

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

MINOR VARIANCE OR PERMISSION APPLICATION GUIDE

APPLYING FOR A MINOR VARIANCE OR PERMISSION

The Committee of Adjustment for the City of Greater Sudbury is comprised of members who are appointed by City Council.

Under the provisions of the Planning Act R.S.O. 1990, c.P.13, a Committee of Adjustment is empowered to grant relief from by-law requirements. Filing this application is the first step in the process.

Many of the procedures the Committee uses in carrying out its function are controlled by legislation. The processing of applications considered by the Committee is performed by an administration which must also adhere to specific legal requirements.

DEALING WITH THE APPLICATION

1. The completed application will be scheduled for a public hearing.
2. The legal notice outlining the date, time and location of the meeting will appear in The Sudbury Star newspaper at least ten (10) days prior to the hearing, and a courtesy notice will be mailed to the property owners within 60 metres of the subject land.
3. The application, once processed, will be circulated to officials of the municipality, commissions, agencies, etc., for comments.
4. The hearing of the application will take place at which time the Committee of Adjustment will render its decision.
5. The decision of the Committee will be sent no later than ten (10) days from the date the decision was rendered.
6. If no appeal to the Ontario Land Tribunal is filed within twenty (20) days of the making of the decision, a "Final Notice" indicating the decision is final and binding is released.

NOTE: It is only after the release of the "Final Notice" and the fulfilment of conditions of approval (if any), that a building permit or license, if required, will be issued.

REQUIRED MINOR VARIANCE SKETCH INFORMATION

A sketch drawn to scale in **METRIC UNITS** showing the following:

- 1) The boundaries and dimensions of the subject land.
- 2) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines. **Measurements must be in metric.**
- 3) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- 4) The current uses on land that is adjacent to the subject land.
- 5) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- 6) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- 7) The location and nature of any easement affecting the subject land.
- 8) If a height variance is required, elevation drawings for all sides indicating height, grade, window and door openings must be provided. **Measurements must be in metric.**
- 9) If the subject land is a waterfront lot or any other lot abutting a navigable waterbody, the high water mark, the 30.0m setback from the high water mark of a lake or a river (12.0m setback from the high water mark of a permanently flowing stream) and the 20.0m setback for the shoreline buffer (12.0m for a permanently flowing stream) must be provided.”

NOTE:

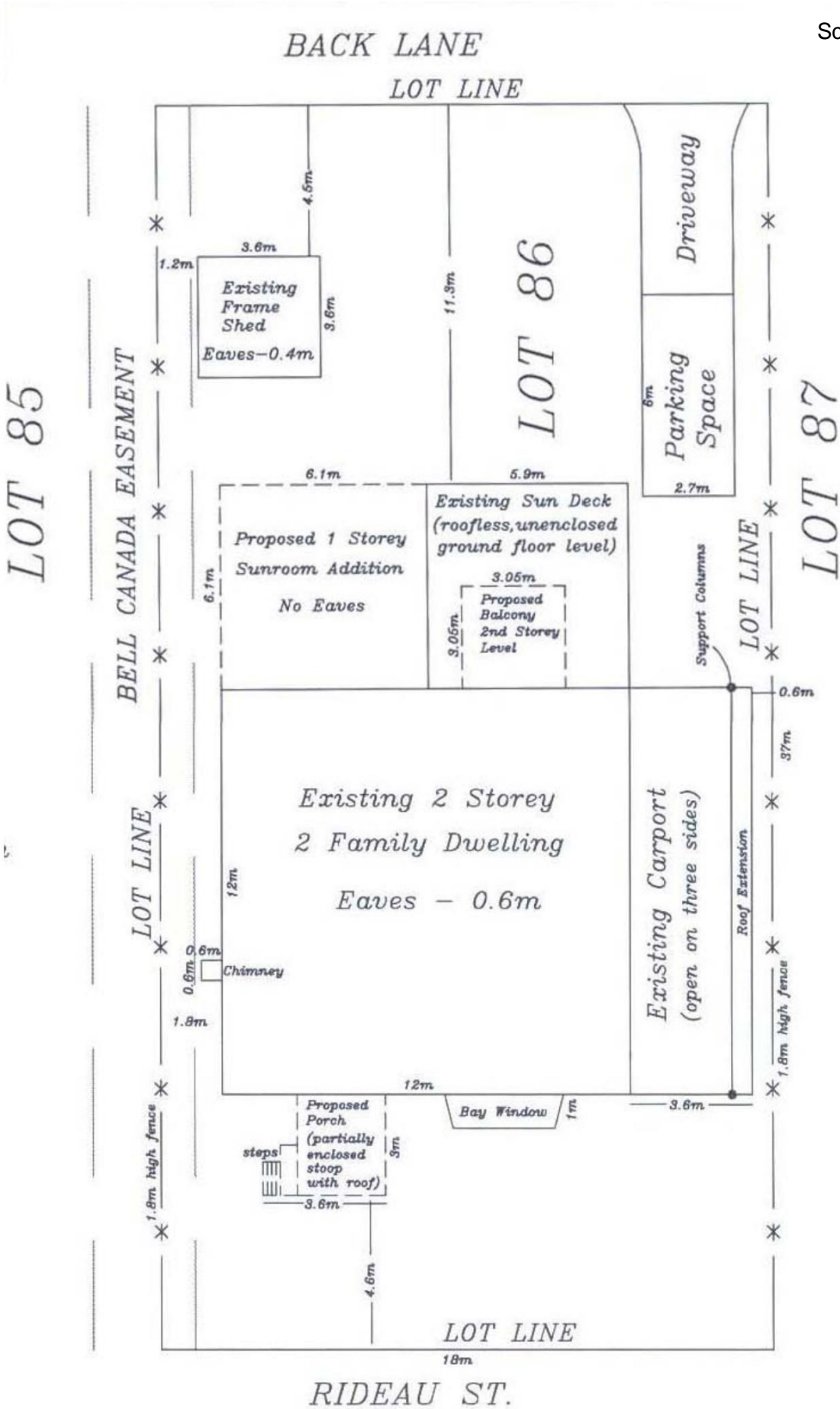
- a) It is recommended that applicants consult with Building Services and Planning Services prior to submission of application, in order to properly identify the variances being sought.
- b) If a parking variance is required, it is recommended that the number of parking spaces required and the proposed parking layout be confirmed by a member of Building Services staff prior to submission of the application. A schedule outlining uses of the building and the floor area occupied by each use should accompany the application.
- c) It is recommended that applicants discuss the proposal with adjacent residents in order to address or alleviate concerns that may affect the disposition of the application.
- d) Comments provided by various City departments and agencies regarding the application will be available for review at Planning Services, the day before the meeting. You are encouraged to review your comments prior to the start of the meeting to address any concerns that may have arisen.
- e) If the subject land is a waterfront lot or any other lot abutting a navigable waterbody, please visit the City's website for information on shoreline development: [Shoreline Development \(greatersudbury.ca\)](http://Shoreline Development (greatersudbury.ca))
- f) **IMPORTANT:** The applicant's and/or authorized agent's failure to attend the public hearing may result in a deferral of the application and the imposition of a deferral fee.

