

Tom Davies Square

200 Brady St

Thursday, February 29, 2024

PUBLIC HEARINGS**A0010/2024****ANITA DEMATTIA  
BRIAN DEMATTIA**

Ward: 4

PIN 73346 1622, Survey Plan 53R-19750 Part(s) 1, 2, 3, and 4, Lot(s) Part Block 'A', Subdivision M-1063, Part Lot 3, Concession 1, Township of Rayside, 415 Notre Dame Street East, Azilda, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 6.08m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B74/11 TO B177/11 (1 MAR 12) AND B120/11 TO B123/11 (22 SEP 11)

**A0011/2024****TIMESTONE CORPORATION**

Ward: 5

PINs 02123-0415 and 02123-0431, Parts 3, 4, 5, and 6 on Plan 53R-11472, Parts 1, 2, 3, and 4 on Plan 53R-16114, Parts 1, 2, 3, and 4 on Plan 53R-20608, Part Lot 4, Concession 5, Township of McKim, 319 Lasalle Boulevard, Sudbury, [2010-100Z, C3(13) Limited General Commercial]

For relief from Part 4, Section 4.2, Subsection 4.2.5, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an opaque fence 2.0m in height providing a front yard setback of 1.76m, where fences more than 1.0m in height are not permitted in the required front yard.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A96/00 (11 SEP 00)

**THIS APPLICATION WAS DEFERRED FROM THE MEETING OF JANUARY 17, 2024 TO IN ORDER TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.**

**A0136/2023****TRACY HAYES****"REVISED"**

Ward: 9

PIN 73473 0184, Parcel 15614 SEC SES, Lot(s) 6, Subdivision M-221, Lot Part 10, Concession 3, Township of Broder, 2153 Sunnyside Road, Sudbury, [2010-100Z, R1-1 (Low Density Residential One)]

For relief from Part 4, Section 4.41, subsections 4.41.2 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing single detached dwelling as well as permit an existing shed providing, firstly, a high water mark setback of 20.8m for the addition, and 2.74m for the shed, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, and secondly, a high water mark setback of 2.74m for the existing shed, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3.

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B80/07 (28 MAY 07)

**A REMINDER... THE NEXT SCHEDULED MEETING IS  
WEDNESDAY, MARCH 13, 2024**



Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

Office Use Only 2023.01.01
<u>Aug 10/2024</u>
S.P.P. AREA YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
NDCA REG. AREA YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

APPLICATION FEE: \$1,090.00 (includes \$260.00 legal notice fee)  
A APPLICATION FEE FOR HEDGEROWS: \$332.00 (includes \$260.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the Planning Act, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): Mr. Brian DeMattia & Mrs. Anita DeMattia Email: [REDACTED]  
Mailing Address: 250 Billiards Way Unit 13 Home Phone: [REDACTED]  
Business Phone: [REDACTED]

City: Sudbury Ontario Postal Code: P3E 0E9 Fax Phone: [REDACTED]

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: Centreline Architecture Email: [REDACTED]  
Mailing Address: 158 Elgin St. Home Phone: [REDACTED]  
Suite 201 Business Phone: [REDACTED]

City: Sudbury Postal Code: P3E 3N5 Fax Phone: [REDACTED]

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: Property is owned free & clear - no mortgage

Mailing Address:

City: Postal Code:

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R1-5

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
Accessory bldg. height	5m	6.08m	1.08m

- b) Is there an eave encroachment? ☒ Yes ☐ No If 'Yes', size of eaves: 0.6 (m)

- c) Description of Proposal: New 5-bay garage to store recreational vehicles/equipment

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: Increased height required to allow for storage of larger recreational vehicles/equipment

- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 73346-1618 Township: \_\_\_\_\_  
 Lot No.: BLOCK A Concession No.: \_\_\_\_\_ Parcel(s): \_\_\_\_\_  
 Subdivision Plan No.: \_\_\_\_\_ Lot: \_\_\_\_\_ Reference Plan No.: M-1063 Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 415 Notre Dame E, Azilda ON

- 7) Date of acquisition of subject land.
- April 1, 2021

- 8) Dimensions of land affected.

Frontage 24.4 (m) Depth 106.61 (m) Area 2465.05 (m<sup>2</sup>) Width of Street 6 (m)

- 9) Particulars of all buildings:

	Existing	Garage Proposed	House
Ground Floor Area:	/ (m <sup>2</sup> )	<u>260.12</u>	<u>487.1</u> (m <sup>2</sup> )
Gross Floor Area:	/ (m <sup>2</sup> )	<u>260.12</u>	<u>487.1</u> (m <sup>2</sup> )
No. of storeys:	/	<u>2</u>	<u>1</u>
Width:	/ (m)	<u>12.19</u>	<u>18.4</u> (m)
Length:	/ (m)	<u>21.34</u>	<u>38.65</u> (m)
Height:	/ (m)	<u>6.08</u>	<u>5.65</u> (m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing	Proposed
Front:	/ (m)	<u>64.88</u> (m)
Rear:	/ (m)	<u>9.24</u> (m)
Side:	/ (m)	<u>1.36</u> (m)
Side:	/ (m)	<u>10.85</u> (m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

Municipally owned & operated piped water system ☒  
 Municipally owned & operated sanitary sewage system ☒  
 Lake ☐  
 Individual Well ☐  
 Communal Well ☐  
 Individual Septic System ☐  
 Communal Septic System ☐  
 Pit Privy ☐  
 Municipal Sewers/Ditches/Swales ☒

What type of access to the land?

Provincial Highway ☐  
 Municipal Road ☐  
 Maintained Yearly ☒  
 Maintained Seasonal ☐  
 Right-of-way ☐  
 Water ☐  
 If access is by water only, provide parking and docking facilities to be used.

- 12) Date(s) of construction of all buildings and structures on the subject land.

Planned construction for mid-2024

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Vacant residential Length of time: Prior to purchase

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or, single family dwelling w/detached garage

- 15) What is the number of dwelling units on the property?
- 0

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many? \_\_\_\_\_

- 17) Existing uses of abutting properties:
- single family homes

A0010/2024

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☒ No

If "yes", indicate the application number(s): \_\_\_\_\_  
or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If "Yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?

☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

#### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Mr. Brian DeMattia & Mrs. Anita DeMattia (please print all names), the registered owner(s) of the property described as 415 Notre Dame Street East Azilda, ON  
In the City of Greater Sudbury:

##### Collection, Use and Disclosure of Information:

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

##### Authority to Enter Land and Photograph

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

##### Appointment of Authorized Agent

- g) appoint and authorize Centreline Architecture (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 6<sup>th</sup> day of February, 20 24

\* Roxanne Belliveau  
(witness)

\* Brian DeMattia  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Brian DeMattia

\* I have authority to bind the Corporation

\* Anita DeMattia

\* ANITA DEMATTIA

\* Mike Graham

FEBRUARY 14/24

APR 10/2024

**PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

NAME, Centrelina Architecture (please print all names),

the registered owner(s) or authorized agent of the property described as 415 Notre Dame E,

Azilda, ON

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 6th day of February, 2024

Commissioner of Oaths

Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within the Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury,

*M. Ferrino*  
signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

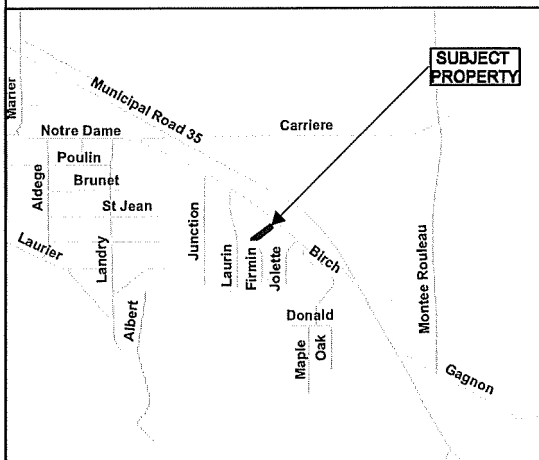
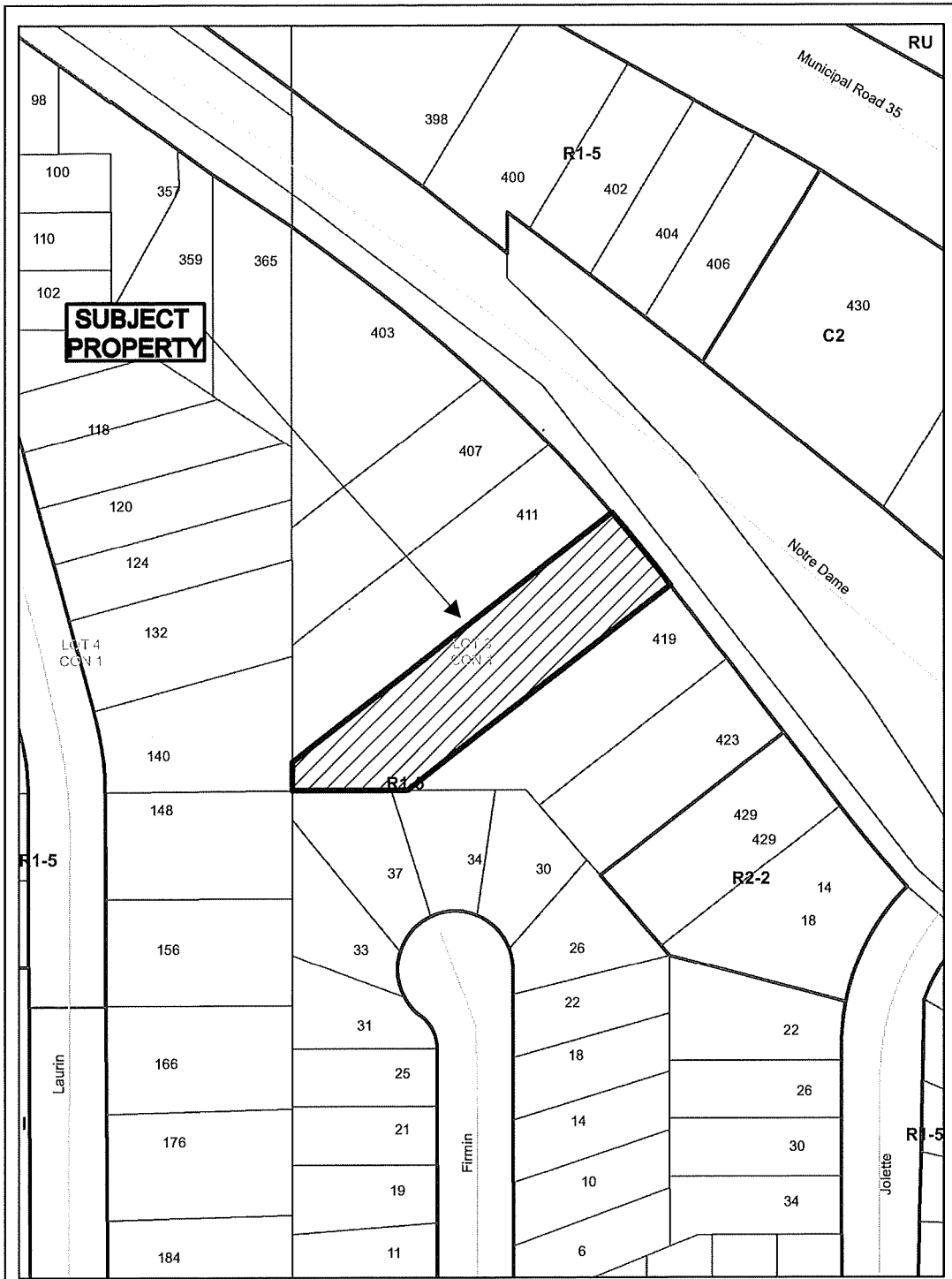
Print Name: Melissa Furino  
 \*I have authority to bind the Corporation

- \* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: Feb 6/24 Hearing Date: Feb 29/24 Received By: S. Pinkerton  
Zoning Designation: R1-5 Resubmission: ☐ Yes ☒ No  
Previous File Number(s): B174/H to B177/H B120/H to B123/H  
Previous Hearing Date: (1 MAR 12) (22 SEP 11)  
Notes:

A0010/2024



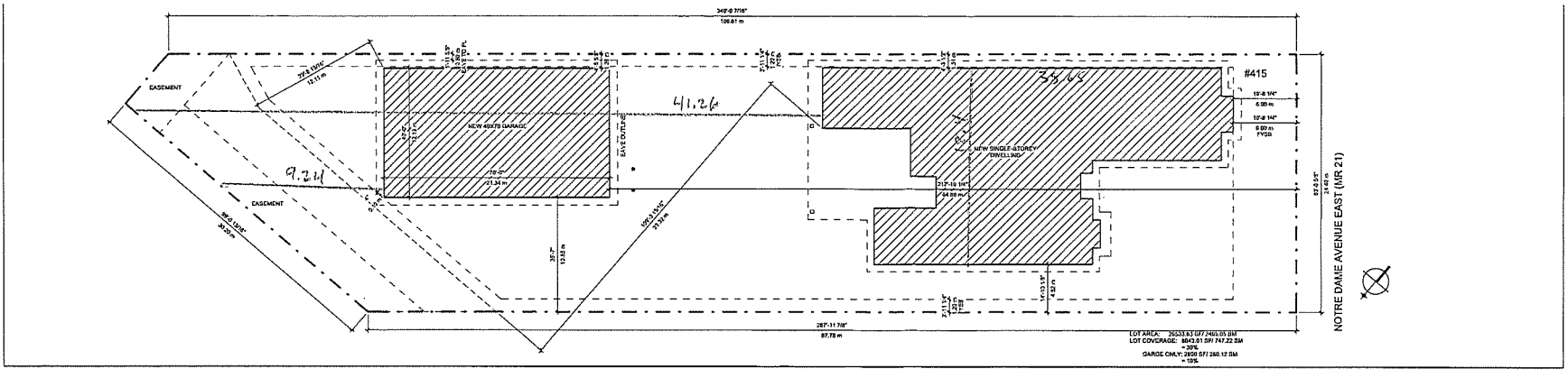
## Application for Minor Variance or Permission



