

Tom Davies Square
200 Brady St

Monday, August 12, 2024

B0032/2024**JULIE DAY**

Ward: 3

PINs 73352 0887 & 73352 0959 & 73352 0960, Parcel 31533 SEC SWS, Surveys Plan 53R-17023 Part(s) 1 & Plan 53R-21718 Part(s) 1, 2, and 4, Lot Part 1, Concession 5, Township of Dowling, 93 Blais Road, Dowling, [2010-100Z, RU (Rural)]

Consolidate an approximate 207.0m² south west vacant portion of the subject property with abutting PIN 73352-0199 (LT), municipally known as 99 Blais Road.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B35/22 (JUN 20/22), B1/22 TO B3/22 (JAN 9/22), B77/20 (NOV 30/20) AND B58/01 (JUL 26/01) AND ALSO SUBJECT TO MINOR VARIANCE APPLICATION A6/22 (FEB 24/22)

B0043/2024**7055579 CANADA INC.**

Ward: 3

PINs 73349 0828 & 73349 1238, Parcel 20990 and 15433 SEC SES, Survey Plan SR-2980 Part (s) 1, Lot Part 1, Concession 3, Township of Balfour, 3702 Highway 144, Chelmsford, [2010-100Z, C2 (General Commercial)]

Consolidate an approximate 360.0 sq. m southwest portion of the subject property with PIN 73349-1207 (LT) (3692 Highway 144), subject to an easement, and also, grant an easement/right-of-way over an approximate 153.0 sq. m west portion of the subject property in favour of PIN 73349-1207, for access purposes.

SUBJECT TO CONCURRENT REZONING 751-5/24-06

B0044/2024**CHEMY DEVELOPMENT INC.**

Ward: 3

PIN 73349 2167, Survey Plan 53R-21466 Part(s) 3, Lot Part 1, Concession 3, Township of Balfour, 0 Highway 144, Chelmsford, [2010-100Z, R3(74) (Medium Density Residential)]

Consolidate an approximate 130.0 sq. m east portion of the subject property with abutting PIN 73349-1207 (LT), municipally known as 3692 Highway 144.

SUBJECT TO CONCURRENT REZONING 751-5/24-06

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B17/21 (OCT 25/21), B18/21 (OCT 25/21), AND REZONING 751-5/21-01

B0045/2024

NORTHERN HOME BUILDERS AND RENOVATORS INC.

Ward: 3

PIN 73349 2165, Survey Plan 53R-21322 Part(s) 1, 2, and 3, Lot Part 1, Concession 3, Township of Balfour, 0 Highway 144, Chelmsford, [2010-100Z, C2 (General Commercial)]

Consolidate an approximate 475.0 sq. m west portion of the subject property with abutting PIN 73349-1207 (LT), municipally known as 3692 Highway 144.

SUBJECT TO CONCURRENT REZONING 751-5/24-06

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B17/21 (OCT 25/21), B18/21 (OCT 25/21), AND REZONING 751-5/21-01

B0048/2024

**PETER KYRZAKOS
MICHAEL KYRZAKOS (ESTATE)**

Ward: 12

PIN 02132 0463, Parcel 24005A SEC SES, Lot Part 3, Concession 4, Township of McKim, 0 Kingsway, Sudbury, [2010-100Z, OSP (Open Space - Private)]

A lot addition of an approximate 2.0 ha east portion of the subject property with abutting PIN 02132-1364 (LT), municipally known as 1024 Kingsway.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B0481/1968 (AUG 7/68), B0166/1971 (AUG 16/71), B0093/1986 (APR 28/86), B0176/1987 (JUNE 22/87) AND B0538/1989 (APR 23/90) AND MINOR VARIANCE APPLICATION A0287/1989 (APR 23/90)

**WRITTEN SUBMISSIONS REGARDING THESE APPLICATIONS MUST BE RECEIVED
NO LATER THAN WEDNESDAY AUGUST 7, 2024 FOR CONSIDERATION**

Office Use Only 2024.01.01	
B0032/2024	
S.P.P. AREA	
Yes	No <input checked="" type="checkbox"/>
NDCA REG. AREA	
Yes <input checked="" type="checkbox"/>	No

City of Greater Sudbury
APPLICATION FOR CONSENT

APPLICATION FEE: \$2,170.00 (includes \$320.00 Legal Notice Fee)
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY
Note: An application fee is levied for each new lot created; the remainder is not subject to an application fee.

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 City of Greater Sudbury under Section 53 of the *Planning Act* R.S.O. 1990, c. P.13 for consent, as described in this application.

Registered Owner(s): Julie Day	Email:
Mailing Address: 488 Pine Cone Road	Home Phone: [REDACTED]
	Business Phone:
City: Skead	Postal Code: P0M 2Y0
	Fax Phone:

2) Name of Purchaser(s) or Chargee(s):

Name of Purchaser(s) or Chargee(s): See names in #5	Email:
Mailing Address: 99 Blais Road	Home Phone:
	Business Phone:
City: Dowling	Postal Code: P0M 1L0
	Fax Phone:

Note: If the application is being made by a purchaser or the purchaser's agent, please provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of this application.

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

Name of Agent: D.S. Dorland Limited	Email: [REDACTED]
Mailing Address: 298 Larch St	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City: Sudbury	Postal Code: P3B 1M1
	Fax Phone: [REDACTED]

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

4) Purpose of Transaction

<input type="radio"/> Creation of a new lot	<input type="radio"/> Easement/Right-of-way	<input type="radio"/> Lease
<input checked="" type="radio"/> Addition to a lot	<input type="radio"/> Creation of lot(s) for	<input type="radio"/> Other;
<input type="radio"/> Cancellation of Prior Consent	Semi-detached or row housing	specify _____

File # _____ Date: _____

5) Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged. _____
 Thomas Levesque / Ann Marie Levesque / Carol Levesque / Cory Levesque

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

Roll #	Township Dowling	Lot No. 1	Concession No. 5
PIN(s): 73352-0887		Parcel(s)	
Subdivision Plan No.	Lot	R-Plan No. 53R-17023/53R-21718	Part(s) 1/1&2
Municipal Address or Street(s): 93 Blais Road		Ward: 3	

7) Are there any easements or restrictive covenants affecting the subject land? Yes No

If the answer is "yes", please indicate a description of each easement or covenant and its effect.

8) Date of acquisition of subject land. May 23, 2003

9) Has the land ever had any previous severances? Yes No

If "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed: (attach a schedule if necessary).

Date of Transfer 1979/04/17 Name of Transferee Thomas Levesque
Use of severed land Rural residential Consent File No. B0058/2001

10) Has the parcel intended to be severed ever been, or is it now a part of an 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 the file number and status of the application. _____

11) Is the property also subject of an Application for Minor Variance, Rezoning or an Official Plan Amendment?
 Yes No

If "yes", indicate the file number(s). _____

Note: If the Consent application is requested to proceed prior to securing necessary minor variance or rezoning approvals, please complete the Acknowledgement of Risks form at the end of this Application form as an Application for Consent cannot succeed without such approval(s) in place.

12) Dimensions of land to be severed **in metric units** (describe **only** the portion of the land which is to be transferred, leased or mortgaged)?

Frontage 5.4±m Depth 76.7±m Area 207± Sq.m.
Existing Use _____ Proposed Use _____

Number and use of existing buildings and structures on the land to be severed?
Existing None Proposed None

If applicable, indicate Parcel Number and /or Lot and Registered Plan of Subdivision Number of property which will benefit from the lot addition/consolidation, easement/right-of-way.

Parcel 15193 SWS - PIN 73352-0199(LT)

13) Dimensions of land intended to be retained **in metric units** (describe **only** the portion of land which will remain following the severance(s); if the transaction is an easement/right-of-way or lease, describe the entire lot or parcel).

Frontage 86± m Depth Irregular Area 6.18 ± ha.
Existing Use Residential Proposed Use No Change

Number and use of existing buildings and structures on the land to be retained?
Existing 1 Residence & Various Outbuildings Proposed No Change

14) Will a certificate be required for the retained land? Yes No

If "yes", please provide a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*, R.S.O. 1990, c. P.13.

B0032/2004

15) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway, Yes No
- b) a municipal road that is maintained all year or seasonally, Yes No
- c) a road which is maintained by the municipality, Yes No
- d) by water? Yes No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.

16) What types of water supply and sewage disposal are proposed? Proposed Lot Retained Lot

Municipally owned and operated piped water system	<input type="radio"/>	<input type="radio"/>
Municipally owned and operated sanitary sewage system	<input type="radio"/>	<input type="radio"/>
Lake	<input type="radio"/>	<input type="radio"/>
Individual Well	<input type="radio"/>	<input type="radio"/>
Communal Well	<input type="radio"/>	<input type="radio"/>
Individual Septic System	<input type="radio"/>	<input type="radio"/>
Pit Privy	<input type="radio"/>	<input type="radio"/>
Other		
<u>N/A - Lot Addition</u>		

17) Is the property located with 1km (0.6 miles) of a First Nation Reserve? Yes No

18) What is the current designation of the subject land in the applicable Official Plan and explain how the application conforms with the Official Plan.

Rural - No Change to the Official plan

19) Explain how the application is consistent with the Provincial Policy Statements issued under subsection 3 (1) of the *Planning Act*. Please provide an explanation below, or attach a Schedule outlining the particulars of same.

The application provides for a minor boundary realignment and Provincial Policy Statements do not apply

20) Explain how the application conforms, or does not conflict with the Growth Plan for Northern Ontario. Please provide explanation below or attach a Schedule outlining the particulars of same.

Boundary realignment, no conflict

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

If this application is approved, would any existing dwelling units be legalized? Yes No

If "yes", how many? _____

22) 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. Intake Protection

Zone 3 - Score is 1, Significant Groundwater Recharge Area. Highly Vulnerable Aquifer, - Score is 6

23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please attach a schedule outlining the particulars of same.

Schedule Attached Yes No

B0032/2024

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Julie Day (please print all names), the registered owner(s) of the property described as PIN 73352-0887 PCL 31533 SEC SWS; PT LT 1 CON 5 DOWLING PT 1, 53R-17023 PT 1&2, 53R-21718

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 D.S. Dorland Limited (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 16th day of May, 2024

[Signature]
(witness)

Julie Day
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: Julie Day
*I have authority to bind the Corporation

B0032/2024

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, D.S. Dorland Limited (please print all names), the registered owner(s) or authorized agent of the property described as PIN 73352-0887 PCL 31533 SEC SWS; PT LT 1 CON 5 DOWLING PT 1, 53R-17023, PT 1&2, 53R-21718

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 17th day of MAY, 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.

Signature of Dave Dorland and signature of Agent or Signing Officer

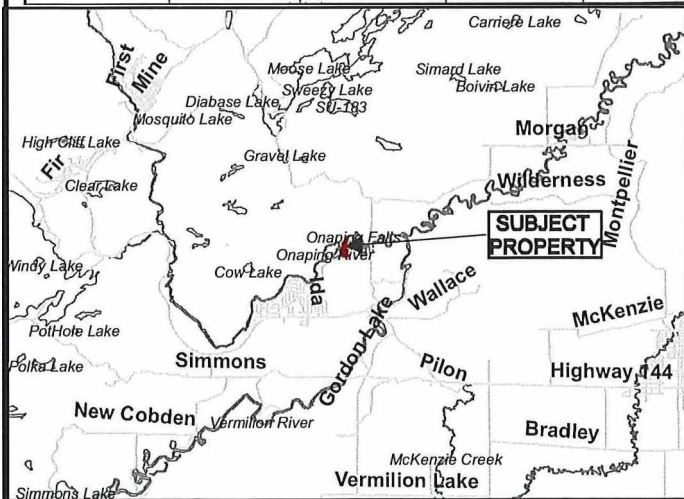
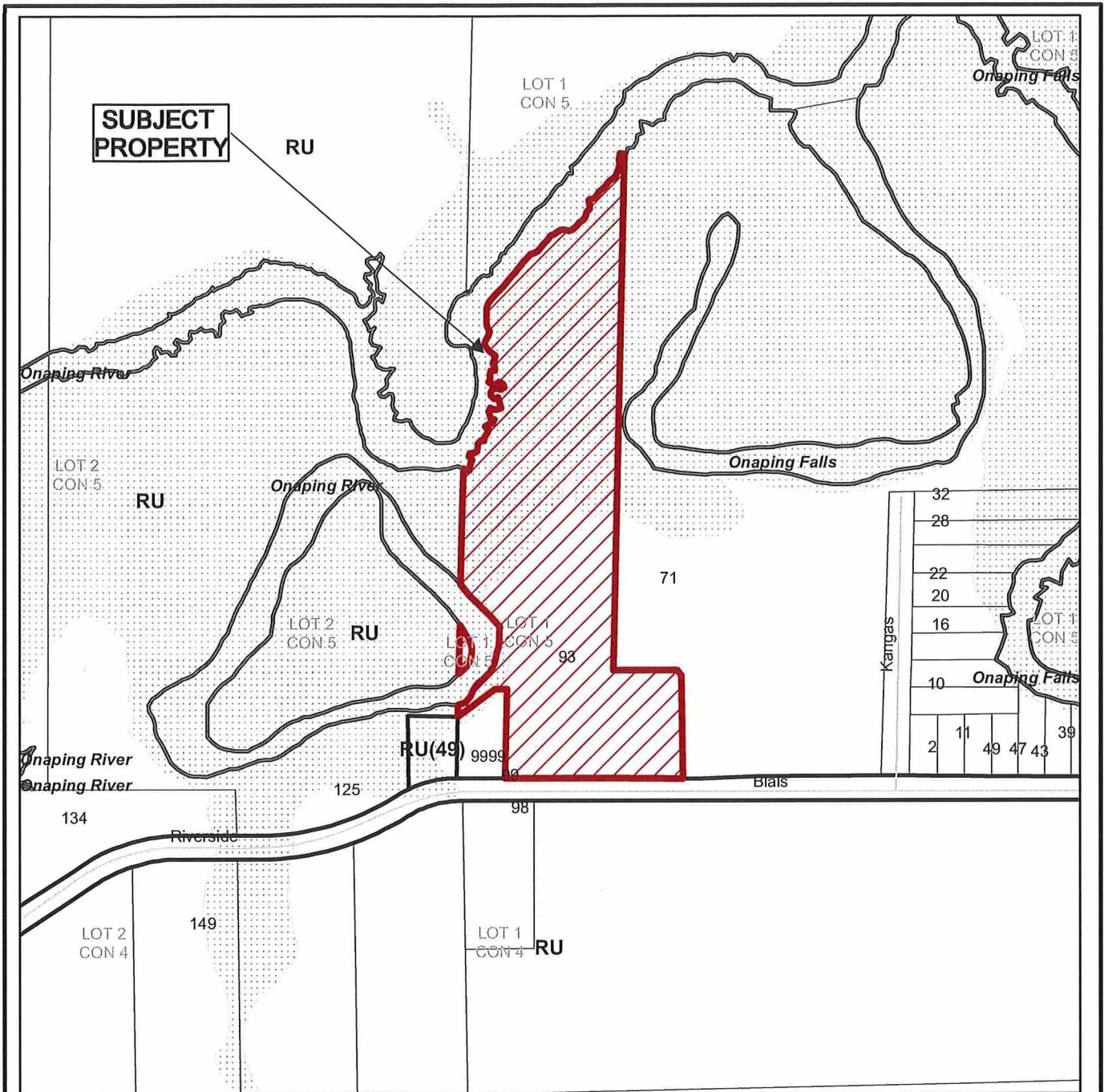
Print Name: Dave Dorland
*I have authority to bind the Corporation

* 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

Table with columns for Date of Receipt, Decision Date, Received by, Zoning Designation, Resubmission, Previous File Number(s), Previous Decision Date, Referred to Planning, Received Approval from Planning, and Acknowledgement of Risk received. Includes handwritten notes for various file numbers and dates.

B0032/2024



Application for Consent



Subject Property being PINs 73352-0887, 73352-0959 and 73352-0960, Parcel 31533 SEC SWS, Part 1, Plan 53R-17023, Parts 1, 2 and 4, Plan 53R-21718, Part Lot 1, Concession 5, Township of Dowling, 93 Blais Road, Dowling, City of Greater Sudbury

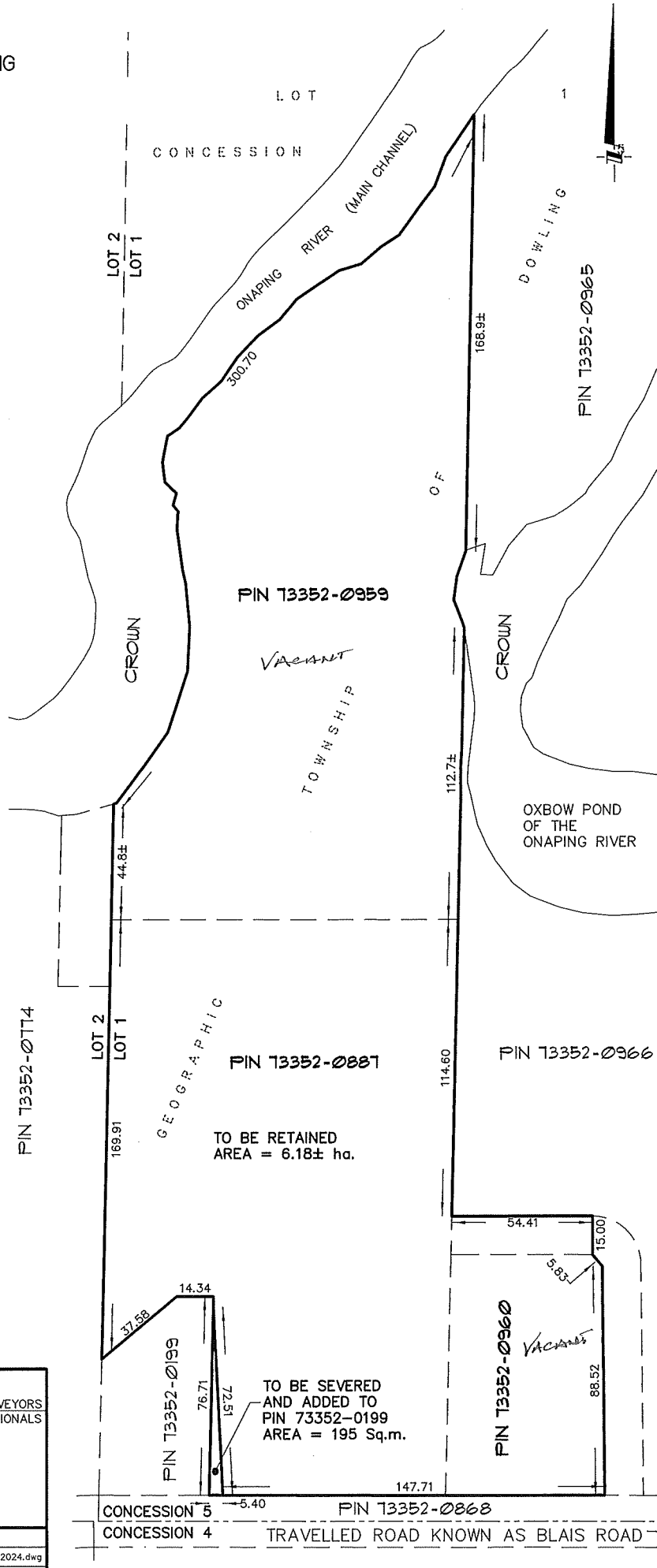
NTS B0032/2024
 Sketch 1 Date: 2024 05 24

SKETCH FOR PLANNING ACT APPLICATION
PART OF LOT 1
CONCESSION 5
 GEOGRAPHIC TOWNSHIP OF DOWLING
 CITY OF GREATER SUDBURY
 DISTRICT OF SUDBURY

NOTE

THIS IS NOT A PLAN OF SURVEY AND SHOULD ONLY BE USED FOR THE PURPOSE STATED IN THE TITLE BLOCK.

