

Appendix 1

Departmental & Agency Comments

File: 751-6/20-19

RE: Application for Rezoning – L.S. Bock Developments Inc.
PIN 73582-0090, Parcel 13056 S.E.S., Lot 116, Plan M-131 in Lot 3, Concession 3,
Township of McKim (953 Howey Drive, Sudbury)

Development Engineering

This site is presently serviced with municipal water and sanitary sewer.

With respect to the lot grading, a design lot grading submission was received, with comments being issued to the lot grading professional in January 2019 and a subsequent meeting was held July 25, 2019. No further submission has been received to address the outstanding issues. This condition will need to be carried forward from the previous conditional approval which has lapsed.

Infrastructure Capital Planning Services

As a condition of approval, we require the owner transfer to the City a two-metre strip of property along the entire frontage of the land along Howey Drive. The City shall be responsible for all survey and legal costs associated with this transfer.

Building Services

A building permit application and zoning compliance review to legalize two (2) basement units in an existing semi-detached dwelling as well as two (2) retaining walls was completed and a list of comments was submitted on December 12, 2018 for the applicant's information. The previous comments are attached to this memo for your reference.

To date, the conditions imposed by Council have not been addressed.

Attachment:

Building Services comments dated December 12, 2018 related to outstanding matters:

Building Services has reviewed the building permit application and proposed lot grading plan for compliance with Zoning By-law 2010-100Z and the Ontario Building Code and provide the following comments:

1. A building permit will be required for all retaining walls over 1 m in height which have been built without benefit of a building permit on the east and west property lines. Therefore, a professional engineer's design and review of the existing retaining walls will be required. A building permit will also be required for the proposed height increase of retaining walls as well as a detailed design and review by a professional engineer. The retaining walls exceed 1 m in height and therefore require a minor variance.

2. The retaining walls on the east and west side of the property appear to encroach on the adjacent properties. There are three options available to deal with the retaining walls on the adjacent properties if approved through the lot grading review as follows:

- Obtain an easement from the adjacent property owners and minor variance;
- Purchase a portion of property from adjacent land owners and obtain a minor variance;
- Remove the retaining walls or portion to become in compliance with Zoning By-law 2010-100Z.

3. Vehicular guards will be required along the areas where there is parking and will need to be designed and construction certified by a professional engineer.

4. The required opaque fence will need to be designed and reviewed by a professional engineer for the connection to the retaining walls and compliance as a pedestrian guard.

5. One window in basement must comply with Ontario Building Code Div. B, 9.9.10, required secondary means of egress from bedrooms. This will be verified in the field. Raising grades may require window wells and if installed, clearances as per Section 9.9.10.1 may be an issue with proposed retaining walls, and proposed swales may be affected.

6. Backfill height will be exceeded on 10 inch concrete block by the proposed raising of the grades in the required lot grading plan. Permitted backfill heights are as follows:

5 ft - 11 inch laterally supported

3 ft - 11 inch laterally unsupported where windows exceeded 4 feet in width

The walls must be re-designed to accept the proposed additional backfill height.

7. Drawings submitted to legalize two (2) basement units are not acceptable as they do not show separate entrances to units. The building elevations provided, cross-section and upper floor layout do not reflect the as-built conditions and have been copied from the original building permit submission for the semi-detached dwelling. In addition, the revised elevations are required to indicate the new grades and retaining walls and must match the proposed lot grading plan.

8. No part of any parking area shall be located in any required front yard, which in this case is 7.5 m. A minor variance is required if parking is shown in the front yard. Width of parking aisles providing access to a parking space is required to be 6.0 m. Dimensions of all parking spaces are required to be shown as well as the dimension of the width of the parking aisle. A minor variance may be required once these dimensioned parking lot details are provided.

9. An as-built Ontario Land Surveyor survey will be required to ensure that the current building location meets the required setbacks and does not require a minor variance.

10. Building permit application for the construction of attached decks has not been issued and the decks have been constructed without benefit of a building permit or required inspections. The fee of \$135.00 is outstanding in order to issue the permit.

Water/Wastewater Services (Source Protection Plan)

No activity or activities engaged in or proposed to be engaged in on the above noted property are considered to be significant drinking water threats.

CPR

CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. Those guidelines are found at the following website address: <http://www.proximityissues.ca/>

The safety and welfare of residents can be adversely affected by rail operations. CP is not in favour of residential uses that are not compatible with rail operations. Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.