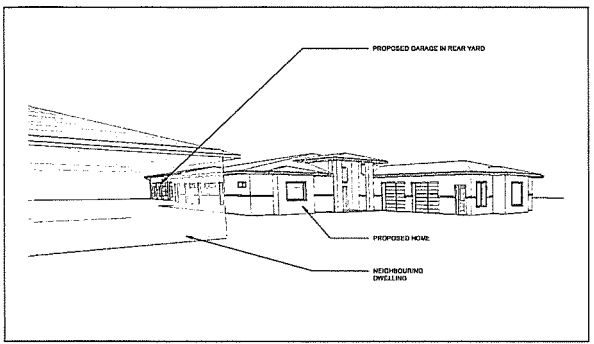
Subject Property being PIN 73346-1622, Part Block A, Plan M-1063, Lot 3, Concession 1, Parts 1, 2, 3, and 4 on Plan 53R-19750, Township of Rayside, 415 Notre Dame Street East, Azilda, City of Greater Sudbury

Sketch 1, NTS  
NDCA

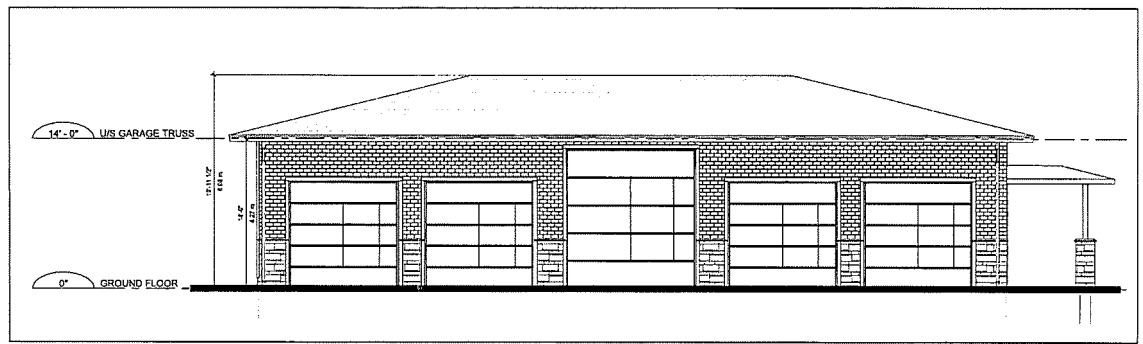
A0010/2024  
Date: 2024 02 12



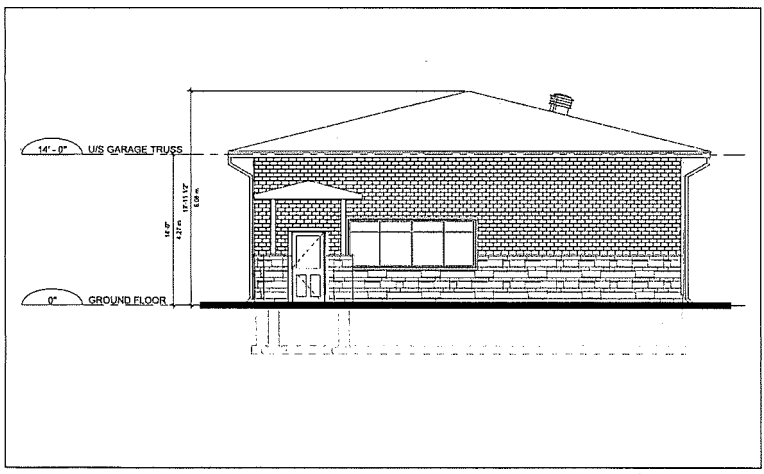
SITE PLAN  
1/16" = 1'-0"



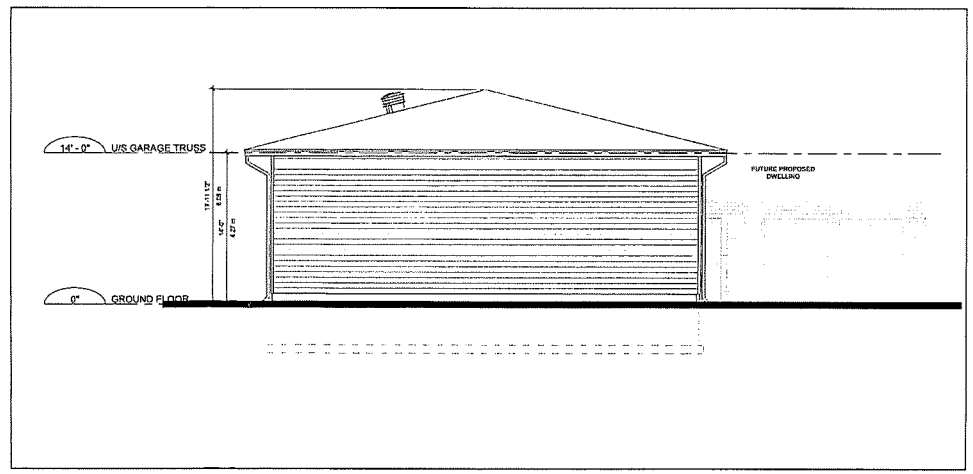
DRIVING WEST ON NOTRE DAME E



RIGHT (INTERIOR) ELEVATION  
3/16" = 1'-0"



FRONT (ROAD) ELEVATION  
3/16" = 1'-0"



REAR ELEVATION  
3/16" = 1'-0"



CENTRELINE ARCHITECTURE  
158 Elgin Street, Suite 101  
Sudbury, ON P3C 1R7  
centrelinearchitecture.ca

CLIENT  
DEMATTIA

PROJECT  
NEW GARAGE

415 Notre Dame East, Azibo, ON

STATUS  
MINOR VARIANCE

ISSUED DATE  
February 6, 2024

A0010/2024  
Sketch 2

PROJECT NUMBER



Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

Office Use Only 2024.01.01	
A0041/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES <input checked="" type="checkbox"/>	NO

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

**PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.**

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): Timestone Corporation	Email:	
Mailing Address: 170 Regent Street	Home	
	Busine	
City: Sudbury	Postal Code: P3E 3Z7	Fax P

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: Bélanger Salach Architecture	Email:	
Mailing Address: 255 Larch Street	Home	
319 Lasalle Boulevard	Busine	
City: Sudbury	Postal Code: P3B 1M2	Fax P

**Note:** Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: N/A	
Mailing Address:	
City:	Postal Code:

- 4) Current Official Plan designation: Secondary Community Node Current Zoning By-law designation: C3 and C3(13)

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
Max Fence Height In a Commercial Zone within a required Front Yard	4.2.5 Table 4.1	2.0 m	1.0 m

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: \_\_\_\_\_ (m)

- c) Description of Proposal:  
Construction of a 2.0 m high opaque wood fence to provide a safe enclosure for a new exterior healing garden associated with the renovation and addition work to the existing building of 319 Lasalle.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
The healthcare facility program (rehabilitation care) requires accommodation of an exterior garden / therapy area (healing garden) in conformance with Table 6.29(a) and Table 11.1(34) of the CSA Z8000 - Canadian Health Care Facilities. Per CSA Table 11.1(34), "a safe enclosure must be provided to prevent wandering away from the outdoor space". A fence, limited to 1.0m in height, does not provide a safe enclosure.



- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 02123-0415 / 02123-0431 Township: McKim  
 Lot No.: 4 Concession No.: 5 Parcel(s):  
 Subdivision Plan No.: Lot: Reference Plan No.: 53R11472 / 53R16114 / 53R20608 Parts 3-6 / 1-4 / 1-4  
 Municipal Address or Street(s): 319 Lasalle Boulevard

- 7) Date of acquisition of subject land. 2022

- 8) Dimensions of land affected.

Frontage 64.0 (m) Depth 142.5 (m) Area 8,562 (m<sup>2</sup>) Width of Street 19.0 (m)

- 9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	1,757	(m <sup>2</sup> )	2,451	(m <sup>2</sup> )
Gross Floor Area:	5,731	(m <sup>2</sup> )	8,140	(m <sup>2</sup> )
No. of storeys:	3		3	
Width:	49.6	(m)	49.6	(m)
Length:	55.8	(m)	82.7	(m)
Height:	8.5	(m)	8.5	(m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing		Proposed	
Front:	15.6	(m)	15.6	(m)
Rear:	64.8	(m)	37.9	(m)
Side:	13.3	(m)	13.3	(m)
Side:	1.2	(m)	0.4	(m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

Municipally owned & operated piped water system ☒  
 Municipally owned & operated sanitary sewage system ☒  
 Lake ☐  
 Individual Well ☐  
 Communal Well ☐  
 Individual Septic System ☐  
 Communal Septic System ☐  
 Pit Privy ☐  
 Municipal Sewers/Ditches/Swales ☒

What type of access to the land?

Provincial Highway ☐  
 Municipal Road ☐  
 Maintained Yearly ☐  
 Maintained Seasonal ☒  
 Right-of-way ☒  
 Water ☐  
 If access is by water only, provide parking and docking facilities to be used.

- 12) Date(s) of construction of all buildings and structures on the subject land.

Original Building 1992, Annex Addition 2001

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Institutional (Public Business - Children's Aid) Length of time: 29 years

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or, Institutional (Rehabilitation Care Facility (Group B Division 2 Occupancy))

- 15) What is the number of dwelling units on the property? 0

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: Residential, Institutional (Public Business) and Park

A00M/2024

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☒ No

If "yes", indicate the application number(s): \_\_\_\_\_  
or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If "Yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan: \_\_\_\_\_

### **PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, Timestone Corporation (please print all names), the registered owner(s) of the property described as 319 Lasalle Boulevard  
in the City of Greater Sudbury:

#### **Collection, Use and Disclosure of Information:**

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### **Authority to Enter Land and Photograph**

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### **Appointment of Authorized Agent**

- g) appoint and authorize Bélanger Salach Architecture (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 30 day of January, 2024

(Witness)

signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: PAUL ZULICH

\*I have authority to bind the Corporation

A0011/2024


I/We, Bélanger Salach Architecture (please print all names),  
the registered owner(s) or authorized agent of the property described as 319 Lasalle Boulevard

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 30 day of January, 20 24

  
Commissioner of Oaths

\* Expires June 10, 2025

  
signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

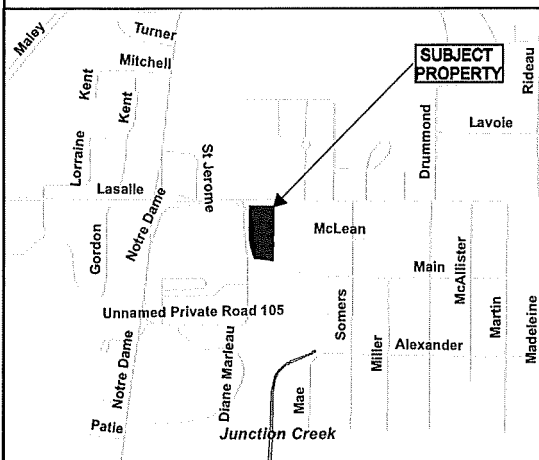
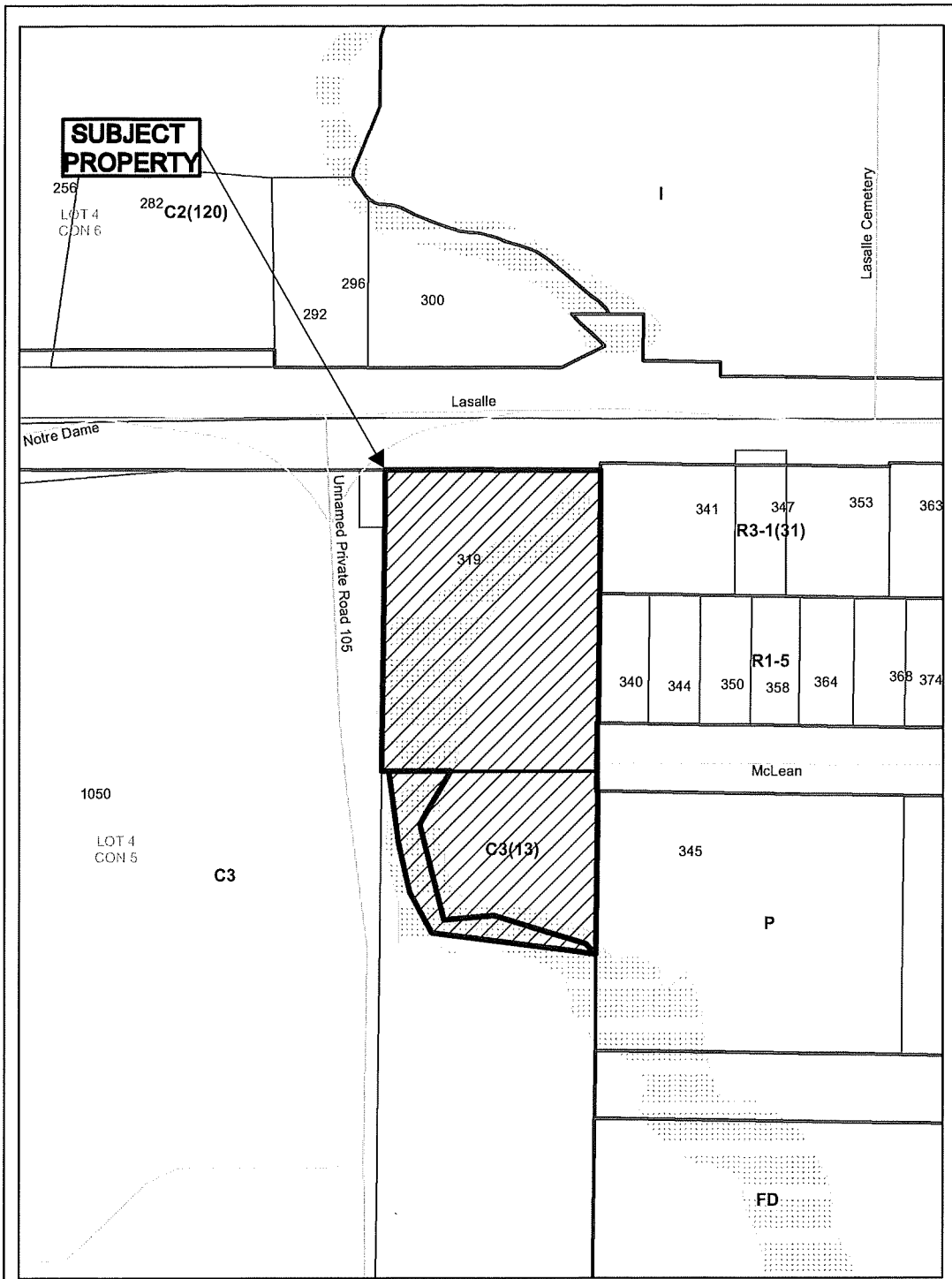
Print Name: Louis Belanger  
 \*I have authority to bind the Corporation