*REVISED SKETCH
 KEY PLAN*



"CAUTION"

- A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
- B) THIS SKETCH IS PROTECTED BY COPYRIGHT ©

NOTES

INFORMATION SHOWN HEREON IS DERIVED FROM FIELD SURVEY.

THIS SKETCH IS AN ORIGINAL IF EMBOSSED BY A SURVEYOR'S SEAL, OR IF IT IS A PDF CERTIFIED IN AN ELECTRONIC VERSION.

MEASUREMENTS SHOWN HEREON ARE IN METRES.

D.S. DORLAND LIMITED	ONTARIO LAND SURVEYORS GEOMATICS PROFESSIONALS
	298 LARCH STREET SUDBURY, ONTARIO, P3B 1M1 PHONE (705) 673-2556 FAX (705) 673-1051 WWW.DSDORLANDLIMITED.CA

PREPARED BY : WJM	SCALE : 1:1500 METRIC
CHECKED : ****	CAD FILE : 17215 CONSENT SKETCH MAY 14 2024.dwg
DATE : MAY 14, 2024	P.S. TAB : KEY SKETCH

TO BE RETAINED
 AREA = 6.18± ha.

TO BE SEVERED
 AND ADDED TO
 PIN 73352-0199
 AREA = 195 Sq.m.

*B0032/2024
 Sketch 2*

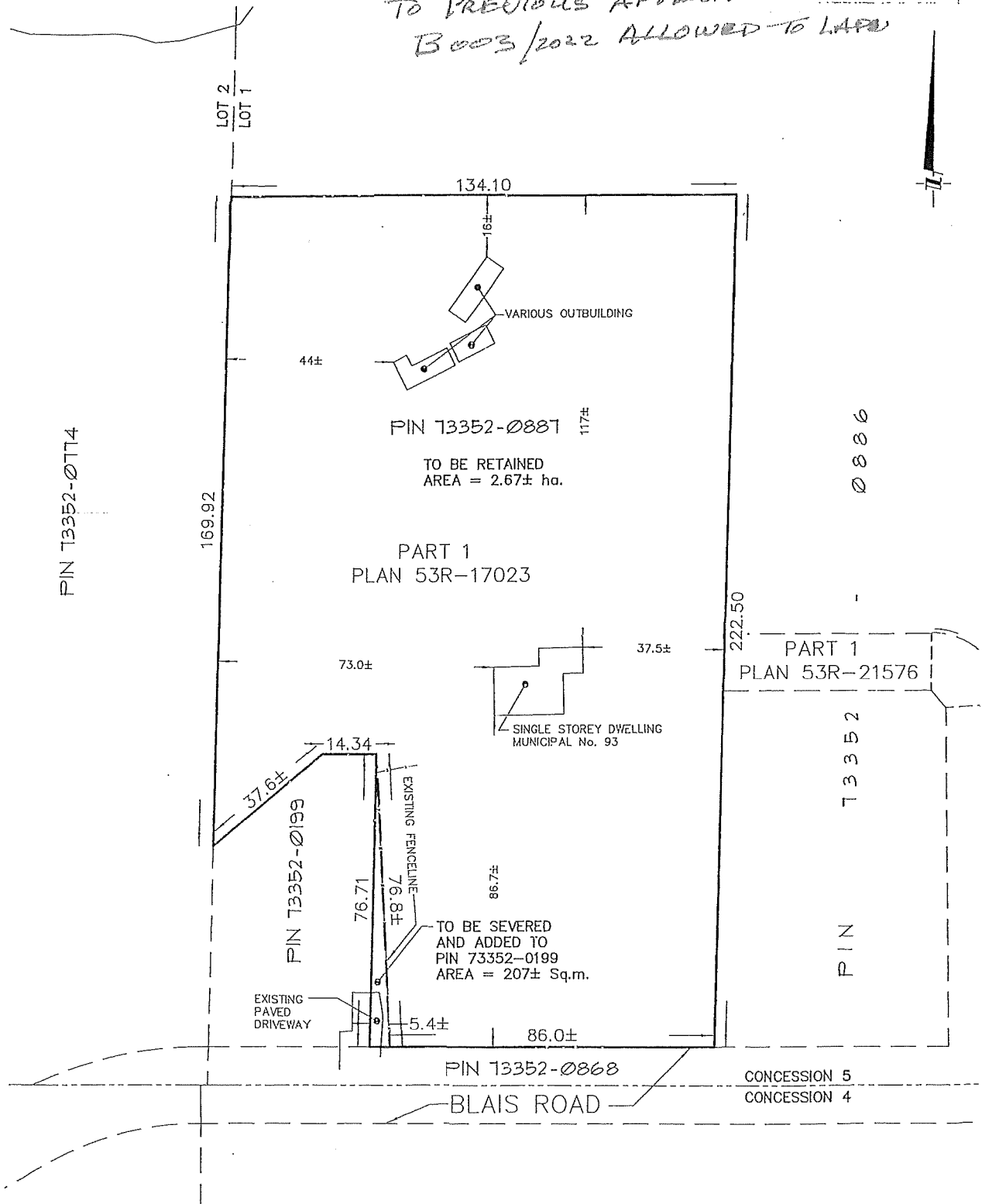
SKETCH FOR PLANNING ACT APPLICATION
PART OF LOT 1
CONCESSION 5
 GEOGRAPHIC TOWNSHIP OF DOWLING
 CITY OF GREATER SUDBURY
 DISTRICT OF SUDBURY

NOTE

THIS IS NOT A PLAN OF SURVEY AND
 SHOULD ONLY BE USED FOR THE PURPOSE
 STATED IN THE TITLE BLOCK.

APPROVED
 10/1/2022
 COA - CONCESSIONS

SKETCH ATTACHED
 TO PREVIOUS APPLICATION
 B003/2022 ALLOWED TO LAP



D.S.
DORLAND
 LIMITED

ONTARIO LAND SURVEYORS
 GEOMATICS PROFESSIONALS

298 LARCH STREET
 SUDBURY, ONTARIO, P3B 1M1
 PHONE (705) 673-2556 FAX (705) 673-1051
 WWW.DSDORLANDLIMITED.CA

PREPARED BY : WJM
 CHECKED : ****

SCALE : 1:1000 METRIC
 CAD FILE : 17215 RPLAN.dwg

SCALE 1:1000

0 10 20 30 50 75 METRES

B0032/2024
 Sketch 3

Office Use Only 2024.01.01
B0043 / 2024
S.P.P. AREA Yes ___ No <input checked="" type="checkbox"/>
NDCA REG. AREA Yes ___ No <input checked="" type="checkbox"/>

City of Greater Sudbury

APPLICATION FOR CONSENT

APPLICATION FEE: \$2,170.00 (includes \$320.00 Legal Notice Fee)
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: **CITY OF GREATER SUDBURY**
Note: An application fee is levied for **each** new lot created; the remainder is not subject to an application fee.

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 City of Greater Sudbury under Section 53 of the *Planning Act* R.S.O. 1990, c. P.13 for consent, as described in this application.

Registered Owner(s):7055579 CANADA INC.	Email: [REDACTED]
Mailing Address:3702 Highway 144	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City:Chelmsford	Postal Code:P0M 1L0
	Fax Phone: [REDACTED]

2) Name of Purchaser(s) or Chargee(s):

Name of Purchaser(s) or Chargee(s):DEVLA PROPERTIES INC.	Email: [REDACTED]
Mailing Address:3692 Highway 144	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City:Chelmsford	Postal Code:P0M 1L0
	Fax Phone: [REDACTED]

Note: If the application is being made by a purchaser or the purchaser's agent, please provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of this application.

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

Name of Agent:TULLOCH	Email: [REDACTED]
Mailing Address:131 Fielding Road	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City:Lively	Postal Code:P3Y 1L7
	Fax Phone: [REDACTED]

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

4) Purpose of Transaction

<input type="radio"/> Creation of a new lot	<input checked="" type="radio"/> Easement/Right-of-way	<input type="radio"/> Lease
<input checked="" type="radio"/> Addition to a lot	<input type="radio"/> Creation of lot(s) for	<input type="radio"/> Other;
<input type="radio"/> Cancellation of Prior Consent	Semi-detached or row housing	specify _____

File # _____ Date: _____

5) Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged. _____
 DEVL A PROPERTIES INC.

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

Roll #	TownshipBALFOUR	Lot No.1	Concession No.3
PIN(s):73349-1238 & 73349-0828		Parcel(s)15433	
Subdivision Plan No.	Lot	R-Plan No.	Part(s)
Municipal Address or Street(s):3702 Hwy 144			Ward:3

7) Are there any easements or restrictive covenants affecting the subject land? Yes No

If the answer is "yes", please indicate a description of each easement or covenant and its effect.

Existing ROW as outlined on the concept plan (to be taken off title). New mutual access easement proposed over PIN 73349-1238 and benefitting PIN 73349-1207.

8) Date of acquisition of subject land. 2020

9) Has the land ever had any previous severances? Yes No

If "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed: (attach a schedule if necessary).

Date of Transfer	Name of Transferee
Use of severed land	Consent File No.

10) Has the parcel intended to be severed ever been, or is it now a part of an 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 the file number and status of the application. _____

11) Is the property also subject of an Application for Minor Variance, Rezoning or an Official Plan Amendment?

Yes No Concurrent rezoning application

If "yes", indicate the file number(s). _____

Note: If the Consent application is requested to proceed prior to securing necessary minor variance or rezoning approvals, please complete the Acknowledgement of Risks form at the end of this Application form as an Application for Consent cannot succeed without such approval(s) in place.

12) Dimensions of land to be severed **in metric units** (describe **only** the portion of the land which is to be transferred, leased or mortgaged)?

Frontage±20m	EASE.: ±2.5m	Depth±18m	EASE.: ±61m	Area±360m ²	EASE.: ±153m ²
Existing Use Commercial		Proposed Use Residential / mutual access easement			

Number and use of existing buildings and structures on the land to be severed?

Existing 0	Proposed 0
------------	------------

If applicable, indicate Parcel Number and /or Lot and Registered Plan of Subdivision Number of property which will benefit from the lot addition/consolidation, easement/right-of-way.

PCL 15796 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT144785 T/W AS IN LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1207)

13) Dimensions of land intended to be retained **in metric units** (describe **only** the portion of land which will remain following the severance(s); if the transaction is an easement/right-of-way or lease, describe the entire lot or parcel).

Frontage±60m	Depth±61m	Area±3660m
Existing Use Commercial	Proposed Use Same	

Number and use of existing buildings and structures on the land to be retained?

Existing 2	Proposed 0
------------	------------

14) Will a certificate be required for the retained land? Yes No

If "yes", please provide a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*, R.S.O. 1990, c. P.13.

B0043/2024

15) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway, Yes No
- b) a municipal road that is maintained all year or seasonally, Yes No
- c) a road which is maintained by the municipality, Yes No
- d) by water? Yes No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.

16) What types of water supply and sewage disposal are proposed? Proposed Lot Retained Lot

Municipally owned and operated piped water system	<input checked="" type="radio"/>	<input type="radio"/>
Municipally owned and operated sanitary sewage system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Lake	<input type="radio"/>	<input type="radio"/>
Individual Well	<input type="radio"/>	<input type="radio"/>
Communal Well	<input type="radio"/>	<input type="radio"/>
Individual Septic System	<input type="radio"/>	<input type="radio"/>
Pit Privy	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

17) Is the property located with 1km (0.6 miles) of a First Nation Reserve? Yes No

18) What is the current designation of the subject land in the applicable Official Plan and explain how the application conforms with the Official Plan.

See Planning Justification Brief.

19) Explain how the application is consistent with the Provincial Policy Statements issued under subsection 3 (1) of the *Planning Act*. Please provide an explanation below, or attach a Schedule outlining the particulars of same.

See Planning Justification Brief.

20) Explain how the application conforms, or does not conflict with the Growth Plan for Northern Ontario. Please provide explanation below or attach a Schedule outlining the particulars of same.

See Planning Justification Brief.

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

If this application is approved, would any existing dwelling units be legalized? Yes No

If "yes", how many? _____

22) 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. _____

23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please attach a schedule outlining the particulars of same.

Schedule Attached Yes No

B0043/2024

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, 7055579 CANADA INC. (please print all names), the registered owner(s) of the property described as PIN 73349-1238 (3702 Hwy 144)

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 TULLOCH (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 27 day of May, 2024

X [Signature]
(witness)

X [Signature]
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: X John Law
*I have authority to bind the Corporation

B0043/2024



April 15, 2024

RECEIVED

MAY 01 2024

Tulloch Engineering
1942 Regent Street, Unit L
Sudbury, ON
P3E 5V5

RECEIVED

Attention: Rebecca Dawson, EIT

JUN 11 2024

Re: Sewer and Water Capacity Analysis
3692 Hwy 144
Township of Balfour

PLANNING SERVICES

PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCCA
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

The Development Engineering Section has reviewed your request for a Sewer and Water Capacity Analysis at the above noted location and have the following to report:

A review of the sewage mains downstream from the proposed connection at BAL-12-12-0066 HWY 144 revealed that the mains are capable of conveying the additional 0.53 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the 300mm watermain in front of property 3692 Hwy 144.

Values Obtained from Model

C.G.S. Minimum Requirements

Max Hour: 74 psi
Max Day: 74 psi
Fire Flow: 367 l/s

- 40 psi
- 50 psi
- 75 L/s R1, 100 L/s R3

The results of the WaterCAD analysis indicate that sufficient water capacity and pressure exist for the proposal in question.

It should be noted that these results are derived at by using a theoretical computer model based on our best available data. In the event that these developments do not proceed within a one (1) year period, then you should make the necessary arrangements to have a current analysis carried out to take into account any changes made in our sewer or WaterCAD models and to ensure that there is sufficient Sewage, Fire Flows and/or Domestic Pressures available for your proposal(s).

Should you have any questions or concerns please contact me at 671-2489 ext 2409.

Yours truly,

David Longarini
Development Engineering Technician

DVL/ds

cc: Akli BenAnteur, Wastewater Project Engineer, (Kelly Lake)

B0043/2024

Aaron Ariganello

From: [REDACTED]

From: Cole, Cameron (MTO) <[REDACTED]>

Sent: Thursday, April 18, 2024 1:58 PM

To: Aaron Ariganello <[REDACTED]>

Cc: Lavallee, Michelle (MTO) <[REDACTED]>

Subject: RE: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

Hi there Aaron,

My recommendation would be that the sooner MTO can be provided with this information, the sooner we will be able to provide confirmation as to whether the additional documents will be required. While the approval of any technical documents will be associated with the building/land use permit, we can receive the documents prior to the submission of the permit application.

I hope this was helpful! Don't hesitate to contact me if there are any other questions or concerns.

Thank you,

Cameron Cole

Corridor Management Planner

Corridor Management, North Region, Area East

Ministry of Transportation

447 McKeown Ave.

North Bay, Ontario, P1B 9S9

Phone: [REDACTED]

Email: [REDACTED]

RECEIVED

JUN 11 2024

PLANNING SERVICES

From: Aaron Ariganello <[REDACTED]>

Sent: April 17, 2024 5:24 PM

To: Cole, Cameron (MTO) <[REDACTED]>

Cc: Cole, Jeff (MTO) <[REDACTED]>; Lavallee, Michelle (MTO) <[REDACTED]>; Vanessa Smith <[REDACTED]>; Brandon Cormier <[REDACTED]>; Kevin Jarus <[REDACTED]>

Subject: RE: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Cameron,

Thank you for the below.

Just wanted your confirmation on the last comment – is the information regarding stormwater management and illumination to be provided upon the submission of the rezoning application, or at the time our client submits for their MTO building/land use permit?

B0043/2024

- Proposed parking area layout with maximum number of vehicles to be accommodated at one time.
 - Elevation of the area adjoining the highway and the proposed drainage system for the development
 - Location of existing and proposed entrances.
 - Location and names of adjacent roads.
- The MTO requests more information regarding stormwater management and Illumination in order to determine if a detailed Stormwater Management Plan (SWMP) and Illumination Report will be required. If it can be demonstrated that there will be no substantive change in pre/post development drainage to the highway and external illumination, then the MTO will not require the submission of these technical documents. This information can be in the form of engineers statement or can be shown on the submitted site plan.

Please submit technical documents through the MTO's land development review process, this can be found online at the following link: <https://www.hcms.mto.gov.on.ca/>. This is a new function that is intended to streamline the MTO's review process. If you have any questions regarding this, don't hesitate to contact me.

Following the Land Development Review process, permit applications can be made online at the above link.

Any questions regarding permitting or setbacks can be directed to Michelle Lavallee, Corridor Management Officer at [REDACTED]

If there are any additional questions or concerns, don't hesitate to contact me. These comments will be considered valid for a time period of one (1) year, and if a formal application is not made within that year, a new review and comments will be required.

Thank you,

Cameron Cole

Corridor Management Planner

Corridor Management, North Region, Area East

Ministry of Transportation

447 McKeown Ave

North Bay, Ontario, P1B 9S9

Phone: [REDACTED]

Email: [REDACTED]

From: HCMS-Do-Not-Reply <[REDACTED]>

Sent: Friday, January 26, 2024 3:44 PM

To: Aaron Ariganello <[REDACTED]>

Subject: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

Your request for a pre-consultation, submitted on January 26, 2024 has been received.