WHO MAY SIGN THE APPLICATION

1. **All** registered owners must sign unless whomever of the owners submits written authorization of the other owner(s).
2. An agent or solicitor appointed by **all** registered owners of the property with the submission of written authorization.
3. An officer who has the authority to bind the corporation if the registered owner is a corporation.
4. Photo identification must be shown if application is to be commissioned by City Staff.



Scale 1:200



The required sketch **must** be shown to scale, in **metric units**.

The preferred size is on paper no larger than 8.5" x 14". Larger plans will be accepted provided a reduction for circulation purposes is also submitted.



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Office Use Only
2024.01.01

A

S.P.P. AREA

YES ____ NO ____

NDCA REG. AREA

YES ____ NO ____

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):

Email:

Mailing Address:

Home Phone:

Business Phone:

City:

Postal Code:

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:

Business Phone:

City:

Postal Code:

Fax Phone:

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:

Mailing Address:

City:

Postal Code:

4) Current Official Plan designation: Current Zoning By-law designation:

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

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

c) Description of Proposal:

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

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

PIN(s):		Township:	
Lot No.:	Concession No.:	Parcel(s):	
Subdivision Plan No.:	Lot:	Reference Plan No.:	Part(s):
Municipal Address or Street(s):			

7) Date of acquisition of subject land.

8) Dimensions of land affected.

Frontage	(m)	Depth	(m)	Area	(m ²)	Width of Street	(m)
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9) Particulars of all buildings:	Existing	Proposed
Ground Floor Area:	(m ²)	(m ²)
Gross Floor Area:	(m ²)	(m ²)
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:	(m)	(m)
Rear:	(m)	(m)
Side:	(m)	(m)
Side:	(m)	(m)

11) What types of water supply, sewage disposal and storm drainage are available?	What type of access to the land?
Municipally owned & operated piped water system	<input type="radio"/> Provincial Highway
Municipally owned & operated sanitary sewage system	<input type="radio"/> Municipal Road
Lake	<input type="radio"/> Maintained Yearly
Individual Well	<input type="radio"/> Maintained Seasonal
Communal Well	<input type="radio"/> Right-of-way
Individual Septic System	<input type="radio"/> Water
Communal Septic System	<input type="radio"/> If access is by water only, provide parking and docking facilities to be used.
Pit Privy	
Municipal Sewers/Ditches/Swales	

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

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

Use(s):	Length of time:
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14) Proposed use(s) of the subject property.

Same as #13 ☐ or, _____

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

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: _____

- 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, _____ (please print all names), the registered owner(s) of the property described as _____
_____ 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 _____ (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 _____ day of _____, 20 _____

(witness)

signature of Owner(s) or Signing Officer or Authorized Agent
Print Name: _____
*I have authority to bind the Corporation