\* **Expires June 10, 2025.** Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

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A0011/2024



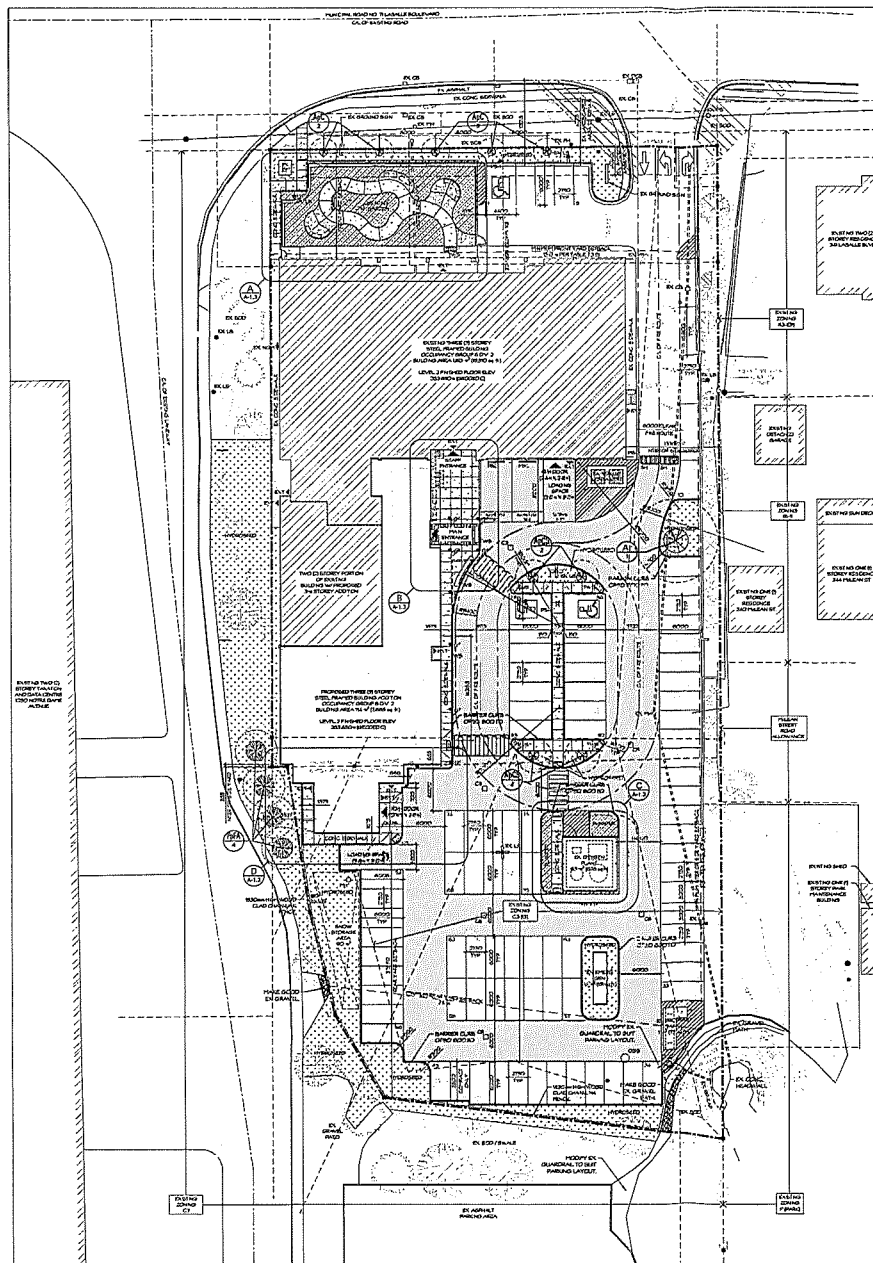
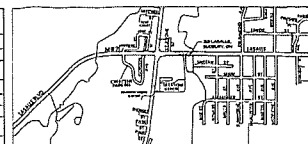
## Application for Minor Variance or Permission



Subject Property being PINs 02123-0415 and 02123-0431, Part Lot 4, Concession 5, Parts 3, 4, 5, and 6 on Plan 53R-11472, Parts 1, 2, 3, and 4 on Plan 53R-16114, Parts 1, 2, 3, and 4 on Plan 53R-20608, subject to easements over Parts 1, 2, and 3 on Plan 53R-14236, Part 4 on Plan 53R-16114, Parts 1, 2, and 3 on Plan 53R-14859, and Parts 2 and 4 on Plan 53R-20608, Township of McKim, 319 Lasalle Boulevard, Sudbury, City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0011/2024  
Date: 2024 02 12

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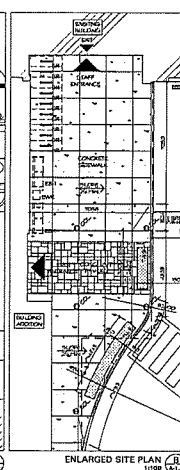
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[illegible]

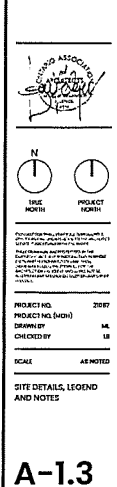
PROJECT NO.	2108
PROJECT NO. (MCH)	
DRAWN BY	M
CHECKED BY	E
_____	
SCALE	AS SHOWN

## A-1.2





Aug 11/2024  
Sketch 4



A0011/2024  
Sketch 4



Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

REVISED

Office Use Only 2024.01.01
A0136/2023
S.P.P. AREA YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
NDCA REG. AREA YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)

APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): Tracy Hayes	Email:	
Mailing Address: 2153 Sunnyside Rd.	Home:	
	Busin:	
City: Sudbury	Postal Code: P3G 1H8	Fax Phone:

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent:	Email:
Mailing Address:	Home Phone:
2153 Sunnyside Rd.	Business Phone:
City:	Fax Phone:
Postal Code:	

**Note:** Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: Scotiabank
Mailing Address: 2040 Algonquin Rd., Unit 14
City: Sudbury
Postal Code: P3E 4Z6

- 4) Current Official Plan designation: Rural Current Zoning By-law designation: R1-1

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
Section 4.41.2	2010-100Z	20.89m	9.11m
Section 4.41.2	2010-100Z	2.74m	27.26m
Section 4.41.4	2010-100Z	2.74m	17.26m

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: \_\_\_\_\_ (m)

- c) Description of Proposal:

Please see Schedule B

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:

Please see Schedule B



- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 73473-0184 Township: Broder  
 Lot No.: 6 Concession No.: 3 Parcel(s):  
 Subdivision Plan No.: Lot: Reference Plan No.: Part(s):  
 Municipal Address or Street(s): 2153 Sunnyside Rd.