Pre-consultation No.: 2024-54S-000026

B0043/2024

Ministry of Transportation
Highway Corridor Management Section - Sudbury Office 3767 Hwy 69 S, Suite 8
Sudbury, ON P3G 1G4

Si vous souhaitez vérifier le statut de la demande de consultation préalable que vous avez présentée ou imprimer les détails de la demande, veuillez vous rendre à Faire le suivi d'une demande et entrer les renseignements ci-dessous :

N° de la consultation : 2024-54S-000026

Code d'accès : 1tISEXYq

Si vous devez mettre à jour une demande pour cette demande, veuillez utiliser le numéro de demande de consultation préalable et le code d'accès ci-dessus.

Veuillez conserver ce courriel et les détails ci-joints concernant la demande de consultation préalable pour vos dossiers.

Merci
Bureau de gestion des couloirs routiers
Ministère des Transports de l'Ontario
<https://www.hcms.mto.gov.on.ca>

Veuillez noter ce qui suit : Ce courriel est envoyé à partir d'une adresse servant uniquement à l'envoi d'avis qui ne peut accepter de courriels entrants. Veuillez ne pas répondre à ce message.

▪

B0043/2024

RECEIVED

JUN 11 2024

PLANNING SERVICES

PLANNING JUSTIFICATION

BRIEF

3692 HIGHWAY 144, CHELMSFORD
ZONING BY-LAW AMENDMENT

JUNE 2024

Prepared by: TULLOCH
Prepared for: DEVL A PROPERTIES INC.

B0043/2024

Contents

1.0 INTRODUCTION	1
2.0 SUBJECT LANDS & SURROUNDING CONTEXT	1
3.0 PROPOSED DEVELOPMENT	7
4.0 POLICY OVERVIEW & ANALYSIS	9
4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)	9
4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)	12
4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)	13
4.4 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z	18
5.0 CONCLUSION	19

1.0 INTRODUCTION

TULLOCH is retained by the owner of 3692 Highway 144 (being PIN 73349-1207) in Greater Sudbury to prepare a planning justification brief as part of a complete application to amend the *City of Greater Sudbury Zoning By-law 2010-100Z*. This brief provides justification for an application that would ultimately facilitate the development of a 2-storey, 10-unit multiple dwelling providing a total of fifteen (15) parking spaces. Subsequent lot addition applications would be required to consolidate the proposed parcel fabric. Site-specific relief is requested through the application and analyzed in this brief.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-law 2010-100Z*

Overall, the author finds that the proposed zoning by-law amendment conforms with the *Growth Plan for Northern Ontario* and the *City of Greater Sudbury Official Plan*, is consistent with the *2020 Provincial Policy Statement* and represents good planning.

2.0 SUBJECT LANDS & SURROUNDING CONTEXT

The proposed parcel is comprised of 3692 Highway 144 (being PIN 73349-1207), and parts of three other properties that are also located along Highway 144 in Chelmsford. The properties can be legally described as follows:

PCL 15796 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT144785 T/W AS IN LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1207)

PCL 15433 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT139235 EXCEPT LT144785; S/T LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1238)

PART LOT 1 CONCESSION 3 BALFOUR SUBJECT TO AN EASEMENT AS IN LT775143;; SUBJECT TO AN EASEMENT AS IN LT114461; SUBJECT TO AN EASEMENT IN GROSS OVER PART 9 53R20446 AS IN SD297614; SUBJECT TO AN EASEMENT OVER PART 9 53R20446 IN FAVOUR OF PT LOT 1 CON 3, PTS 5, 6, 7, & 8 53R20446 AS IN SD299321; TOGETHER WITH AN EASEMENT OVER PT LT 1 CON 3 PT 6 53R14276 AS IN SD107146; TOGETHER WITH AN EASEMENT OVER PT LOT 1 CON 3 PTS 5, 6, 7 & 8 53R20446 AS IN SD299321; CITY OF GREATER SUDBURY (PIN 73349-2165)

CONSOLIDATION OF VARIOUS PROPERTIES: PT LT 1 CON 3 BALFOUR BEING PTS 1, 2 & 3 53R18073; S/T LT114461; GREATER SUDBURY (PIN 73349-2060)

The lands that make up the proposed parcel fabric will hereby be referred to in this brief as the 'subject lands.' A summary table and figure of the subject lands, and their corresponding applications is provided below.

SUBJECT LANDS (PINs)	DESCRIPTION	SEVERED LOT AREA	FRONTAGE	APPLICATION
PIN 73349-1207 (3692 Hwy 144)	Property benefitting from lot additions & mutual access easement – to be rezoned to C2(S)	N/A Total lot area = ±851.45m ²	N/A	Rezoning
PIN 73349-1238 (3702 Hwy 144)	Portion of property to be added to 3692 Hwy 144 (1), and rezoned to C2(S) + mutual access easement (2) traversing over the property, and benefitting 3692 Hwy 144	1. ±356.4m ² 2. ±152.5m ² 3. ±508.9m ² including the mutual access easement	±79.2m	1. Rezoning 2. Lot Addition + Mutual Access Easement
PIN 73349-2060	Portion of property to be added to 3692 Hwy 144, and rezoned to C2(S)	±128.76m ²	N/A	1. Rezoning 2. Lot Addition
PIN 73349-2165	Portion of property to be added to 3692 Hwy 144, and rezoned to C2(S)	±475.75m ²	N/A	1. Rezoning 2. Lot Addition

Table 1 – Summary of the Subject Lands

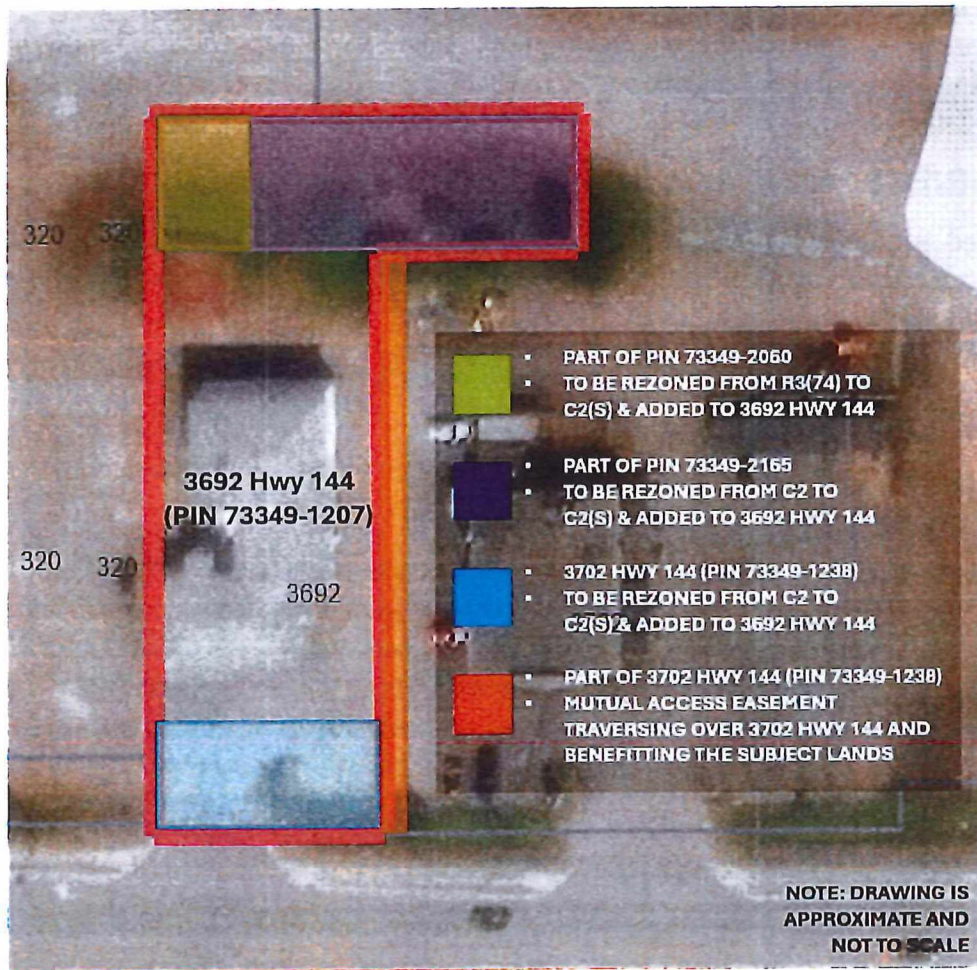


Figure 1 – Summary of the Subject Lands

The subject lands are currently designated Mixed Use Commercial and located within the City's settlement area and built boundary in the OP. PINs 73349-1207, 73349-1238, and 73349-2165 are currently zoned C2, while PIN 73349-2060 is zoned R3(74) in the Zoning By-law. 3692 Highway 144 currently features an existing 10-unit multiple dwelling, having access onto Highway 144 (Highway 144 being designated as a Provincial Highway with full municipal sewer and water services). The subject lands are located along GOVA Transit Route 104 with the closest bus stop being located directly in front of the site. Sidewalks are also located on the north side of Highway 144.

On a high-level, the surrounding area is comprised of a range of land uses including residential, commercial, and institutional. Medium density residential uses, as well as commercial and institutional uses, are located along Highway 144. The broader Chelmsford community is predominantly made up of low-density residential uses taking the form of single detached dwellings. The immediate surrounding area can be described as follows:

NORTH: Mix of low and medium density residential uses, lands zoned FD (Future Development)

WEST: Row dwelling complex (currently under construction, containing approximately 40-units), A&W, I.D.A Pharmacy, Chelmsford Valley District Composite School (being the Institutional use referenced in *Figure 2* below)

SOUTH: Mix of Commercial uses (Belanger Ford dealership, Fix Auto, etc.), low density residential uses

EAST: Mix of Commercial uses (Overtime Sports Bar & Grill, Dollarama, Place Bonaventure Mall, etc.)



Figure 2 – Subject Lands and Surrounding Context Map

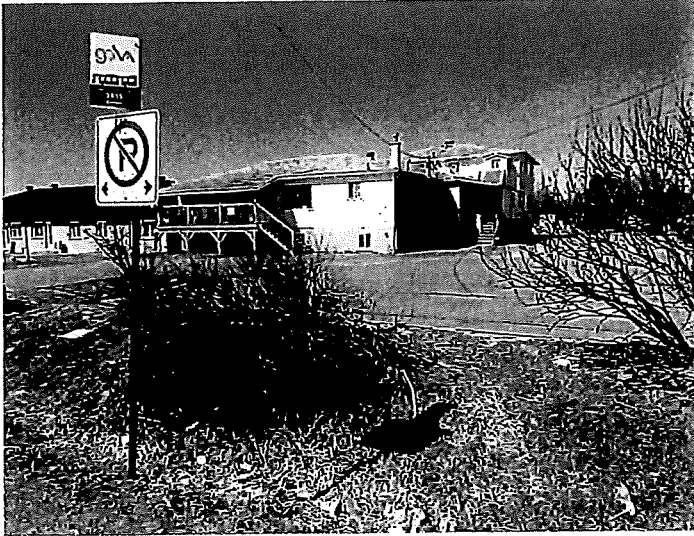


Figure 3 – View of Existing Building to be Demolished

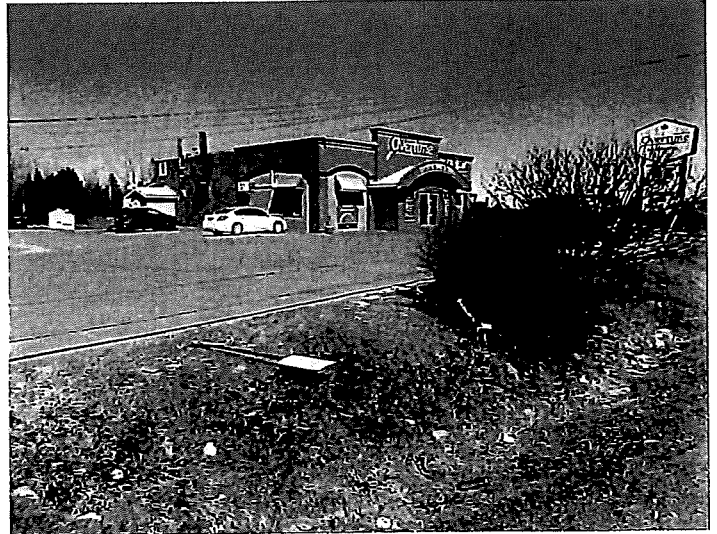


Figure 4 – Overtime Bar & Grill directly East of the Subject Lands



Figure 5 – Row dwelling complex currently under construction directly west of the Subject Lands

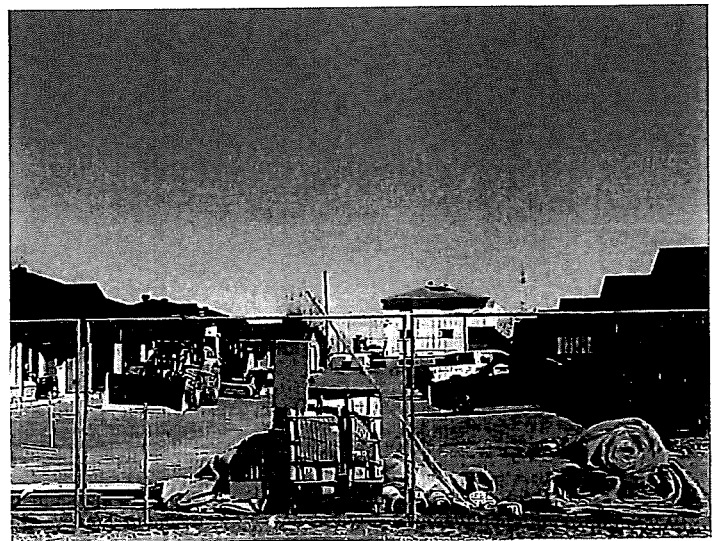


Figure 6 – View of the Existing Building Facing East (from the west end of the Row Dwelling Complex)



Figure 7 – Auto Body Shop just South of the Subject Lands across Highway 144

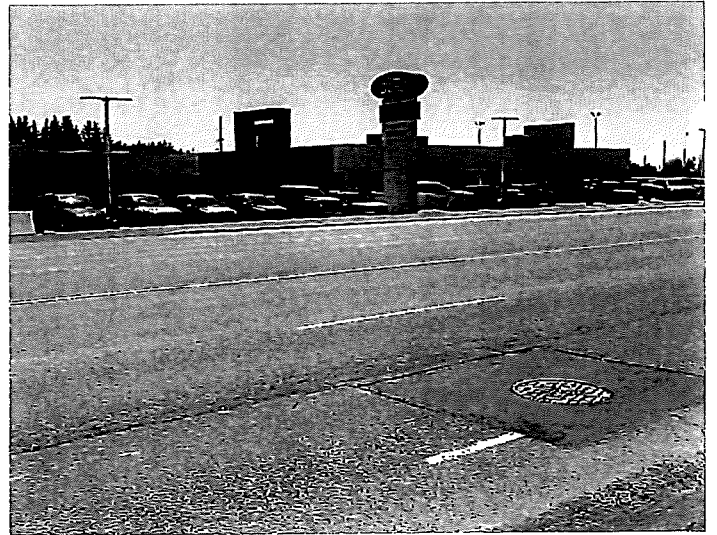


Figure 8 – Ford Dealership just South of the Subject Lands across Highway 144



Figure 9 – View of Highway 144 (main thoroughfare) Facing West of the Subject Lands

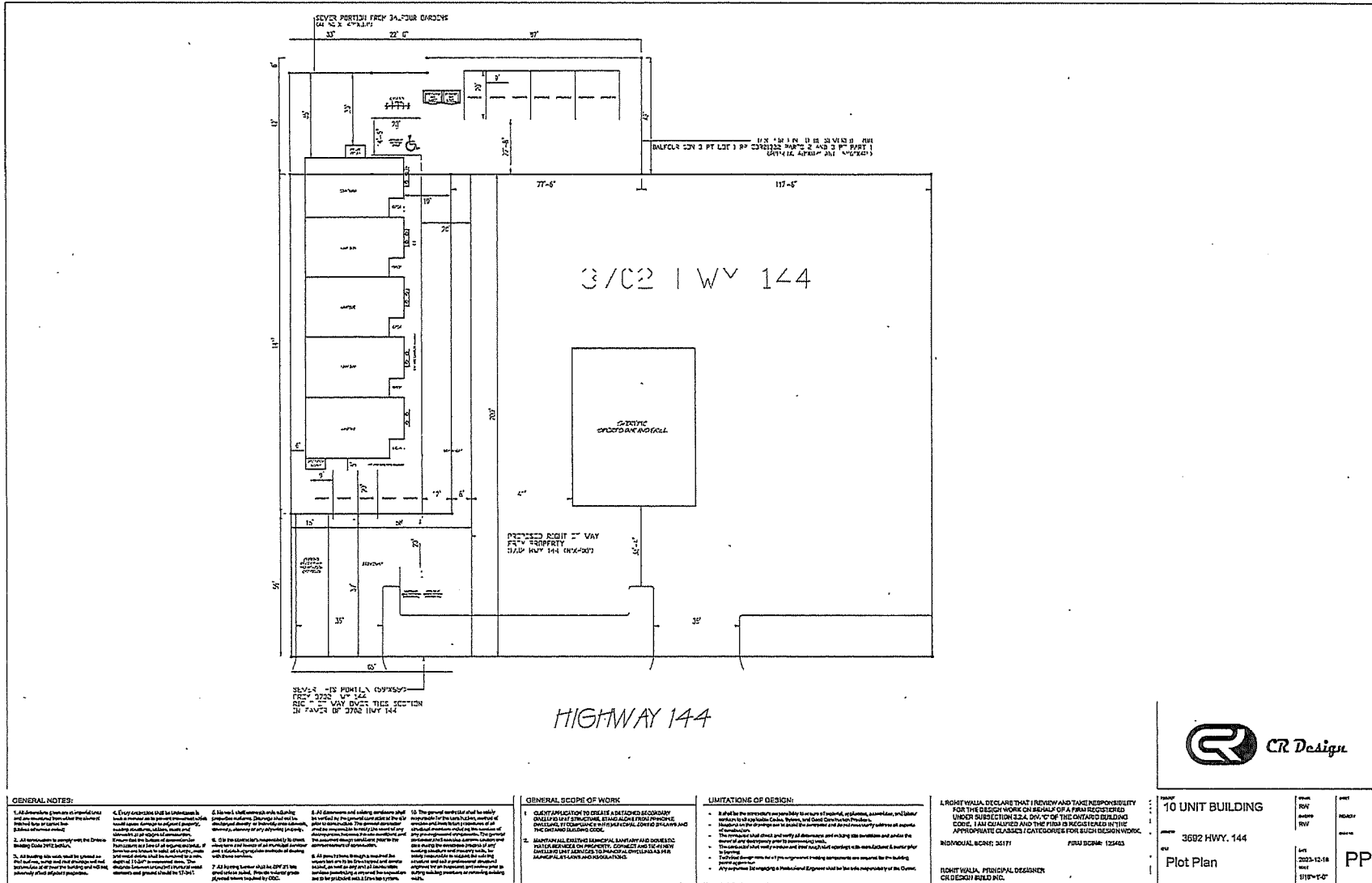
3.0 PROPOSED DEVELOPMENT

The application proposes to rezone PIN 73349-1207, and parts of PINs 73349-1238, 73349-2165 and 73349-2060 from their current C2 (General Commercial) and R3(74) (Medium Density Residential Special) zones to a C2(S) (General Commercial Special) zone. The R3(74) zone is only over PIN 73349-2160. The application would rectify future split zoning issues from occurring (see *Figure 1 & 10*), and facilitate the development of a 2-storey, 10-unit multiple dwelling providing a total of fifteen (15) parking spaces. The proposed development would also require that a series of lot addition applications be submitted to make up the proposed parcel fabric. The proposed parcel fabric would have an area of $\pm 1812.36\text{m}^2$ with ± 19 metres of lot frontage, and the proposal would represent a density of ± 55 units per hectare.

