to Joanne in Committee Adjustments and she confirmed that the application was received March 5<sup>th</sup>, 2012.

Hopefully the insight I am providing you will help to substantiate why your predecessor, Mr. Art Potvin, told me that no previously severed properties would be allowed any further severances, unless the water main was upgraded from 4" to 8" and other conditions were met.

Mr. Art Potvin was a man of fairness, credibility and integrity and it is my hope that you are a man of the same qualities and honour his judgement. If you wish to discuss any issues pertaining to this application with me in more detail, please feel free to call me.

Please provide me with a copy of whatever the city's decision is relating to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Mount". The signature is written in a cursive, flowing style.

Dennis Mount

MAY 02 2019

PLANNING SERVICES

AS ✓  
MM ✓**Kathy Heroux - Re: Bodson application**

---

**From:** Peter  
**To:** Mauro Manzon <Mauro.Manzon@greatersudbury.ca>  
**Date:** 5/2/2019 10:21 AM  
**Subject:** Re: Bodson application

---

Hello Mauro,

Thank you for providing this additional information to help clear up most of the details regarding this proposed change.

The sole issues we have with this pertain to the road/driveway/through way

1. We would need written assurance that this will not come closer to 200 feet to our lot boundary. It shows a planned

route, but it must not end up going between our properties. We know plans change without our knowledge.

2. Drainage. There is history with the City in this area. Our insurer has sued the City of Sudbury over this. Work orders to

fix the drainage were all cancelled after the fellow that put the correction together retired. Then the City came and dug

our ditch deeper making the problem worse and causing collapsing on our front lawn.

Adding another road and culvert will make the problem worse. Unless drainage is corrected so that water flows out to

a lower gradient to the stream - and the higher Bodson culvert and ditches are corrected (including new road and culvert)

we will oppose any planned changes. We will only agree AFTER corrections have been made since last time we were

shown corrections these were all cancelled. We would also need to contact our insurer about this plan and potential

worsening of our already problematic infrastructure.

Best regards,

Peter

---

Peter Bauer

1818 Yorkshire Drive  
Val Caron, Ontario P3N 1R9  
Canada

On 2019-04-23 11:50, Mauro Manzon wrote:

Mr. Bauer,

Please find attached the sketches submitted for the Bodson application. The preliminary plan shows the proposed severance of the existing dwelling from the parent parcel. Driveway access for the rural remainder is proposed over Parts 3 and 4.

The second sketch illustrates the approximate location of a new dwelling on the remaining rural lands, which will retain Rural zoning.

Additional public notice will be provided by mail when the application is scheduled for a public hearing later this year. Any questions, please do not hesitate to contact me.

Sincerely,  
Mauro Manzon

Mauro Manzon, MPL, MCIP, RPP  
Senior Planner  
Development Approvals Section  
Planning Services Division  
City of Greater Sudbury

Phone : 705-674-4455 ext 4293  
Fax: 705-673-2200  
e-mail : [mauro.manzon@greatersudbury.ca](mailto:mauro.manzon@greatersudbury.ca)

1709 Yorkshire Dr.

Val Caron, Ontario

P3N 1R9

RECEIVED

MAY 10 2019

PLANNING SERVICES

April 30, 2019

Alex Singbush

Manager of Development Approvals

Planning Services Division

Re; Application, File 751-7/19-1

Dear Sir,

I am writing this letter to voice my concerns regarding the application for development on Yorkshire Dr.

First and foremost we purchased this property as part of a rural community. We were assured at the time that there would be no exceptions to the zoning. I feel that this is start of a process to secure further development in the area. We are a rural area, with no access to city conveniences such as cable TV, or Fibe WiFi. We live on a busy country road with water treatment plant traffic as well as numerous skidoos, ATV's and cross country bikes. Pedestrians enjoy the walk and access to hiking trails.

From what I understand this development would occur behind an existing home and encroach on the property. . The driveway would be far too close to the creek and to the existing structure. This property is also on a flood plain. Homes in the area currently struggle with water levels and have to ensure they have a

RECEIVED

generator on standby in case of a power outage. This recently occurred where a neighbor from the opposite side of the street borrowed our generator during a power outage as they could not be without a running sump pump for more than 15 minutes.

In closing I question if it is not an expectation that land be developed in an orderly and well thought out process. Ad hoc arrangements are neither advantageous to the community or the environment. There have been many attempts in the past to develop this land. I feel that granting approval to this latest endeavor would only be opening the proverbial can of worms

Thank You

Vicky and Richard Ouellette

PS Update:  
Homes in the area of  
proposed development have  
flooded since.