- 7) Date of acquisition of subject land. September, 2007

- 8) Dimensions of land affected.

Frontage 33.8 (m) Depth 44.36 (m) Area 1,499.37 (m<sup>2</sup>) Width of Street 10.67 (m)

- 9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	See Schedule B (m <sup>2</sup> )	(m <sup>2</sup> )
Gross Floor Area:	(m <sup>2</sup> )	(m <sup>2</sup> )
No. of storeys:		
Width:	(m)	(m)
Length:	(m)	(m)
Height:	(m)	(m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing	Proposed
Front:	See Schedule A & B (m)	(m)
Rear:	(m)	(m)
Side:	(m)	(m)
Side:	(m)	(m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

Municipally owned & operated piped water system ☐  
 Municipally owned & operated sanitary sewage system ☐  
 Lake ☒  
 Individual Well ☐  
 Communal Well ☐  
 Individual Septic System ☒  
 Communal Septic System ☐  
 Pit Privy ☐  
 Municipal Sewers/Ditches/Swales ☐

What type of access to the land?

Provincial Highway ☐  
 Municipal Road ☐  
 Maintained Yearly ☒  
 Maintained Seasonal ☐  
 Right-of-way ☒  
 Water ☐  
 If access is by water only, provide parking and docking facilities to be used.

- 12) Date(s) of construction of all buildings and structures on the subject land.

See Schedule B

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Primary Residence Length of time: >16 years: since September 2007

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or, \_\_\_\_\_

- 15) What is the number of dwelling units on the property? 1

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many? \_\_\_\_\_

- 17) Existing uses of abutting properties: Primary Residences

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- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☒ Yes ☐ No

If "yes", indicate the application number(s): \_\_\_\_\_

or, describe briefly, A minor variance was required in 2012 to add a front entrance to the east-side/road-facing side of the residence.

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If 'Yes', indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Tracy Hayes (please print all names), the registered owner(s) of the property described as Lot 6, Concession 3, PIN 73473-0184,  
in the township of Broder, 2153 Sunnyside Rd.,  
in the City of Greater Sudbury:

#### Collection, Use and Disclosure of Information:

- acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### Authority to Enter Land and Photograph

- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### Appointment of Authorized Agent

- appoint and authorize \_\_\_\_\_ (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 5 day of February, 20 24

John Macdonald  
(witness)

Tracy Hayes  
signature of Owner(s) or Signing Officer or Authorized Agent  
Print Name: Tracy Hayes

\*I have authority to bind the Corporation

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### PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, Tracy Hayes (please print all names),

the registered owner(s) or authorized agent of the property described as Lot 6, Concession 3, PIN 73473-0184,

in the township of Broder, 2153 Sunnyside Rd.,

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this

19

day of

De Cember

, 20

23

~~Commissioner of Oaths~~

Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within the Territorial District of Sudbury and while appointed as a Deputy Clerk for the City of Greater Sudbury.

signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name:

\*I have authority to bind the Corporation

Tracy Hayes  
e Corporation

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: Dec 19/23 Hearing Date: Jan 17/24 Received By: S. Pinkerton  
Zoning Designation: R1-1 Resubmission: ☐ Yes ☒ No  
Previous File Number(s): B0080/2007  
Previous Hearing Date: May 28, 2007

Notes:

Resubmission: Feb 6/24  
New Hearing Date: Feb 29,

AO/36/2023

## Schedule B: Additional Application Information

### Questions: 5, 9, 10, & 12

Application for Minor Variance: PIN 73473-0184, Lot 6, Concession 3,  
Township of Broder, 2153 Sunnyside Rd., Greater Sudbury

**Updated February 5, 2024**

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#### Question #5-C: Description of Proposal

##### Variance Request #1: 3.05m x 2.44m addition to main residence

We are requesting to add a 3.05m x 2.44m glass sun-room within the center of our existing residence, filling a square void between the existing living room and the southwest-facing bedroom. The original design was not to alter the existing structure of the residence, but to replace two existing walls with custom sliding/opening glass walls through a company called NanaWall. The product is custom fabricated in Germany and the engineering firm we originally hired, KOMRI Engineering, signed-off on incorrect drawings resulting in the product being improperly fabricated.

The original cost of the product was approximately [REDACTED] CAD. To re-fabricate the custom track to correct the problem would cost an additional [REDACTED] CAD. The current application would allow us to use the product 'as-is,' which requires us to install it as an addition, rather than as a replacement for the existing wall structure.

##### Variance Request #2: 1.82m x 3.05m accessory building for water pump & storage

During our previous submission, it was determined that a pre-existing accessory structure was in violation of Section 4.41.2. The structure was originally constructed to protect a water pump and house the electrical panel required to operate the adjacent sauna. It was determined by Building Services that the structure is considered an accessory structure (shed), and should be setback 30m from the highwater mark.

#### Question #5-D: Provide reason why the proposal cannot comply with the provisions of the Zoning By-law

##### Variance Request #1: 3.05m x 2.44m addition to main residence

The house was constructed prior to the enactment of By-law 2010-100Z; the majority of the residence exists beyond 30.0m set-back from the high-water mark of the waterway. The following proposal does not seek to encroach upon the waterway, neither neighbouring residence, nor in height more than has historically and currently exists.

Additionally, the manufacturer, NanaWall, cannot guarantee that the re-fabrication would solve the concerns with the sliding glass walls, as the installation would require additional manipulation that may degrade or ruin the integrity of the glass.

##### Variance Request #2: 1.82m x 3.05m accessory building for water pump & storage

The structure was originally constructed in 2018. We are requesting the variance to leave the structure 'as is.' Relocating the water pump infrastructure and electrical would pose significant additional costs.

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Question #9: Particulars of all buildings & Question 12: Date of construction for all buildings & structures

Building #1: Primary Residence (Constructed in the late 1980's)

	<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area:	138.12m <sup>2</sup>	145.56m <sup>2</sup>
• Gross Floor Area:	183.12m <sup>2</sup>	190.56m <sup>2</sup>
○ With Basement:	321.24m <sup>2</sup>	328.68m <sup>2</sup>
• No. of Stories:	1.5	Same
○ With Basement:	2.5	Same
• Width:	7.92m & 7.32m	Same
• Length:	9.66m & 6.25m	Same
• Height:	6.40m	Same
• Please see Schedule C for detailed residential layout.		