A new mutual access easement is proposed over PIN 73349-1238 (see *Figure 1 & 10*) and would benefit the subject lands. This easement will not provide direct access off Highway 144. Rather, the easement is necessary to provide future residents with legal two-way access to the proposed parking area to the north of the proposed multiple dwelling.

Site specific relief from the standard C2 zoning provisions is being requested, as outlined below:

- Minimum lot frontage of 19.0 metres, whereas a minimum of 30.0 metres is required (*Table 7.3* of the zoning by-law)
- Minimum two-way drive aisle width of 3.5 metres, whereas a minimum of 6.0 metres is required (*Section 5.2.9.3* of the zoning by-law)
- 3.0-metre-wide planting strip adjacent to the northerly and westerly property boundary not be required for residential uses (*Section 4.15.4* of the zoning by-law)



GENERAL NOTES:

1. All dimensions, elevations or profiles shown and are measured from unless the nature of the work is otherwise indicated.
2. All dimensions to comply with the Ontario Building Code (OBC).
3. All building lines shall be shown on all levels, including finished ground and existing conditions of the building and not the existing ground level.
4. Every dimension shall be taken to the face of the work unless otherwise indicated.
5. The work shall conform to all applicable codes and standards.
6. All dimensions and elevations shall be taken to the face of the work unless otherwise indicated.
7. All existing conditions shall be shown on all levels.
8. The work shall conform to all applicable codes and standards.
9. All dimensions and elevations shall be taken to the face of the work unless otherwise indicated.
10. The general contractor shall be responsible for the completion of the work in accordance with the contract documents.

GENERAL SCOPE OF WORK:

1. CLIENT SPECIFICATION TO DESIGN A TENTATIVE SECONDARY OFFICE BUILDING STRUCTURE, STAIRS AND ELEVATOR SHAFTS, INCLUDING THE GENERAL LAYOUT AND THE GENERAL DIMENSIONS OF THE BUILDING.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE OBC AND ALL APPLICABLE CODES AND STANDARDS.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE OBC AND ALL APPLICABLE CODES AND STANDARDS.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE OBC AND ALL APPLICABLE CODES AND STANDARDS.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE OBC AND ALL APPLICABLE CODES AND STANDARDS.

LIMITATIONS OF DESIGN:

- It shall be the responsibility of the client to provide all necessary information and data for the design.
- The design shall be based on the information and data provided by the client.
- The design shall be based on the information and data provided by the client.
- The design shall be based on the information and data provided by the client.
- The design shall be based on the information and data provided by the client.
- The design shall be based on the information and data provided by the client.

I, ROHIT WALIA, DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK OF THIS PROJECT UNDER SUBSECTION 3.2.4, DIV. C OF THE ONTARIO BUILDING CODE, I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSIFICATION CATEGORIES FOR SUCH DESIGN WORK.

INDIVIDUAL SCHE: 34171 FIRM SCHE: 125463

ROHIT WALIA, PRINCIPAL DESIGNER
CHENDESH BUILD INC.

PROJECT	10 UNIT BUILDING	DATE	2023-12-18
CLIENT	3692 HWY. 144	SCALE	1/8"=1'-0"
TYPE	Plot Plan	DESIGNER	PP

Figure 10 – Concept Plan

B0043/2024

4.0 POLICY OVERVIEW & ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the application in the context of Provincial and Municipal policies and regulations. Each subsection will outline relevant policies and provide an analysis with respect to how the zoning by-law amendment is consistent with or conforms to such policies.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

The *2020 Provincial Policy Statement* (PPS) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal official plans must be consistent with the PPS. Policies applicable to the application are outlined and analyzed below.

Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. **Section 1.1.1** states, in part:

1.1.1

Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

...

e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards, to minimize land consumption and servicing costs;

f) Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

...

Section 1.1.3 of the PPS states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Considering the subject lands are located within Sudbury's settlement area, the following policies are applicable:

1.1.3.1

Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

...

d) prepare for the impacts of a changing climate;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed; and

...

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

...

Section 1.4.3 of the PPS speaks to housing and how planning authorities can provide for an appropriate range and mix of housing options and densities to meet projected needs. It states, in part:

...

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

...

Section 1.6.7 of the PPS provides policies outlining the efficient use of transportation systems. Given the subject lands proximity to existing public and active transportation networks, the following policy is applicable:

...

1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are applicable:

1.7.1 *Long-term economic prosperity should be supported by:*

a) promoting opportunities for economic development and community investment-readiness;

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

...

Per **Section 1.1.1**, healthy, livable, and safe communities are sustained by accommodating an appropriate range and mix of land uses (including residential) to meet long-term needs. The application would facilitate the development of a medium density housing option that would contribute to the range and mix of land uses that are available in the area surrounding the subject lands. It would also contribute to providing a greater range and mix of housing types to the broader Chelmsford community (which is predominantly

made up of single detached dwellings) to assist in meeting the long-term needs of purpose built rental housing. The proposed development represents an efficient development and land use pattern by continuing to utilize existing municipal sewer and water services, and existing public transit and active transportation networks, thereby assisting in supporting the financial well-being of the Province and Municipality over the long term. With respect to **Section 1.1.1(f)**, the proposal has the potential to improve accessibility for elderly people - proximity to amenities, public transit and active transportation networks promotes a development that may benefit an aging population.

The subject lands are located within the City's settlement area boundary, which under **Section 1.1.3** shall be the focus of growth and development. The PPS encourages a mix of densities and land uses which efficiently use land and resources within settlement areas. To support consistency with the above noted policies, the proposal:

- Makes efficient use of the lands which benefit from the existing resources/infrastructure noted above;
- Will not result in the uneconomical expansion of infrastructure, considering the subject lands are connected to existing hard municipal services with the capacity to accommodate the proposal;
- Assists in minimizing the length and number of vehicle trips, with a proposal that supports active transportation, and is transit supportive as the subject lands are located along existing transit and active transportation networks;
- Represents an appropriate location for a 10-unit multiple dwelling, given the locational context of the subject lands, and the existing built-up character of the area. The lands are located along a portion of the highway which generally acts as a main thoroughfare for the community of Chelmsford. This portion features existing public transportation networks adjacent to the subject lands, and the surrounding area currently features a mix of housing types, among many other land uses (e.g. institutional, commercial). The proposal would thereby assist in enhancing the vitality and viability of this main thoroughfare; and
- Promotes the development of a range and mix of housing types to assist in supporting the social, health, economic, and well-being needs of current and future residents, and responds to the dynamic market-based needs arising from a diverse population. This is achieved by providing purpose built rental housing that would assist the City in achieving a needed supply and range of housing, especially given the City's aging demographic. In fact, the City's *Housing Needs Assessment (2023)* identified that population growth and eroding affordability in the ownership market are driving up rental demand across the City.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The Growth Plan for Northern Ontario (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

Section 3.4.3 of the GPNO promotes a diverse mix of land uses within northern communities. It states, in part:

- 3.4.3** *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.*

Per **Section 3.4.3**, the application supports and promotes healthy living by contributing to a range and mix of housing types in the surrounding area, as well as being in proximity to existing transit and active transportation networks. GOVA Transit Route 104 (the nearest transit stop being located directly in front of the subject lands, along Highway 144) and existing sidewalks on the north side of the highway provides individuals with nearby access to a commercial corridor along Highway 144, featuring a variety of amenities and essential services such as grocery stores, restaurants, a pharmacy, and more (see *Figure 2*).

4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

The *City of Greater Sudbury Official Plan (OP)* is the principal land use planning policy document for the City of Greater Sudbury. The OP establishes objectives and policies that guide both public and private development/decision-making.

Section 2.3.2 contains land use policies related to the City's settlement areas, and states, in part:

- 2.3.2.1** *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.*
- 2.3.2.2** *Settlement Area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.*
- 2.3.2.3** *Intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.*

...

Section 2.3.3 outlines land use policies regarding intensification, and states, in part:

...

- 2.3.3.4** *Medium scale intensification and development is permitted in Town Centres, Secondary Community Nodes, Regional Corridors and Mixed Use Commercial corridors, in accordance with the policies of this Plan.*

- ...
- 2.3.3.7** *Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities.*
- 2.3.3.8** *Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal.*
- 2.3.3.9** *The following criteria, amongst other matters, may be used to evaluate applications for intensification:*
- a. the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;*
 - b. the compatibility proposed development on the existing and planned character of the area;*
 - c. the provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;*
 - d. the availability of existing and planned infrastructure and public service facilities;*
 - e. the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;*
 - f. the impact of traffic generated by the proposed development on the road network and surrounding land uses;*
 - g. the availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;*
 - h. the level of sun-shadowing and wind impact on the surrounding public realm;*

The subject lands are located within the City's settlement area and built boundary. Per **Section 2.3.2.1 & 2.3.2.3**, the application directs development within the settlement area and built boundary. As previously discussed, the lands are located along a portion of Highway 144 which generally acts as a main thoroughfare and established commercial corridor for the community of Chelmsford. The proposal would contribute to the supply of housing in an area which currently features a range and mix of housing types, including a 40-unit row dwelling complex currently being constructed directly west of the subject lands. With respect to **Section 2.3.2.2**, the application proposes a compact built form that would make efficient use of the lands, and existing resources, infrastructure, and public service facilities. The proposed compact built form would also assist in minimizing negative impacts on air quality, promote energy efficiency, and support the use of existing public transit and active transportation networks.

With respect to **Section 2.3.3.4 & 2.3.3.7**, the application proposes a medium density development within a Mixed Use Commercial corridor which is encouraged as the site contains suitable existing infrastructure and benefits from nearby public service facilities.

To ensure the intent of **Section 2.3.3** is met, this report evaluates the proposed development against the tests for intensification as outlined in **Section 2.3.3.9**. Per the criteria outlined in this section of the OP, the proposal:

- Reconfigures the parcel fabric of 3692 Highway 144 so that it is of a suitable shape and size to appropriately accommodate a 10-unit multiple dwelling with adequate on-site parking (1.5 parking spaces per unit is proposed, in conformity with *Table 5.5* in the zoning by-law);
- Proposes a residential development that is compatible with the existing and planned character of the area. As previously discussed, the immediate surrounding area is largely comprised of a mix of housing types, as well as commercial and institutional uses, and the proposal would contribute to this existing range and mix of land uses;
- Provides public road frontage and adequate ingress/egress to the subject lands through a subsequent lot addition application (see *Figure 1 & 10*); and
- Provides the potential to enhance nearby active transportation and public transit networks as the proposed development promotes a development over the subject lands that may encourage the use of such networks.

Mixed Use Commercial areas have been established in Sudbury with the intent of recognizing the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. **Section 4.3** provides policies regarding the development of lands designated Mixed Use Commercial in the OP, and states, in part:

4.3.1 *All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed-Use Commercial designation through the rezoning process. Uses permitted in the Mixed-Use Corridor designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods at a lesser density and concentration than Regional Corridors.*

...

4.3.4 *Subject to rezoning, new development may be permitted provided that:*

- a) sewer and water capacities are adequate for the site;*
- b) parking can be adequately provided;*
- c) no new access to Arterial Roads will be permitted where reasonable alternate access is available;*
- d) the traffic carrying capacity of the Arterial Road is not significantly affected;*
- e) traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;*

f) landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,

g) the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.

All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process, per **Section 4.3.1. Section 4.3.4** outlines the tests that these new developments must align with. The application meets these tests, considering that:

- Existing sewer and water capacities are adequate to service the subject lands;
- Adequate on-site parking would be provided over the subject lands, in accordance with the applicable parking provisions in the zoning by-law;
- No new access on an arterial road is being proposed, nor will the traffic carrying capacity of an arterial road(s) be significantly affected. The application had the benefit of receiving preliminary comments (through pre-consultation) from the City's Traffic and Transportation Department, for which no concerns with the post-development traffic impact of the proposed development were raised;
- Landscaping along the entire length of the subject lands lot frontage can be accommodated through a 3-metre wide landscaped area; and
- The application meets the applicable policies of Sections 11.3.2 & 14 of the OP. An analysis of such is provided below.

Section 11.3.2 speaks to land use policies to support transit needs. Given the subject land's proximity to transit, the following policy is applicable:

11.3.2.1 *Urban design and community development that facilitate the provision of public transit will be promoted;*

11.3.2.2 *Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop;*

...

Section 14.1 outlines the objectives of the City's urban design policies, and states, in part:

14.1 *The objective of the urban design policies are to:*

a. encourage well designed and high quality communities, neighbourhoods and public realm;

b. encourage well designed and high quality development and intensification;

c. promote an environment that is accessible, safe, sustainable and climate change resilient;

The proposed development would support the use of public transit, given that it is located along GOVA Transit Route 104, with the closest bus stop being within 500m walking distance of the subject lands, and should therefore be promoted per **Section 11.3.2**. Additionally, **Section 14.1** outlines the objectives of the City's Urban Design policies. The application seeks to meet these objectives by:

- Enhancing the overall public realm by contributing to the range and mix of land uses available in the surrounding area, and proposing a development that is transit supportive and in proximity to a mix of commercial uses and essential services; and
- Promoting sustainable development by continuing to make efficient use of the subject lands.

Section 17.2 of the OP contains policies related to providing adequate and more affordable housing and encouraging a wide range of housing types and forms for a diverse population. It states, in part:

17.2.1 *To encourage a greater mix of housing types and tenure, it is policy of this Plan to:*

a. encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;

b. encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households;

c. promote a range of housing types suitable to the needs of senior citizens;

d. discourage downzoning to support increased diversity of housing options; and

e. support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities – designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents

Per **Section 17.2.1**, the application encourages a range of housing types and forms to the surrounding area which are suitable to meet the housing needs of current and future residents. The proposed development plans for multiple dwelling units to accommodate the growing number of smaller households and Sudbury's aging demographic. In addition, the proposal contributes to the creation of complete communities by planning for housing within an area that features a mix of land uses, and is supportive of existing transportation networks that connect individuals to a wide range of commercial uses and public service facilities within the surrounding area.

4.4 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The application proposes to rezone the subject lands from C2 (General Commercial) and R3(74) (Medium Density Residential Special) to C2(S) (General Commercial Special). A zoning matrix table (see *Table 2* below) was created to evaluate the application against applicable zoning provisions.

	Zoning Requirements (C2 zone / General Provisions)	Proposed
Minimum Lot Area	1350m ²	±1812.36m ²
Minimum Lot Frontage	30.0m	±19.0m
Maximum Building Height	15.0m	2 storeys (<15m)
Minimum Front Yard	6.0m	±25m
Minimum Rear Yard	7.5m	±10.7m
Minimum Interior Side Yard	1.2m (+0.6m for every additional storey)	±1.8m
Maximum Lot Coverage	50%	±25%
Minimum Landscape Open Space	5%	> 5%
Landscaping (Sec. 4.15.1)	3.0m wide landscaped area adjacent to Highway 144	3.0m wide landscaped area adjacent to Highway 144
Landscaping (Sec. 4.15.4)	3.0m wide planting strip adjacent to the northerly and westerly property boundary	0m wide planting strip adjacent to the northerly and westerly property boundary
Parking Spaces (Table 5.5)	1.5 spaces/unit with a 10% reduction per Sec. 5.5.1.1 (14 spaces)	1.5 spaces/unit [15 spaces (including 1 accessible parking space)]
Aisle Width (Sec. 5.2.9.2)	6.0m	±3.0m
Bicycle Parking (Table 5.10)	0.5 spaces/unit (5 spaces)	5 spaces

***RED TEXT DENOTES RELIEF REQUIRED**

Table 2 – Zoning Matrix Table

Site specific relief is requested through the rezoning application. Such reliefs are outlined as follows:

- Minimum lot frontage of 19.0 metres, whereas a minimum of 30.0 metres is required (*Table 7.3* of the zoning by-law)
- Minimum two-way drive aisle width of 3.5 metres, whereas a minimum of 6.0 metres is required (*Section 5.2.9.3* of the zoning by-law)
- 3.0-metre-wide planting strip adjacent to the northerly and westerly property boundary not be required for residential uses (*Section 4.15.4* of the zoning by-law)

The proposed site-specific reliefs are requested to accommodate the proposed parcel fabric and built form. It is the author’s opinion that such reliefs are appropriate, given the rationale provided below.

A reduced two-way drive aisle width of 3.5 metres is technical in nature, and would accommodate a larger built form, providing residents with more living area. This reduction is seen as technical because a mutual access easement with a width of ±2.5 is being proposed adjacent to the 3.5 metre drive aisle.

Combined, the drive aisle and mutual access easement would make up a total of 6 metres in width, maintaining the intent of **Section 5.2.9.3** of the zoning by-law (to maintain an access driveway width of 6 metres for two-way traffic). This would also provide future residents with legal access to the proposed parking area to the north. With respect to a reduced frontage, we note that the property benefitting from the future lot additions (being 3692 Highway 144) currently does not benefit from frontage on a public road. Therefore, the application would bring this existing lot closer into conformity with the zoning by-law.

A 0-metre planting strip adjacent to the northerly and westerly property boundary would only be applicable where the subject lands are occupied by a permitted residential use. A planting strip would be required per **Section 4.15.4[a) i)]** as such reads as follows:

a) A 3.0-metre-wide planting strip adjacent to the full length of the lot line shall be required:

i) Where the lot line of a non-residential lot, other than a lot containing an open space use or a lot in an Industrial Zone, abuts a residential lot or Residential Zone;

...

Although the subject lands would continue to be used for residential purposes, the zoning by-law defines the property as a *non-residential lot*, considering it is zoned C2, and such lands abut a residential zone [being the property zoned R3(74) Medium Density Residential Special to the west of the subject lands]. The zoning by-law does not require planting strips to serve as a buffer between two medium density residential uses, therefore relief for a 0 metre planting strip adjacent to the northerly and westerly property boundary is requested only where the subject lands are occupied by a permitted residential use. This will ensure the intent of the zoning by-law is met (to not apply landscaping buffers in between compatible land uses), while being cognizant of the potential for the subject lands to develop as a general commercial use in the future – for which the required planting strip along the northerly and westerly property boundary would be required.

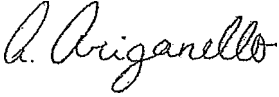
5.0 CONCLUSION

The proposed Zoning By-law amendment would facilitate the development of a medium density housing option within the community of Chelmsford, contributing to the range and mix of residential types currently available in the surrounding area. Overall, the application represents an efficient development and land use pattern in an appropriate location that benefits from existing amenities and municipal infrastructure, while contributing to the creation of complete communities.

Given the analysis provided herein, it is the author's opinion that the proposed Zoning By-law amendment is consistent with the *2020 Provincial Policy Statement*, conforms with the *Growth Plan for Northern Ontario* and the intent of the *City of Greater Sudbury Official Plan*, and represents good planning.

Respectfully Submitted,

Prepared by:



Aaron Ariganello, BURP

Land Use Planner

TULLOCH

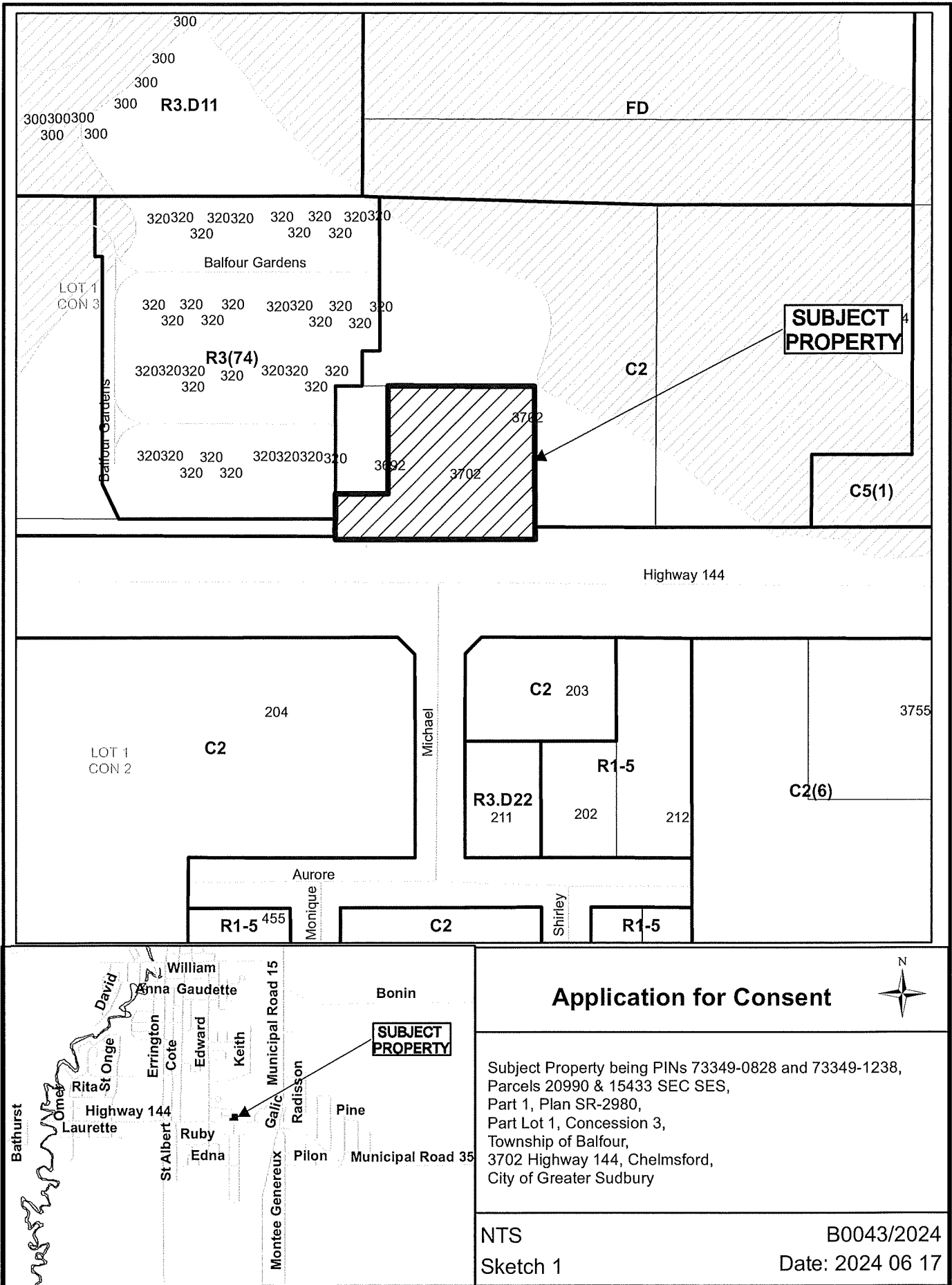
Reviewed by:



Kevin Jarus, M.Pl., RPP

Planning Manager

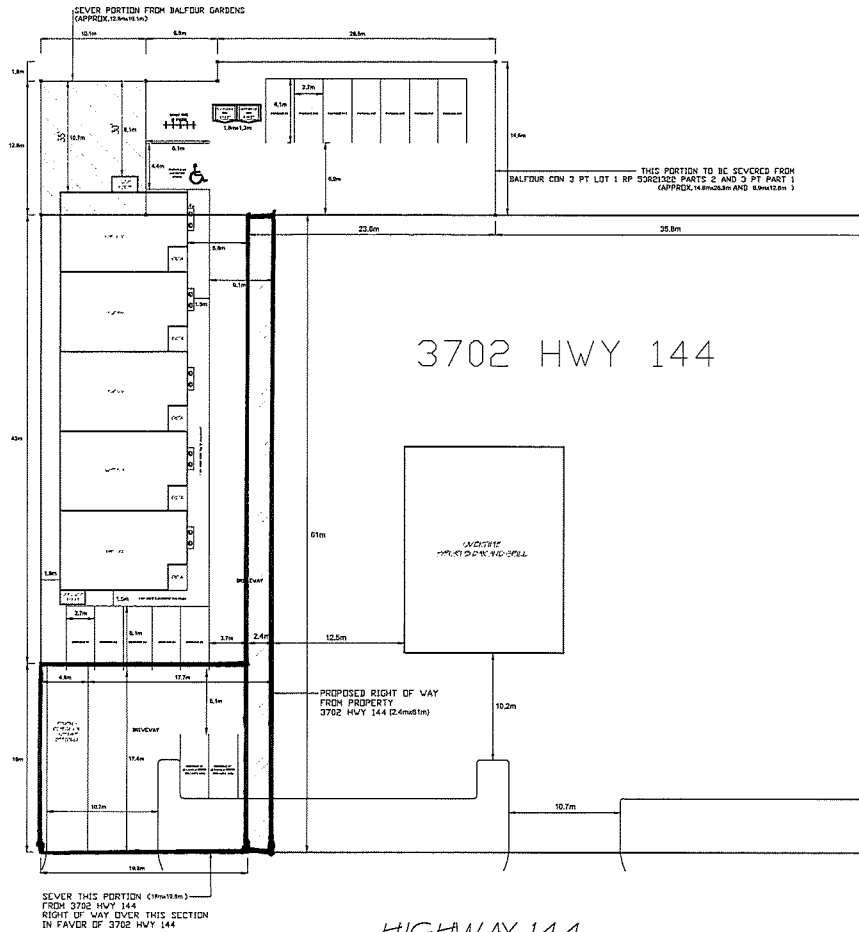
TULLOCH



Application for Consent

Subject Property being PINs 73349-0828 and 73349-1238, Parcels 20990 & 15433 SEC SES, Part 1, Plan SR-2980, Part Lot 1, Concession 3, Township of Balfour, 3702 Highway 144, Chelmsford, City of Greater Sudbury

NTS B0043/2024
 Sketch 1 Date: 2024 06 17



80043/2024
Sketch 2

GENERAL NOTES:

- All dimensions given are in imperial units and are measured from either the exterior finished face or centerline, (unless otherwise noted).
- All construction to comply with the Ontario Building Code 2023 Edition.
- All building site work shall be graded as per building code and shall comply with all applicable site work regulations and shall be accompanied at all times by a site plan showing all proposed elements and ground levels to 100%.
- Every measure shall be indicated by a solid line to show the location of the element to be constructed. Dimensions shall be indicated by dashed lines to show the location of the element to be removed. All dimensions shall be indicated by solid lines to show the location of the element to be constructed. All dimensions shall be indicated by dashed lines to show the location of the element to be removed.
- The work shall include all necessary site work, including but not limited to, site preparation, grading, drainage, paving, and all other work necessary to complete the project. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.
- It is the contractor's responsibility to check all dimensions and levels of all proposed services and materials before installation. The contractor shall be responsible for ensuring that all materials and workmanship are in accordance with the applicable building code and standards.
- All building materials shall be of the highest quality and shall be installed in accordance with the manufacturer's instructions. The contractor shall be responsible for ensuring that all materials are stored and handled in a safe and secure manner.
- All dimensions shall be given in imperial units and shall be rounded to the nearest millimeter. All dimensions shall be given in imperial units and shall be rounded to the nearest millimeter.
- The general contractor shall be responsible for the coordination, management, and supervision of all trades and subcontractors. The contractor shall be responsible for ensuring that all work is completed in a timely and efficient manner.

GENERAL SCOPE OF WORK:

- CLIENT APPLICATION TO OBTAIN A DETACHED SECONDARY DWELLING UNIT (DSDU) FROM MUNICIPALITY, INCLUDING ALL NECESSARY PERMITS, ZONING BY-LAWS AND THE ONTARIO BUILDING CODE.
- MAINTAIN ALL EXISTING MUNICIPAL SANITARY AND DOMESTIC WATER SERVICES ON PROPERTIES, CONNECT AND TIE IN NEW DWELLING UNIT SERVICES TO MUNICIPAL DWELLING AS PER MUNICIPAL BY-LAWS AND REGULATIONS.

LIMITATIONS OF DESIGN:

- It shall be the contractor's responsibility to ensure all material, equipment, assemblies, and labor comply with all applicable Codes, By-laws, and Good Construction Practices.
- Holdings on the drawings are in effect the contractor and do not necessarily address all aspects of construction.
- The contractor shall ensure and verify all dimensions and existing site conditions and verify the limits of any discrepancy prior to commencing work.
- The contractor shall verify the location and size of all openings with manufacturer's details prior to framing.
- Technical design data for all pre-engineered framing components are required for the building.
- Any expansion or engineering of Professional Engineer shall be the sole responsibility of the Owner.

I, ROHIT WALIA, DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4, DIV. 'C' OF THE ONTARIO BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES FOR SUCH DESIGN WORK.

INDIVIDUAL BCIN#: 35711 FIRM BCIN#: 123403

ROHIT WALIA, PRINCIPAL DESIGNER
CR DESIGN BLDG INC.

PROJECT	10 UNIT BUILDING		DATE
	OWNER	RW	PROJ#
ADDRESS	3692 HWY, 144		DATE
	TYPE	Plot Plan	PP
DATE	2023-12-18	SCALE	1/8"=1'-0"

Office Use Only 2024.01.01
B0044 / 2024
S.P.P. AREA Yes ___ No <input checked="" type="checkbox"/>
NDCA REG. AREA Yes <input checked="" type="checkbox"/> No ___

City of Greater Sudbury

APPLICATION FOR CONSENT

APPLICATION FEE: \$2,170.00 (includes \$320.00 Legal Notice Fee)
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: **CITY OF GREATER SUDBURY**
Note: An application fee is levied for **each** new lot created; the remainder is not subject to an application fee.

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 City of Greater Sudbury under Section 53 of the *Planning Act* R.S.O. 1990, c. P.13 for consent, as described in this application. REGISTERED OWNERS NAME CONFIRMED

Registered Owner(s):CHEMY DEVELOPMENT INC.	Email: [REDACTED]
Mailing Address:3692 Highway 144	Home Phone:
	Business Phone:
City:Chelmsford	Postal Code:P0M 1L0
	Fax Phone:

2) Name of Purchaser(s) or Chargee(s):

Name of Purchaser(s) or Chargee(s):DEVLA PROPERTIES INC.	Email: [REDACTED]
Mailing Address:3692 Highway 144	Home Phone:
	Business Phone:
City:Chelmsford	Postal Code:P0M 1L0
	Fax Phone:

Note: If the application is being made by a purchaser or the purchaser's agent, please provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of this application.

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

Name of Agent:TULLOCH	Email: [REDACTED]
Mailing Address:131 Fielding Road	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City:Lively	Postal Code:P3Y 1L7
	Fax Phone:

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

4) Purpose of Transaction

Creation of a new lot Easement/Right-of-way Lease
 Addition to a lot Creation of lot(s) for Other;
 Cancellation of Prior Consent Semi-detached or row housing specify _____
 File # _____ Date: _____

5) Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged. _____
 DEVL A PROPERTIES INC.

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

Roll # _____	TownshipBALFOUR	Lot No.1	Concession No.3
PIN(s):73349-2167		Parcel(s)	
Subdivision Plan No. _____	Lot	R-Plan No.53R18073	Part(s) 1, 2 & 3
Municipal Address or Street(s): _____			Ward:3

7) Are there any easements or restrictive covenants affecting the subject land? Yes No

If the answer is "yes", please indicate a description of each easement or covenant and its effect.

8) Date of acquisition of subject land. 2022

9) Has the land ever had any previous severances? Yes No

If "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed: (attach a schedule if necessary).

Date of Transfer	Name of Transferee
Use of severed land	Consent File No.

10) Has the parcel intended to be severed ever been, or is it now a part of an 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 the file number and status of the application. _____

11) Is the property also subject of an Application for Minor Variance, Rezoning or an Official Plan Amendment?
 Yes No Concurrent rezoning application

If "yes", indicate the file number(s). _____

Note: If the Consent application is requested to proceed prior to securing necessary minor variance or rezoning approvals, please complete the Acknowledgement of Risks form at the end of this Application form as an Application for Consent cannot succeed without such approval(s) in place.

12) Dimensions of land to be severed in metric units (describe **only** the portion of the land which is to be transferred, leased or mortgaged)?

Frontage <u>N/A</u>	Depth <u>±13m</u>	Area <u>±130m²</u>
Existing Use <u>Residential</u>	Proposed Use <u>Same</u>	

Number and use of existing buildings and structures on the land to be severed?

Existing <u>0</u>	Proposed <u>1</u>
-------------------	-------------------

If applicable, indicate Parcel Number and /or Lot and Registered Plan of Subdivision Number of property which will benefit from the lot addition/consolidation, easement/right-of-way.

Parcel 15796 SWS, Part Lot 1, Concession 3, Township of Balfour

13) Dimensions of land intended to be retained in metric units (describe **only** the portion of land which will remain following the severance(s); if the transaction is an easement/right-of-way or lease, describe the entire lot or parcel).

Frontage <u>±120m</u>	Depth <u>±210m</u>	Area <u>±26,255m²</u>
Existing Use <u>Residential / Commercial</u>	Proposed Use <u>Same</u>	

Number and use of existing buildings and structures on the land to be retained?

Existing <u>8</u>	Proposed <u>0</u>
-------------------	-------------------

14) Will a certificate be required for the retained land? Yes No

If "yes", please provide a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*, R.S.O. 1990, c. P.13.

30044/2024

15) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway, Yes No
- b) a municipal road that is maintained all year or seasonally, Yes No
- c) a road which is maintained by the municipality, Yes No
- d) by water? Yes No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.

16) What types of water supply and sewage disposal are proposed? Proposed Lot Retained Lot

Municipally owned and operated piped water system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Municipally owned and operated sanitary sewage system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Lake	<input type="radio"/>	<input type="radio"/>
Individual Well	<input type="radio"/>	<input type="radio"/>
Communal Well	<input type="radio"/>	<input type="radio"/>
Individual Septic System	<input type="radio"/>	<input type="radio"/>
Pit Privy	<input type="radio"/>	<input type="radio"/>
Other		

17) Is the property located with 1km (0.6 miles) of a First Nation Reserve? Yes No

18) What is the current designation of the subject land in the applicable Official Plan and explain how the application conforms with the Official Plan.

See Planning Justification Brief.

19) Explain how the application is consistent with the Provincial Policy Statements issued under subsection 3 (1) of the *Planning Act*. Please provide an explanation below, or attach a Schedule outlining the particulars of same.

See Planning Justification Brief.

20) Explain how the application conforms, or does not conflict with the Growth Plan for Northern Ontario. Please provide explanation below or attach a Schedule outlining the particulars of same.

See Planning Justification Brief.

21) What is the number of dwelling units on the property? 0, however a row dwelling complex is currently under construction over the proposed retained lands, containing approximately 40-units

If this application is approved, would any existing dwelling units be legalized? Yes No
If "yes", how many? _____

22) 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. _____

23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please attach a schedule outlining the particulars of same.

Schedule Attached Yes No

B0044/2024

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, CHEMY DEVELOPMENT INC. (please print all names), the registered owner(s) of the property described as PIN 73349-2060

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 TULLOCH (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 27 day of May, 2024

X [Signature]
(witness)

X [Signature]
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: X PETER NOLLET
*I have authority to bind the Corporation

B0044/2024

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, TULLOCH (please print all names),

the registered owner(s) or authorized agent of the property described as _____

PIN 73349-2060 _____

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 7 day of June, 2024

David Glen Tulloch
Commissioner of Oaths

David Glen Tulloch
a Commissioner, etc., Province of Ontario
for TULLOCH Engineering Inc.
Expires Feb 20th, 2027

A. Ariganello
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: Aaron Ariganello
*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
USE

Date of Receipt: <u>July 16, 2024</u>	Decision Date: <u>August 12/24</u>	Received by: <u>N. Lewis</u>
Zoning Designation: <u>RB(74)</u>	Resubmission <input type="radio"/> Yes <input checked="" type="radio"/> No	
Previous File Number(s): <u>See below</u>	Previous Decision Date: <u>n/a</u>	
Referred to Planning: <u>n/a</u>	Received Approval from Planning: <u>n/a</u>	
Acknowledgement of Risk received: <input checked="" type="radio"/> Yes <input type="radio"/> No		
Notes: <u>Boo17/2021 (Oct 25/21) LA - Pt 4, Plan 53R-21466</u>		
<u>Boo18/2021 (Oct 25/21) LC - Pts 3+4, Plan 53R-21466</u>		
<u>Rezoning 751-5/21-001</u>		
<u>Subject to concurrent Rezoning 751-5/24-06</u>		

R00044/2024



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

ACKNOWLEDGEMENT OF RISKS

**Proceeding with a Consent Application
Prior to Securing Required Development Approvals
such as Rezoning or Minor Variance**

Registered Owner(s): CHEMY DEVELOPMENT INC.