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Building #2: Sauna (Constructed in 2018)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 9.3m <sup>2</sup>	Same
• Gross Floor Area: 9.3m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 3.05m	Same
• Length: 3.05m	Same
• Height: 3.05m	Same

Building #3: Lakefront Water Pump/Boathouse (Constructed in 2018)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 5.55m <sup>2</sup>	Same
• Gross Floor Area: 5.55m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 1.82m	Same
• Length: 3.05m	Same
• Height: 3.05m	Same

Building #4: Driveway-adjacent Storage Shed (Constructed in 2010)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 9.3m <sup>2</sup>	Same
• Gross Floor Area: 9.3m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 3.05m	Same
• Length: 3.05m	Same
• Height: 3.05m	Same

Structure #1: Lakefront Stairs (Constructed in 2018)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 6.63m <sup>2</sup>	Same
• Gross Floor Area: 6.63m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 1.98m	Same
• Length: 3.35m	Same
• Height: 0.91m	Same

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Structure #2: Second (mid-yard) Stairs (Constructed prior to ownership before 2007)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 7.08m <sup>2</sup>	Same
• Gross Floor Area: 7.08m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 1.01m	Same
• Length: 7.01m	Same
• Height: 0.91m	Same

Structure #3: Lower Lake-side Deck (Constructed prior to ownership before 2007)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 33.45m <sup>2</sup>	Same
• Gross Floor Area: 33.45m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 6.71m & 4.57m	Same
• Length: 4.57m & 0.61m	Same
• Height: 0.61m	Same

Structure #4: Upper Deck (New, 2023 - 2024)

<u>Existing</u>	<u>Proposed</u>
• Ground Floor Area: 64.75m <sup>2</sup>	Same
• Gross Floor Area: 64.75m <sup>2</sup>	Same
• No. of Stories: 1	Same
• Width: 17.69m	Same
• Length: 3.66m	Same
• Height: 2.74m	Same

Question #10: Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front:

Building #1: Primary Residence (Constructed in early-to-mid 1990's)

<u>Existing</u>	<u>Proposed</u>
• Front: 14.86m	Same
• Rear: 21.14m	20.89m
• Side: 3.05m	Same
• Side: 14.63	Same

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Building #2: Sauna (Constructed in 2018)

<u>Existing</u>	<u>Proposed</u>
• Front: 41.0m	Same
• Rear: 0.31m	Same
• Side: 1.22m	Same
• Side: 29.53m	Same

Building #3: Lakefront Water Pump/Boathouse (Constructed in 2018)

<u>Existing</u>	<u>Proposed</u>
• Front: 38.57m	Same
• Rear: 2.74m	Same
• Side: 7.47m	Same
• Side: 24.51m	Same

Building #4: Driveway-adjacent Storage Shed (Constructed in 2010)

<u>Existing</u>	<u>Proposed</u>
• Front: 15.04m	Same
• Rear: 26.27m	Same
• Side: 20.08m	Same
• Side: 10.67m	Same

Structure #1: Lakefront Stairs (Constructed in 2018)

<u>Existing</u>	<u>Proposed</u>
• Front: 38.27m	Same
• Rear: 2.74m	Same
• Side: 9.45m	Same
• Side: 22.37m	Same

Structure #2: Second (mid-yard) Stairs (Constructed prior to ownership before 2007)

<u>Existing</u>	<u>Proposed</u>
• Front: 30.1m	Same
• Rear: 7.25m	Same
• Side: 13.26m	Same
• Side: 19.53m	Same

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Structure #3: Lower Lake-side Deck (Constructed prior to ownership before 2007)

<u>Existing</u>	<u>Proposed</u>
• Front: 36.13m	Same
• Rear: 3.66m	Same
• Side: 3.05m	Same
• Side: 19.78m	Same

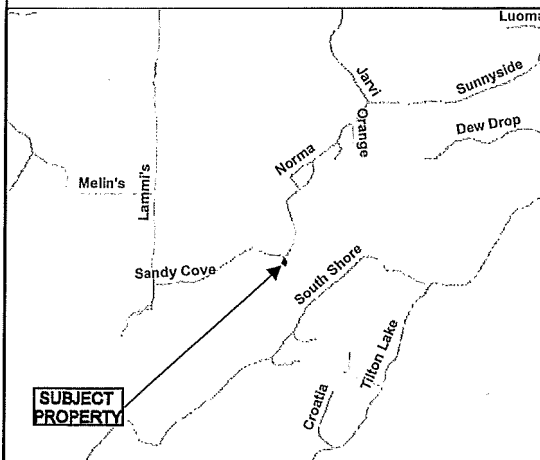
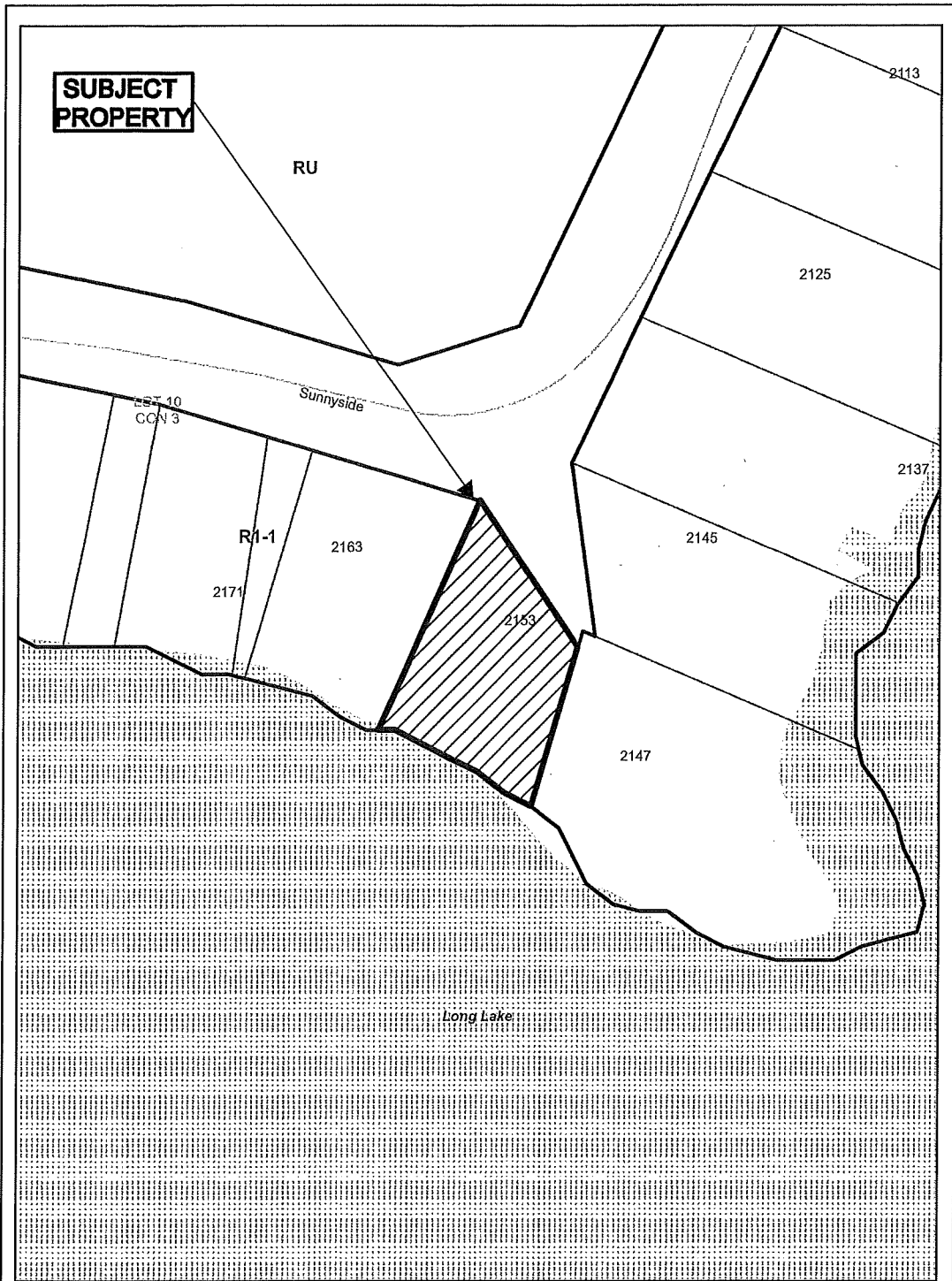
Structure #4: Upper Deck (New, 2023 - 2024)

<u>Existing</u>	<u>Proposed</u>
• Front: 23.22m	Same
• Rear: 16.34m	Same
• Side: 1.20m	Same
• Side: 15.65m	Same

**Additional Considerations**

- Total Lot Area:  $44.36\text{m} \times 33.8\text{m} = 1,499.37\text{m}^2$
- All buildings & accessory structures:
  - Residence:  $138.12\text{m}^2$  (+ addition  $7.44\text{m}^2$ ) =  $145.56\text{m}^2$
  - Sauna:  $3.05\text{m} \times 3.05\text{m} = 9.3\text{m}^2$
  - Water Pump/Boathouse:  $3.05\text{m} \times 1.82\text{m} = 5.55\text{m}^2$
  - Upper Shed:  $3.05\text{m} \times 3.05\text{m} = 9.3\text{m}^2$
- Total Lot Area Coverage:  $= 162.27\text{m}^2$  ( $169.71\text{m}^2$ )
- Percent of Lot Area Coverage:  $1,499.37\text{m}^2 / 162.27\text{m}^2$  ( $169.71\text{m}^2$ ) = **10.83% (11.32%)**
- The total Lot Area covered by the residence and accessory structures/buildings is less than the maximum coverage of 25% and does not exceed the maximum coverage.
- Total Shoreline Buffer Area:  $20.0\text{m} \times 33.8\text{m} = 676\text{m}^2$
- Approved structures:
  - Sauna:  $3.05\text{m} \times 3.05\text{m} = 9.3\text{m}^2$
  - Water Pump/Boathouse:  $3.05\text{m} \times 1.82\text{m} = 5.55\text{m}^2$
  - Total Stairs:  $6.63\text{m}^2 + 7.08\text{m}^2 = 13.71\text{m}^2$
  - Lower Deck:  $30.66\text{m}^2 + 2.79\text{m}^2 = 33.45\text{m}^2$
  - Upper Deck (portion):  $17.68\text{m} \times 2.41\text{m} = 42.61\text{m}^2$
- Total Shoreline Buffer Coverage:  $= 104.62\text{m}^2$
- Percent of Shoreline Buffer Coverage:  $676\text{m} / 104.62\text{m} = 15.48\%$
- The total shoreline buffer are covered by approved accessory structures is less than the maximum coverage of 25% and does not exceed the maximum coverage of  $276\text{m}^2$ .

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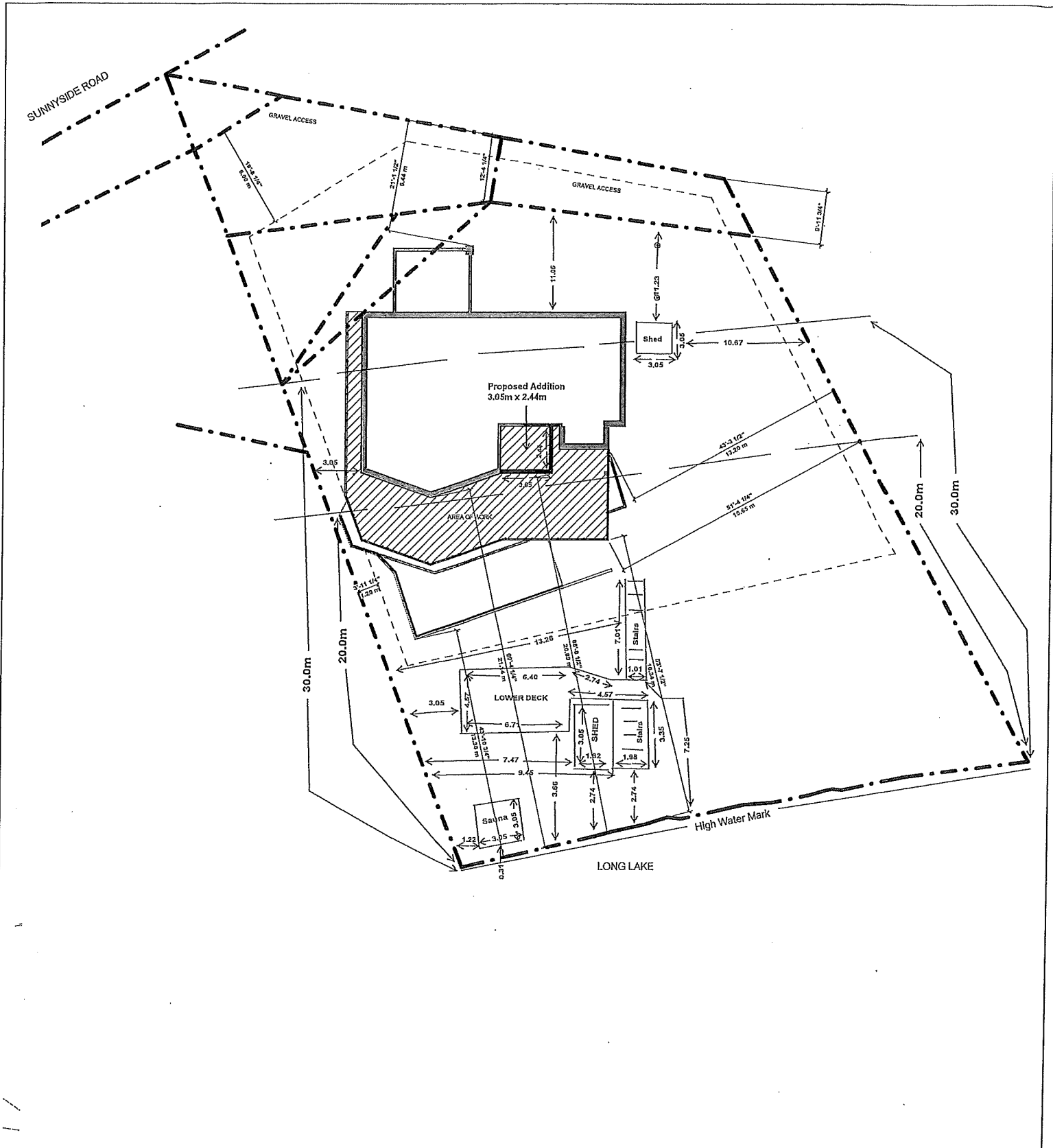
### Application for Minor Variance or Permission



Subject Property being PIN 73473-0184,  
Parcel 15614 SEC SES, Lot 6, Plan M-221,  
Part Lot 10, Concession 3, Township of Broder,  
2153 Sunnyside Road, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0136/2023  
Date: 2023 12 20



SITE PLAN  
1" = 10'-0"

A01361 2023  
Sketch 2