Agent: TULLOCH

Property Affected: PIN 73349-2060

Read Carefully – Your Rights may be affected by your choice

Each of the undersigned registered owner(s) and agent in the application for consent under the *Planning Act* as described above acknowledge having been advised that the application for consent will require a:

- re-zoning of the property.
- minor variance

The owners/applicants and agent are advised to apply for and determine if they are able to secure the necessary approvals noted above prior to the submission of the Consent Application. An application for consent cannot succeed without such approval(s) in place.

Notwithstanding the foregoing, each of the registered owner(s) and agent wish to proceed with the application for consent prior to proceeding with the development applications noted above. In doing so, each of the registered owner(s) and agent acknowledge being advised and understand that:

- any decision by the Consent Official will include a condition that the necessary development approval(s) be obtained in final form prior to the issuance of a consent; **AND**
- as with other conditions, the responsibility for seeking compliance with the development approvals will rest with them as registered owner(s) and agent; **AND**
- there are costs associated with the applications for development approval; **AND**
- the City's acceptance of the application for consent is not a representation that:
 - a decision will be made with respect to the development approval(s) within the timeline required to meet conditions for the application for consent; and/or
 - the development application(s) will be approved by the approving body; **AND**
- in the event that one (1) or more required development approval(s) is/are granted:
 - such approval(s) may be conditional upon compliance with conditions, which may involve additional costs or time to comply with; and/or
 - may be subject to appeal, with consequences for costs, time and reversal or amendment of the decision; **AND**
- in the event that one (1) or more required development approval(s) is/are not approved or not approved within the timeline for complying with conditions:
 - the Consent Official **will not** issue the consent certificate; and
 - none of the application for consent fee or any development approval application fees will be refunded; **AND**

Initials: X ML AL

B0044/2024

- all risks associated with proceeding with the application for consent prior to proceeding with the development applications rather than securing development approvals prior to submitting the application for consent shall be borne by the registered owner(s) and agent.

In consideration of being permitted to proceed with the application for consent without first securing the required development approvals, the registered owner(s) and agent hereby release and discharge the City from any and all claims for liability, costs, expenses, damages, losses associated with or resulting from an inability to meet, or failure to meet, the conditions imposed in any conditional approval of the consent application in this matter requiring the obtaining of development approval(s).

Dated at Sudbury this 27 day of May, 2024.
(day) (month) (year)

X C. Streich
 Witness

X [Signature]
 Signature of Registered Owner or
 Authorized Signing Officer (*where a corporation)

Print Name: X PETER NAULT
 I have authority to bind the corporation.

 Witness

 Signature of Registered Owner or
 Authorized Signing Officer (*where a corporation)

Print Name: _____
 I have authority to bind the corporation.

[Signature]
 Witness

[Signature]
 Signature of Agent

* 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.



April 15, 2024

RECEIVED

MAY 01 2024

Tulloch Engineering
1942 Regent Street, Unit L
Sudbury, ON
P3E 5V5

RECEIVED

MAY 11 2024

Attention: Rebecca Dawson, EIT

Re: **Sewer and Water Capacity Analysis**
3692 Hwy 144
Township of Balfour

PLANNING SERVICES

PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCCA
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

The Development Engineering Section has reviewed your request for a Sewer and Water Capacity Analysis at the above noted location and have the following to report:

A review of the sewage mains downstream from the proposed connection at BAL-12-12-0066 HWY 144 revealed that the mains are capable of conveying the additional 0.53 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the 300mm watermain in front of property 3692 Hwy 144.

Values Obtained from Model

C.G.S. Minimum Requirements

Max Hour: 74 psi
Max Day: 74 psi
Fire Flow: 367 l/s

- 40 psi
- 50 psi
- 75 L/s R1, 100 L/s R3

The results of the WaterCAD analysis indicate that sufficient water capacity and pressure exist for the proposal in question.

It should be noted that these results are derived at by using a theoretical computer model based on our best available data. In the event that these developments do not proceed within a one (1) year period, then you should make the necessary arrangements to have a current analysis carried out to take into account any changes made in our sewer or WaterCAD models and to ensure that there is sufficient Sewage, Fire Flows and/or Domestic Pressures available for your proposal(s).

Should you have any questions or concerns please contact me at 671-2489 ext 2409.

Yours truly,

David Longarini
Development Engineering Technician

DVL/ds

cc: Akli BenAnteur, Wastewater Project Engineer, (Kelly Lake)

B0044/2024

Aaron Ariganello

From: [REDACTED]

From: Cole, Cameron (MTO) <[REDACTED]>

Sent: Thursday, April 18, 2024 1:58 PM

To: Aaron Ariganello <[REDACTED]>

Cc: Lavallee, Michelle (MTO) <[REDACTED]>

Subject: RE: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

Hi there Aaron,

My recommendation would be that the sooner MTO can be provided with this information, the sooner we will be able to provide confirmation as to whether the additional documents will be required. While the approval of any technical documents will be associated with the building/land use permit, we can receive the documents prior to the submission of the permit application.

I hope this was helpful! Don't hesitate to contact me if there are any other questions or concerns.

Thank you,

Cameron Cole

Corridor Management Planner

Corridor Management, North Region, Area East

Ministry of Transportation

447 McKeown Ave.

North Bay, Ontario, P1B 9S9

Phone [REDACTED]

Email: [REDACTED]

RECEIVED

JUN 11 2024

PLANNING SERVICES

From: Aaron Ariganello <[REDACTED]>

Sent: April 17, 2024 5:24 PM

To: Cole, Cameron (MTO) <[REDACTED]>

Cc: Cole, Jeff (MTO) <[REDACTED]>; Lavallee, Michelle (MTO) <[REDACTED]>; Vanessa Smith <[REDACTED]>; Brandon Cormier <[REDACTED]> Kevin Jarus <[REDACTED]>

Subject: RE: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Cameron,

Thank you for the below.

Just wanted your confirmation on the last comment – is the information regarding stormwater management and illumination to be provided upon the submission of the rezoning application, or at the time our client submits for their MTO building/land use permit?

30044/2024

- Proposed parking area layout with maximum number of vehicles to be accommodated at one time.
 - Elevation of the area adjoining the highway and the proposed drainage system for the development
 - Location of existing and proposed entrances.
 - Location and names of adjacent roads.
- The MTO requests more information regarding stormwater management and illumination in order to determine if a detailed Stormwater Management Plan (SWMP) and Illumination Report will be required. If it can be demonstrated that there will be no substantive change in pre/post development drainage to the highway and external illumination, then the MTO will not require the submission of these technical documents. This information can be in the form of engineers statement or can be shown on the submitted site plan.

Please submit technical documents through the MTO's land development review process, this can be found online at the following link: <https://www.hcms.mto.gov.on.ca/>. This is a new function that is intended to streamline the MTO's review process. If you have any questions regarding this, don't hesitate to contact me.

Following the Land Development Review process, permit applications can be made online at the above link.

Any questions regarding permitting or setbacks can be directed to Michelle Lavallee, Corridor Management Officer at [REDACTED]

If there are any additional questions or concerns, don't hesitate to contact me. These comments will be considered valid for a time period of one (1) year, and if a formal application is not made within that year, a new review and comments will be required.

Thank you,

Cameron Cole

Corridor Management Planner

Corridor Management, North Region, Area East

Ministry of Transportation

447 McKeown Ave

North Bay, Ontario, P1B 9S9

Phone [REDACTED]

Email [REDACTED]

From: HCMS-Do-Not-Reply <[REDACTED]>

Sent: Friday, January 26, 2024 3:44 PM

To: Aaron Ariganello [REDACTED]

Subject: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

Your request for a pre-consultation, submitted on January 26, 2024 has been received.

Pre-consultation No.: 2024-54S-000026

B0044/2024

Ministry of Transportation
Highway Corridor Management Section - Sudbury Office 3767 Hwy 69 S, Suite 8
Sudbury, ON P3G 1G4

Si vous souhaitez vérifier le statut de la demande de consultation préalable que vous avez présentée ou imprimer les détails de la demande, veuillez vous rendre à Faire le suivi d'une demande et entrer les renseignements ci-dessous :

N° de la consultation : 2024-54S-000026

Code d'accès : 1tISEXYq

Si vous devez mettre à jour une demande pour cette demande, veuillez utiliser le numéro de demande de consultation préalable et le code d'accès ci-dessus.

Veuillez conserver ce courriel et les détails ci-joints concernant la demande de consultation préalable pour vos dossiers.

Merci
Bureau de gestion des couloirs routiers
Ministère des Transports de l'Ontario
<https://www.hcms.mto.gov.on.ca>

Veuillez noter ce qui suit : Ce courriel est envoyé à partir d'une adresse servant uniquement à l'envoi d'avis qui ne peut accepter de courriels entrants. Veuillez ne pas répondre à ce message.

▪

B0044/2024

RECEIVED

JUN 11 2024

PLANNING SERVICES

PLANNING JUSTIFICATION

BRIEF

3692 HIGHWAY 144, CHELMSFORD
ZONING BY-LAW AMENDMENT

JUNE 2024

Prepared by: TULLOCH
Prepared for: DEVL A PROPERTIES INC.

30044/2024

Contents

1.0 INTRODUCTION 1

2.0 SUBJECT LANDS & SURROUNDING CONTEXT 1

3.0 PROPOSED DEVELOPMENT 7

4.0 POLICY OVERVIEW & ANALYSIS 9

 4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS) 9

 4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO) 12

 4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP) 13

 4.4 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z 18

5.0 CONCLUSION 19

B0044/2024

1.0 INTRODUCTION

TULLOCH is retained by the owner of 3692 Highway 144 (being PIN 73349-1207) in Greater Sudbury to prepare a planning justification brief as part of a complete application to amend the *City of Greater Sudbury Zoning By-law 2010-100Z*. This brief provides justification for an application that would ultimately facilitate the development of a 2-storey, 10-unit multiple dwelling providing a total of fifteen (15) parking spaces. Subsequent lot addition applications would be required to consolidate the proposed parcel fabric. Site-specific relief is requested through the application and analyzed in this brief.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-law 2010-100Z*

Overall, the author finds that the proposed zoning by-law amendment conforms with the *Growth Plan for Northern Ontario* and the *City of Greater Sudbury Official Plan*, is consistent with the *2020 Provincial Policy Statement* and represents good planning.

2.0 SUBJECT LANDS & SURROUNDING CONTEXT

The proposed parcel is comprised of 3692 Highway 144 (being PIN 73349-1207), and parts of three other properties that are also located along Highway 144 in Chelmsford. The properties can be legally described as follows:

PCL 15796 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT144785 T/W AS IN LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1207)

PCL 15433 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT139235 EXCEPT LT144785; S/T LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1238)

PART LOT 1 CONCESSION 3 BALFOUR SUBJECT TO AN EASEMENT AS IN LT775143; SUBJECT TO AN EASEMENT AS IN LT114461; SUBJECT TO AN EASEMENT IN GROSS OVER PART 9 53R20446 AS IN SD297614; SUBJECT TO AN EASEMENT OVER PART 9 53R20446 IN FAVOUR OF PT LOT 1 CON 3, PTS 5, 6, 7, & 8 53R20446 AS IN SD299321; TOGETHER WITH AN EASEMENT OVER PT LT 1 CON 3 PT 6 53R14276 AS IN SD107146; TOGETHER WITH AN EASEMENT OVER PT LOT 1 CON 3 PTS 5, 6, 7 & 8 53R20446 AS IN SD299321; CITY OF GREATER SUDBURY (PIN 73349-2165)

CONSOLIDATION OF VARIOUS PROPERTIES: PT LT 1 CON 3 BALFOUR BEING PTS 1, 2 & 3 53R18073; S/T LT114461; GREATER SUDBURY (PIN 73349-2060)

The lands that make up the proposed parcel fabric will hereby be referred to in this brief as the 'subject lands.' A summary table and figure of the subject lands, and their corresponding applications is provided below.

SUBJECT LANDS (PINs)	DESCRIPTION	SEVERED LOT AREA	FRONTAGE	APPLICATION
PIN 73349-1207 (3692 Hwy 144)	Property benefitting from lot additions & mutual access easement – to be rezoned to C2(S)	N/A Total lot area = ±851.45m ²	N/A	Rezoning
PIN 73349-1238 (3702 Hwy 144)	Portion of property to be added to 3692 Hwy 144 (1), and rezoned to C2(S) + mutual access easement (2) traversing over the property, and benefitting 3692 Hwy 144	1. ±356.4m ² 2. ±152.5m ² 3. ±508.9m ² including the mutual access easement	±79.2m	1. Rezoning 2. Lot Addition + Mutual Access Easement
PIN 73349-2060	Portion of property to be added to 3692 Hwy 144, and rezoned to C2(S)	±128.76m ²	N/A	1. Rezoning 2. Lot Addition
PIN 73349-2165	Portion of property to be added to 3692 Hwy 144, and rezoned to C2(S)	±475.75m ²	N/A	1. Rezoning 2. Lot Addition

Table 1 – Summary of the Subject Lands

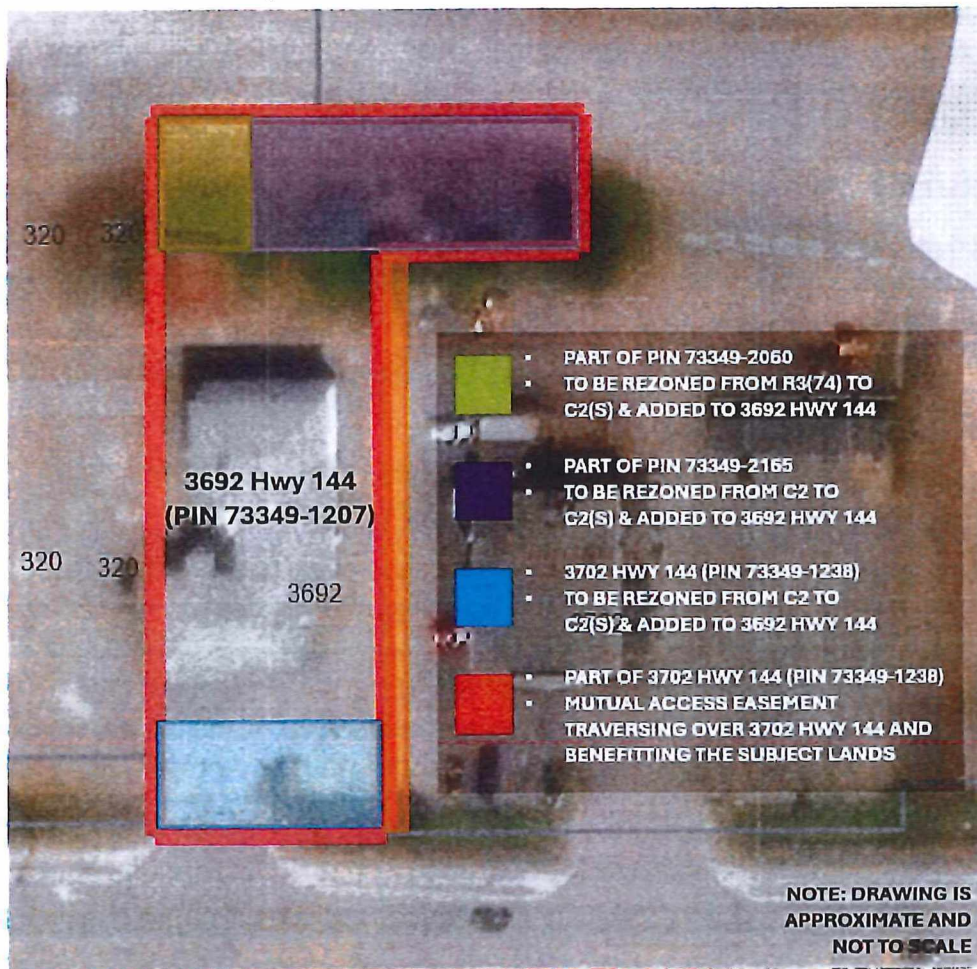


Figure 1 – Summary of the Subject Lands

The subject lands are currently designated Mixed Use Commercial and located within the City's settlement area and built boundary in the OP. PINs 73349-1207, 73349-1238, and 73349-2165 are currently zoned C2, while PIN 73349-2060 is zoned R3(74) in the Zoning By-law. 3692 Highway 144 currently features an existing 10-unit multiple dwelling, having access onto Highway 144 (Highway 144 being designated as a Provincial Highway with full municipal sewer and water services). The subject lands are located along GOVA Transit Route 104 with the closest bus stop being located directly in front of the site. Sidewalks are also located on the north side of Highway 144.

On a high-level, the surrounding area is comprised of a range of land uses including residential, commercial, and institutional. Medium density residential uses, as well as commercial and institutional uses, are located along Highway 144. The broader Chelmsford community is predominantly made up of low-density residential uses taking the form of single detached dwellings. The immediate surrounding area can be described as follows:

NORTH: Mix of low and medium density residential uses, lands zoned FD (Future Development)

WEST: Row dwelling complex (currently under construction, containing approximately 40-units), A&W, I.D.A Pharmacy, Chelmsford Valley District Composite School (being the Institutional use referenced in *Figure 2* below)

SOUTH: Mix of Commercial uses (Belanger Ford dealership, Fix Auto, etc.), low density residential uses

EAST: Mix of Commercial uses (Overtime Sports Bar & Grill, Dollarama, Place Bonaventure Mall, etc.)



Figure 2 – Subject Lands and Surrounding Context Map

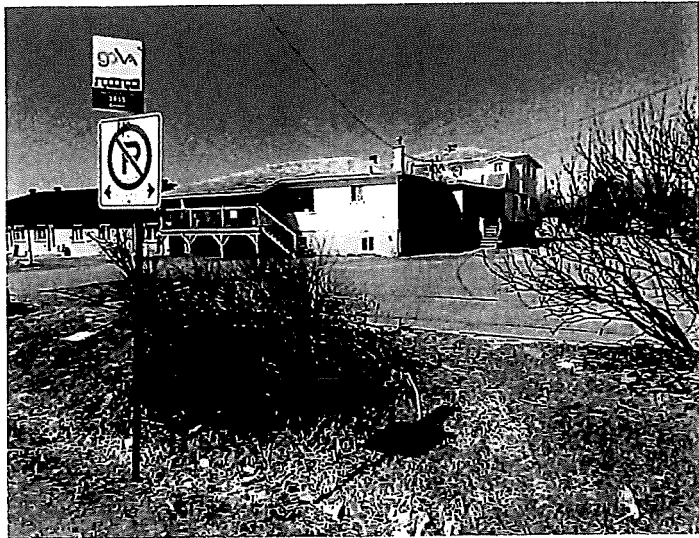


Figure 3 – View of Existing Building to be Demolished

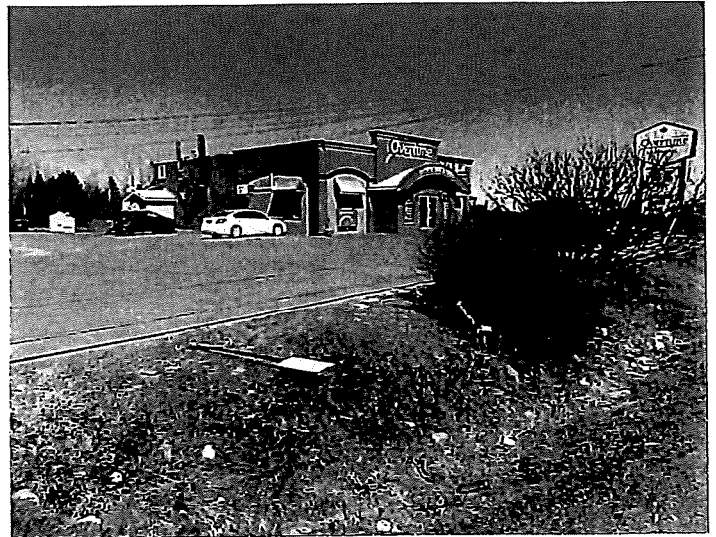


Figure 4 – Overtime Bar & Grill directly East of the Subject Lands



Figure 5 – Row dwelling complex currently under construction directly west of the Subject Lands

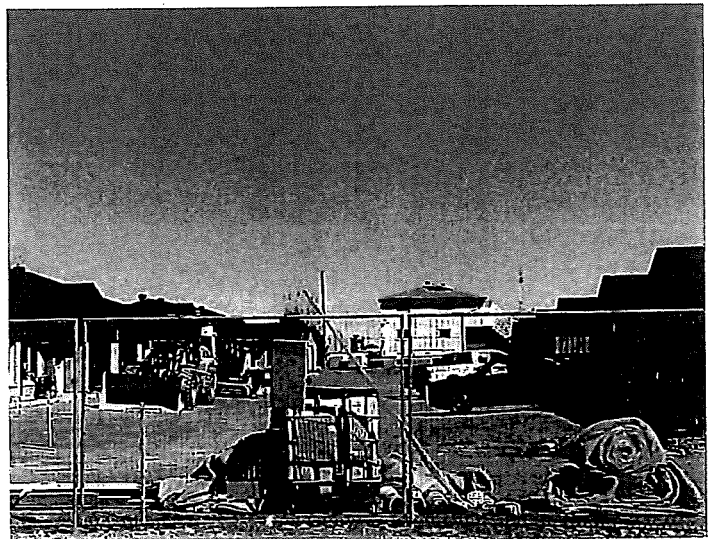


Figure 6 – View of the Existing Building Facing East (from the west end of the Row Dwelling Complex)

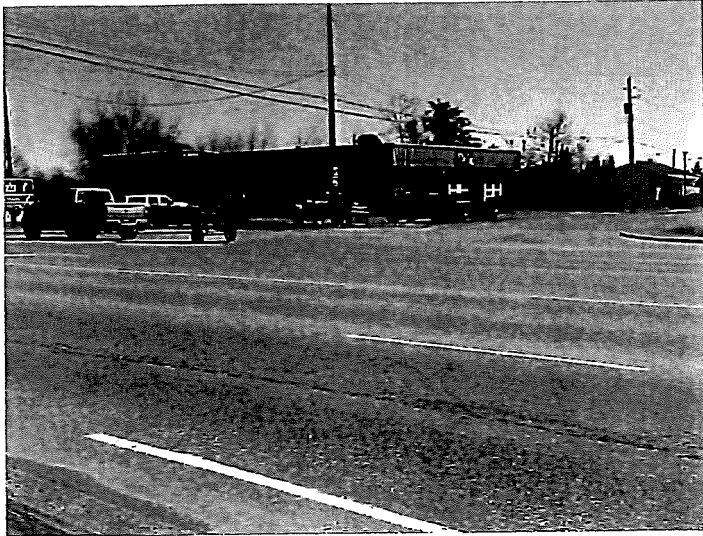


Figure 7 – Auto Body Shop just South of the Subject Lands across Highway 144



Figure 8 – Ford Dealership just South of the Subject Lands across Highway 144

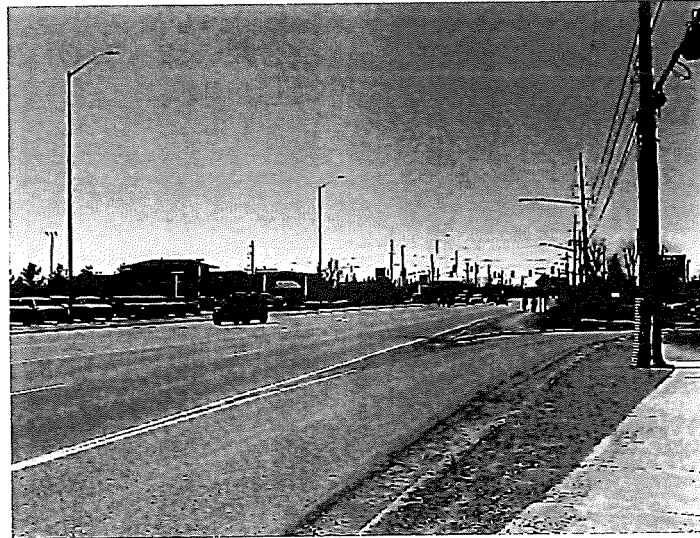


Figure 9 – View of Highway 144 (main thoroughfare) Facing West of the Subject Lands

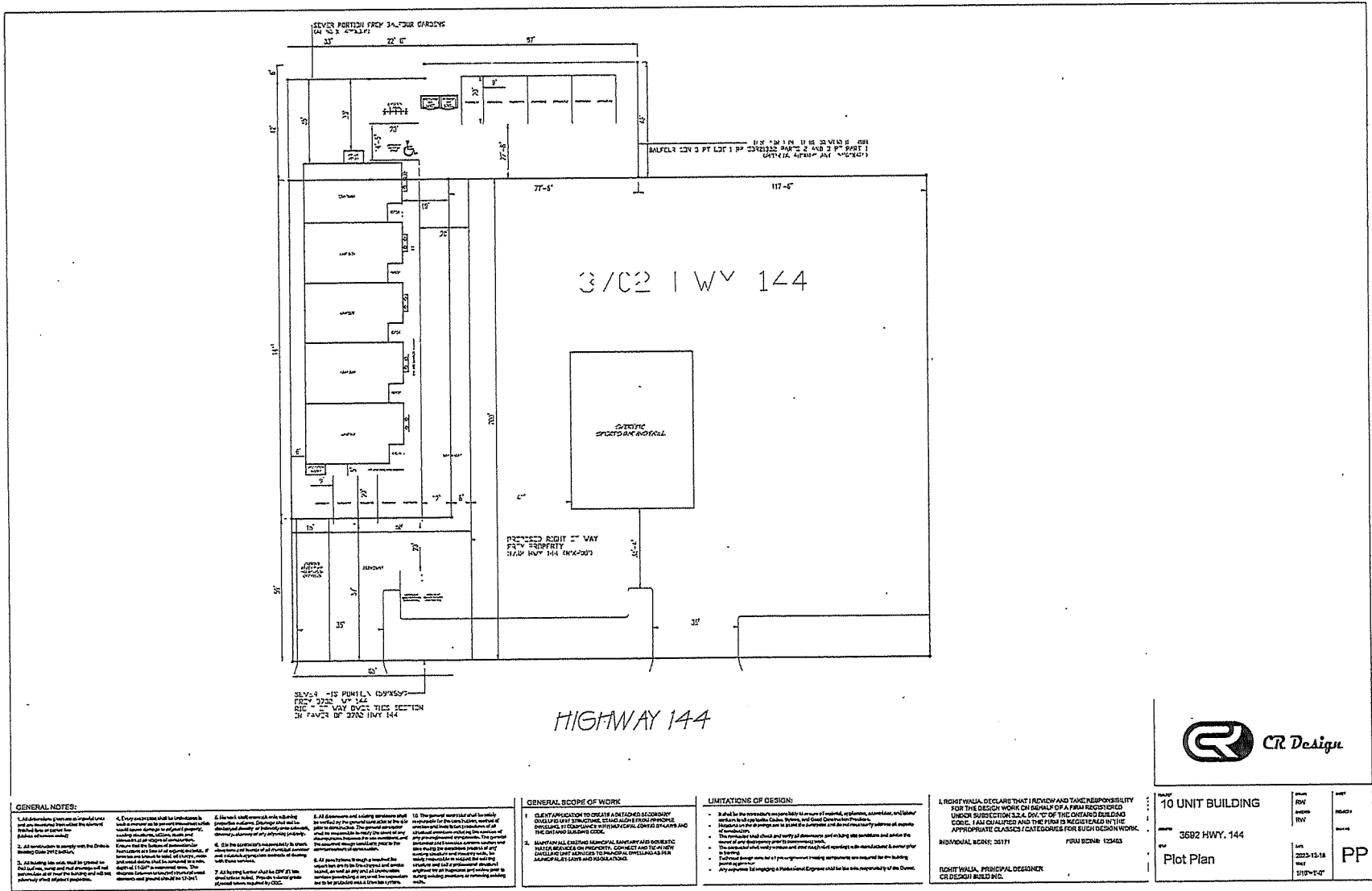
3.0 PROPOSED DEVELOPMENT

The application proposes to rezone PIN 73349-1207, and parts of PINs 73349-1238, 73349-2165 and 73349-2060 from their current C2 (General Commercial) and R3(74) (Medium Density Residential Special) zones to a C2(S) (General Commercial Special) zone. The R3(74) zone is only over PIN 73349-2160. The application would rectify future split zoning issues from occurring (see *Figure 1 & 10*), and facilitate the development of a 2-storey, 10-unit multiple dwelling providing a total of fifteen (15) parking spaces. The proposed development would also require that a series of lot addition applications be submitted to make up the proposed parcel fabric. The proposed parcel fabric would have an area of $\pm 1812.36\text{m}^2$ with ± 19 metres of lot frontage, and the proposal would represent a density of ± 55 units per hectare.

A new mutual access easement is proposed over PIN 73349-1238 (see *Figure 1 & 10*) and would benefit the subject lands. This easement will not provide direct access off Highway 144. Rather, the easement is necessary to provide future residents with legal two-way access to the proposed parking area to the north of the proposed multiple dwelling.

Site specific relief from the standard C2 zoning provisions is being requested, as outlined below:

- Minimum lot frontage of 19.0 metres, whereas a minimum of 30.0 metres is required (*Table 7.3* of the zoning by-law)
- Minimum two-way drive aisle width of 3.5 metres, whereas a minimum of 6.0 metres is required (*Section 5.2.9.3* of the zoning by-law)
- 3.0-metre-wide planting strip adjacent to the northerly and westerly property boundary not be required for residential uses (*Section 4.15.4* of the zoning by-law)



GENERAL NOTES:

1. All dimensions shown are finished unless otherwise noted.
2. All construction is in accordance with the Ontario Building Code (OBC).
3. All existing site work shall be confirmed by the owner and the contractor.
4. Erosion control shall be implemented by the contractor.
5. The contractor shall be responsible for obtaining all necessary permits.
6. All dimensions and existing structures shall be verified by the contractor.
7. All existing structures shall be confirmed by the owner.
8. All dimensions and existing structures shall be verified by the contractor.
9. The general contractor shall be responsible for obtaining all necessary permits.
10. All dimensions and existing structures shall be verified by the contractor.

GENERAL SCOPE OF WORK

1. CONSTRUCTION TO COMPLETE A DETACHED SECONDARY SUITE WITH STAIRS, STAIRS, AND BATHROOM.
2. ALL EXISTING STRUCTURES SHALL BE DEMOLISHED AND RECONSTRUCTED.
3. ALL EXISTING UTILITIES SHALL BE RELOCATED AND PROTECTED.
4. ALL EXISTING FOUNDATIONS SHALL BE REINFORCED AND STRENGTHENED.
5. ALL EXISTING ROOFS SHALL BE REPAIRED AND REFINISHED.
6. ALL EXISTING EXTERIORS SHALL BE REPAIRED AND REFINISHED.
7. ALL EXISTING INTERIORS SHALL BE REPAIRED AND REFINISHED.
8. ALL EXISTING MECHANICAL, ELECTRICAL, AND PLUMBING SHALL BE REPAIRED AND REFINISHED.
9. ALL EXISTING LANDSCAPING SHALL BE REPAIRED AND REFINISHED.
10. ALL EXISTING SITEWORK SHALL BE REPAIRED AND REFINISHED.

LIMITATIONS OF DESIGN

- This design is based on the information provided by the client and is not a guarantee of performance.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.
- The contractor shall be responsible for obtaining all necessary permits.

I, ROHIT WALIA, DECLARE THAT I HOLD AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4, DIV. 10 OF THE ONTARIO BUILDING CODE, I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES FOR SUCH DESIGN WORK.

INDIVIDUAL BCEN: 20371 FIRM BCEN: 12345

ROHIT WALIA, PRINCIPAL DESIGNER
CR DESIGN BUILD INC.

PROJECT	10 UNIT BUILDING	DATE	
REV		REV	
DATE	3682 HWY. 144	DATE	2023-12-18
BY	Plot Plan	SCALE	PP
			1/10"=1'-0"

Figure 10 – Concept Plan

B0044/2024

4.0 POLICY OVERVIEW & ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the application in the context of Provincial and Municipal policies and regulations. Each subsection will outline relevant policies and provide an analysis with respect to how the zoning by-law amendment is consistent with or conforms to such policies.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

The *2020 Provincial Policy Statement* (PPS) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal official plans must be consistent with the PPS. Policies applicable to the application are outlined and analyzed below.

Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. **Section 1.1.1** states, in part:

1.1.1

Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

...

e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards, to minimize land consumption and servicing costs;

f) Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

...

Section 1.1.3 of the PPS states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Considering the subject lands are located within Sudbury's settlement area, the following policies are applicable:

1.1.3.1

Settlement areas shall be the focus of growth and development.

1.1.3.2

Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

...

d) prepare for the impacts of a changing climate;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed; and

...

1.1.3.6

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

...

Section 1.4.3 of the PPS speaks to housing and how planning authorities can provide for an appropriate range and mix of housing options and densities to meet projected needs. It states, in part:

...

1.4.3

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

...

Section 1.6.7 of the PPS provides policies outlining the efficient use of transportation systems. Given the subject lands proximity to existing public and active transportation networks, the following policy is applicable:

...

1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are applicable:

1.7.1 *Long-term economic prosperity should be supported by:*

a) promoting opportunities for economic development and community investment-readiness;

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

...

Per **Section 1.1.1**, healthy, livable, and safe communities are sustained by accommodating an appropriate range and mix of land uses (including residential) to meet long-term needs. The application would facilitate the development of a medium density housing option that would contribute to the range and mix of land uses that are available in the area surrounding the subject lands. It would also contribute to providing a greater range and mix of housing types to the broader Chelmsford community (which is predominantly

made up of single detached dwellings) to assist in meeting the long-term needs of purpose built rental housing. The proposed development represents an efficient development and land use pattern by continuing to utilize existing municipal sewer and water services, and existing public transit and active transportation networks, thereby assisting in supporting the financial well-being of the Province and Municipality over the long term. With respect to **Section 1.1.1(f)**, the proposal has the potential to improve accessibility for elderly people - proximity to amenities, public transit and active transportation networks promotes a development that may benefit an aging population.

The subject lands are located within the City's settlement area boundary, which under **Section 1.1.3** shall be the focus of growth and development. The PPS encourages a mix of densities and land uses which efficiently use land and resources within settlement areas. To support consistency with the above noted policies, the proposal:

- Makes efficient use of the lands which benefit from the existing resources/infrastructure noted above;
- Will not result in the uneconomical expansion of infrastructure, considering the subject lands are connected to existing hard municipal services with the capacity to accommodate the proposal;
- Assists in minimizing the length and number of vehicle trips, with a proposal that supports active transportation, and is transit supportive as the subject lands are located along existing transit and active transportation networks;
- Represents an appropriate location for a 10-unit multiple dwelling, given the locational context of the subject lands, and the existing built-up character of the area. The lands are located along a portion of the highway which generally acts as a main thoroughfare for the community of Chelmsford. This portion features existing public transportation networks adjacent to the subject lands, and the surrounding area currently features a mix of housing types, among many other land uses (e.g. institutional, commercial). The proposal would thereby assist in enhancing the vitality and viability of this main thoroughfare; and
- Promotes the development of a range and mix of housing types to assist in supporting the social, health, economic, and well-being needs of current and future residents, and responds to the dynamic market-based needs arising from a diverse population. This is achieved by providing purpose built rental housing that would assist the City in achieving a needed supply and range of housing, especially given the City's aging demographic. In fact, the City's *Housing Needs Assessment* (2023) identified that population growth and eroding affordability in the ownership market are driving up rental demand across the City.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The Growth Plan for Northern Ontario (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

Section 3.4.3 of the GPNO promotes a diverse mix of land uses within northern communities. It states, in part:

- 3.4.3** *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.*

Per **Section 3.4.3**, the application supports and promotes healthy living by contributing to a range and mix of housing types in the surrounding area, as well as being in proximity to existing transit and active transportation networks. GOVA Transit Route 104 (the nearest transit stop being located directly in front of the subject lands, along Highway 144) and existing sidewalks on the north side of the highway provides individuals with nearby access to a commercial corridor along Highway 144, featuring a variety of amenities and essential services such as grocery stores, restaurants, a pharmacy, and more (see *Figure 2*).

4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

The *City of Greater Sudbury Official Plan (OP)* is the principal land use planning policy document for the City of Greater Sudbury. The OP establishes objectives and policies that guide both public and private development/decision-making.

Section 2.3.2 contains land use policies related to the City's settlement areas, and states, in part:

- 2.3.2.1** *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.*
- 2.3.2.2** *Settlement Area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.*
- 2.3.2.3** *Intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.*

...

Section 2.3.3 outlines land use policies regarding intensification, and states, in part:

...

- 2.3.3.4** *Medium scale intensification and development is permitted in Town Centres, Secondary Community Nodes, Regional Corridors and Mixed Use Commercial corridors, in accordance with the policies of this Plan.*

- ...
- 2.3.3.7** *Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities.*
- 2.3.3.8** *Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal.*
- 2.3.3.9** *The following criteria, amongst other matters, may be used to evaluate applications for intensification:*
- a. the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;*
 - b. the compatibility proposed development on the existing and planned character of the area;*
 - c. the provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;*
 - d. the availability of existing and planned infrastructure and public service facilities;*
 - e. the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;*
 - f. the impact of traffic generated by the proposed development on the road network and surrounding land uses;*
 - g. the availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;*
 - h. the level of sun-shadowing and wind impact on the surrounding public realm;*

The subject lands are located within the City's settlement area and built boundary. Per **Section 2.3.2.1 & 2.3.2.3**, the application directs development within the settlement area and built boundary. As previously discussed, the lands are located along a portion of Highway 144 which generally acts as a main thoroughfare and established commercial corridor for the community of Chelmsford. The proposal would contribute to the supply of housing in an area which currently features a range and mix of housing types, including a 40-unit row dwelling complex currently being constructed directly west of the subject lands. With respect to **Section 2.3.2.2**, the application proposes a compact built form that would make efficient use of the lands, and existing resources, infrastructure, and public service facilities: The proposed compact built form would also assist in minimizing negative impacts on air quality, promote energy efficiency, and support the use of existing public transit and active transportation networks.

With respect to **Section 2.3.3.4 & 2.3.3.7**, the application proposes a medium density development within a Mixed Use Commercial corridor which is encouraged as the site contains suitable existing infrastructure and benefits from nearby public service facilities.

To ensure the intent of **Section 2.3.3** is met, this report evaluates the proposed development against the tests for intensification as outlined in **Section 2.3.3.9**. Per the criteria outlined in this section of the OP, the proposal:

- Reconfigures the parcel fabric of 3692 Highway 144 so that it is of a suitable shape and size to appropriately accommodate a 10-unit multiple dwelling with adequate on-site parking (1.5 parking spaces per unit is proposed, in conformity with *Table 5.5* in the zoning by-law);
- Proposes a residential development that is compatible with the existing and planned character of the area. As previously discussed, the immediate surrounding area is largely comprised of a mix of housing types, as well as commercial and institutional uses, and the proposal would contribute to this existing range and mix of land uses;
- Provides public road frontage and adequate ingress/egress to the subject lands through a subsequent lot addition application (see *Figure 1 & 10*); and
- Provides the potential to enhance nearby active transportation and public transit networks as the proposed development promotes a development over the subject lands that may encourage the use of such networks.

Mixed Use Commercial areas have been established in Sudbury with the intent of recognizing the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. **Section 4.3** provides policies regarding the development of lands designated Mixed Use Commercial in the OP, and states, in part:

4.3.1 *All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed-Use Commercial designation through the rezoning process. Uses permitted in the Mixed-Use Corridor designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods at a lesser density and concentration than Regional Corridors.*

...

4.3.4 *Subject to rezoning, new development may be permitted provided that:*

- a) sewer and water capacities are adequate for the site;*
- b) parking can be adequately provided;*
- c) no new access to Arterial Roads will be permitted where reasonable alternate access is available;*
- d) the traffic carrying capacity of the Arterial Road is not significantly affected;*
- e) traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;*

f) landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,

g) the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.

All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process, per **Section 4.3.1**. **Section 4.3.4** outlines the tests that these new developments must align with. The application meets these tests, considering that:

- Existing sewer and water capacities are adequate to service the subject lands;
- Adequate on-site parking would be provided over the subject lands, in accordance with the applicable parking provisions in the zoning by-law;
- No new access on an arterial road is being proposed, nor will the traffic carrying capacity of an arterial road(s) be significantly affected. The application had the benefit of receiving preliminary comments (through pre-consultation) from the City's Traffic and Transportation Department, for which no concerns with the post-development traffic impact of the proposed development were raised;
- Landscaping along the entire length of the subject lands lot frontage can be accommodated through a 3-metre wide landscaped area; and
- The application meets the applicable policies of Sections 11.3.2 & 14 of the OP. An analysis of such is provided below.

Section 11.3.2 speaks to land use policies to support transit needs. Given the subject land's proximity to transit, the following policy is applicable:

11.3.2.1 *Urban design and community development that facilitate the provision of public transit will be promoted;*

11.3.2.2 *Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop;*

...

Section 14.1 outlines the objectives of the City's urban design policies, and states, in part:

14.1 *The objective of the urban design policies are to:*

a. encourage well designed and high quality communities, neighbourhoods and public realm;

b. encourage well designed and high quality development and intensification;

c. promote an environment that is accessible, safe, sustainable and climate change resilient;

The proposed development would support the use of public transit, given that it is located along GOVA Transit Route 104, with the closest bus stop being within 500m walking distance of the subject lands, and should therefore be promoted per **Section 11.3.2**. Additionally, **Section 14.1** outlines the objectives of the City's Urban Design policies. The application seeks to meet these objectives by:

- Enhancing the overall public realm by contributing to the range and mix of land uses available in the surrounding area, and proposing a development that is transit supportive and in proximity to a mix of commercial uses and essential services; and
- Promoting sustainable development by continuing to make efficient use of the subject lands.

Section 17.2 of the OP contains policies related to providing adequate and more affordable housing and encouraging a wide range of housing types and forms for a diverse population. It states, in part:

17.2.1 *To encourage a greater mix of housing types and tenure, it is policy of this Plan to:*

a. encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;

b. encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households;

c. promote a range of housing types suitable to the needs of senior citizens;

*d. discourage downzoning to support increased diversity of housing options;
and*

e. support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities – designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents

Per **Section 17.2.1**, the application encourages a range of housing types and forms to the surrounding area which are suitable to meet the housing needs of current and future residents. The proposed development plans for multiple dwelling units to accommodate the growing number of smaller households and Sudbury's aging demographic. In addition, the proposal contributes to the creation of complete communities by planning for housing within an area that features a mix of land uses, and is supportive of existing transportation networks that connect individuals to a wide range of commercial uses and public service facilities within the surrounding area.

4.4 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The application proposes to rezone the subject lands from C2 (General Commercial) and R3(74) (Medium Density Residential Special) to C2(S) (General Commercial Special). A zoning matrix table (see *Table 2* below) was created to evaluate the application against applicable zoning provisions.

	Zoning Requirements (C2 zone / General Provisions)	Proposed
Minimum Lot Area	1350m ²	±1812.36m ²
Minimum Lot Frontage	30.0m	±19.0m
Maximum Building Height	15.0m	2 storeys (<15m)
Minimum Front Yard	6.0m	±25m
Minimum Rear Yard	7.5m	±10.7m
Minimum Interior Side Yard	1.2m (+0.6m for every additional storey)	±1.8m
Maximum Lot Coverage	50%	±25%
Minimum Landscape Open Space	5%	> 5%
Landscaping (Sec. 4.15.1)	3.0m wide landscaped area adjacent to Highway 144	3.0m wide landscaped area adjacent to Highway 144
Landscaping (Sec. 4.15.4)	3.0m wide planting strip adjacent to the northerly and westerly property boundary	0m wide planting strip adjacent to the northerly and westerly property boundary
Parking Spaces (Table 5.5)	1.5 spaces/unit with a 10% reduction per Sec. 5.5.1.1 (14 spaces)	1.5 spaces/unit [15 spaces (including 1 accessible parking space)]
Aisle Width (Sec. 5.2.9.2)	6.0m	±3.0m
Bicycle Parking (Table 5.10)	0.5 spaces/unit (5 spaces)	5 spaces

***RED TEXT DENOTES RELIEF REQUIRED**

Table 2 – Zoning Matrix Table

Site specific relief is requested through the rezoning application. Such reliefs are outlined as follows:

- Minimum lot frontage of 19.0 metres, whereas a minimum of 30.0 metres is required (*Table 7.3* of the zoning by-law)
- Minimum two-way drive aisle width of 3.5 metres, whereas a minimum of 6.0 metres is required (*Section 5.2.9.3* of the zoning by-law)
- 3.0-metre-wide planting strip adjacent to the northerly and westerly property boundary not be required for residential uses (*Section 4.15.4* of the zoning by-law)

The proposed site-specific reliefs are requested to accommodate the proposed parcel fabric and built form. It is the author's opinion that such reliefs are appropriate, given the rationale provided below.

A reduced two-way drive aisle width of 3.5 metres is technical in nature, and would accommodate a larger built form, providing residents with more living area. This reduction is seen as technical because a mutual access easement with a width of ±2.5 is being proposed adjacent to the 3.5 metre drive aisle.

Combined, the drive aisle and mutual access easement would make up a total of 6 metres in width, maintaining the intent of **Section 5.2.9.3** of the zoning by-law (to maintain an access driveway width of 6 metres for two-way traffic). This would also provide future residents with legal access to the proposed parking area to the north. With respect to a reduced frontage, we note that the property benefitting from the future lot additions (being 3692 Highway 144) currently does not benefit from frontage on a public road. Therefore, the application would bring this existing lot closer into conformity with the zoning by-law.

A 0-metre planting strip adjacent to the northerly and westerly property boundary would only be applicable where the subject lands are occupied by a permitted residential use. A planting strip would be required per **Section 4.15.4[a) i)]** as such reads as follows:

a) A 3.0-metre-wide planting strip adjacent to the full length of the lot line shall be required:

i) Where the lot line of a non-residential lot, other than a lot containing an open space use or a lot in an Industrial Zone, abuts a residential lot or Residential Zone;

...

Although the subject lands would continue to be used for residential purposes, the zoning by-law defines the property as a *non-residential lot*, considering it is zoned C2, and such lands abut a residential zone [being the property zoned R3(74) Medium Density Residential Special to the west of the subject lands]. The zoning by-law does not require planting strips to serve as a buffer between two medium density residential uses, therefore relief for a 0 metre planting strip adjacent to the northerly and westerly property boundary is requested only where the subject lands are occupied by a permitted residential use. This will ensure the intent of the zoning by-law is met (to not apply landscaping buffers in between compatible land uses), while being cognizant of the potential for the subject lands to develop as a general commercial use in the future – for which the required planting strip along the northerly and westerly property boundary would be required.

5.0 CONCLUSION

The proposed Zoning By-law amendment would facilitate the development of a medium density housing option within the community of Chelmsford, contributing to the range and mix of residential types currently available in the surrounding area. Overall, the application represents an efficient development and land use pattern in an appropriate location that benefits from existing amenities and municipal infrastructure, while contributing to the creation of complete communities.

Given the analysis provided herein, it is the author's opinion that the proposed Zoning By-law amendment is consistent with the *2020 Provincial Policy Statement*, conforms with the *Growth Plan for Northern Ontario* and the intent of the *City of Greater Sudbury Official Plan*, and represents good planning.

Respectfully Submitted,

Prepared by:



Aaron Ariganello, BURP

Land Use Planner

TULLOCH

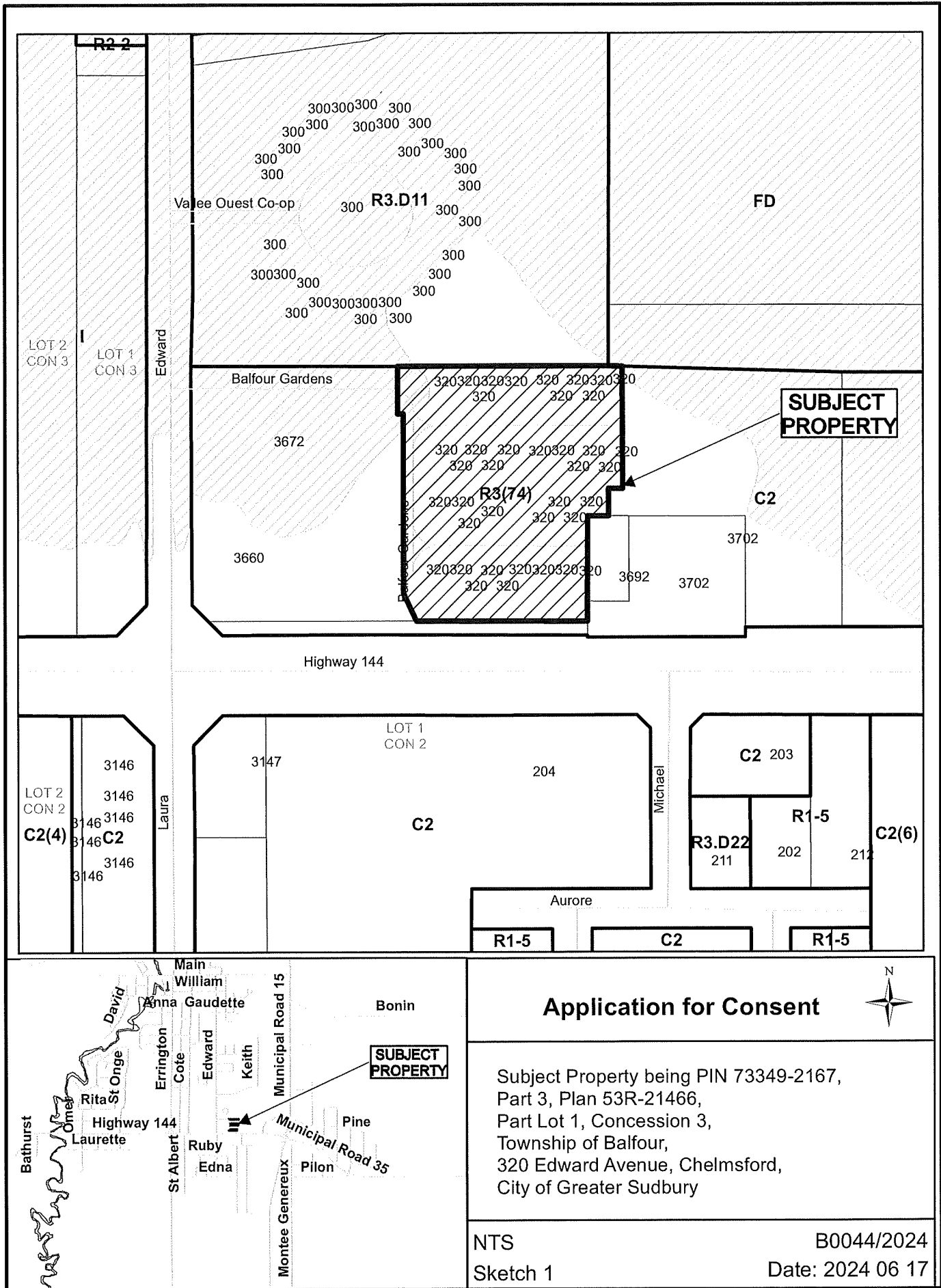
Reviewed by:



Kevin Jarus, M.Pl., RPP

Planning Manager

TULLOCH



SUBJECT PROPERTY

C2

SUBJECT PROPERTY

Application for Consent



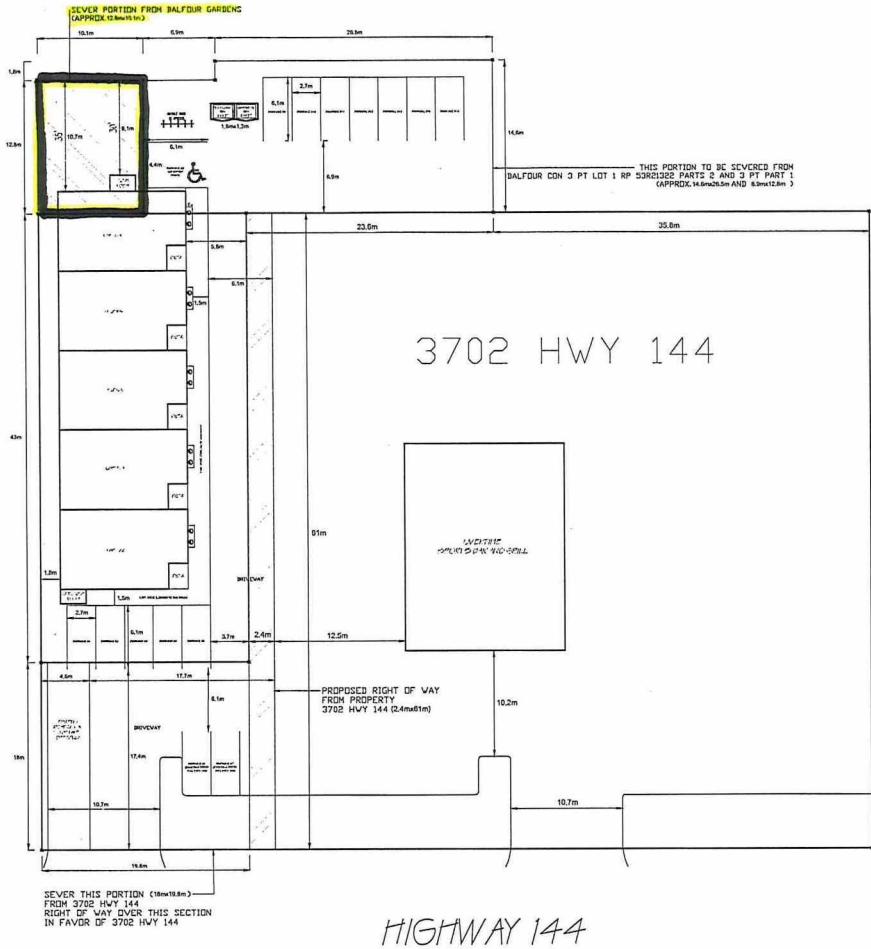
Subject Property being PIN 73349-2167,
 Part 3, Plan 53R-21466,
 Part Lot 1, Concession 3,
 Township of Balfour,
 320 Edward Avenue, Chelmsford,
 City of Greater Sudbury

NTS

B0044/2024

Sketch 1

Date: 2024 06 17



B0044/2024
Sketch 2



GENERAL NOTES:

- All dimensions given are in imperial units and are measured from either the nearest finished face or centerline. (Unless otherwise noted)
- All construction to comply with the Ontario Building Code 2023 Edition.
- All building site work shall be graded to the surface, where and soil drainage will not accumulate at or near the building and will not adversely affect adjacent properties.
- Every excavator shall be undertaken in such a manner as to prevent movement which would cause damage to adjacent property, existing structures, utilities, roads and sidewalks at all stages of construction. Ensure that the bottom of excavation for foundations are free of all organic material, if bottom are shown to exist. All drainage, pipes and manholes shall be removed to a min. depth of 1.0m in cleared area. The distance between unexcavated structural wood corners and ground should be 15.0m.
- No work shall encroach onto adjoining properties boundaries. Drainage shall not be discharged directly or indirectly into sidewalk, driveway, roadway or any adjoining property.
- The contractor's responsibility to check and ensure that all electrical services and related appropriate methods of delivery with these services.
- All footing lumber shall be SPP #1 kiln dried species wood. Provide support grade (spread) where required by OBC.
- All dimensions and existing conditions shall be verified by the general contractor at the site prior to construction. The general contractor shall be responsible to notify the client of any discrepancies before the site conditions and the assumed design conditions prior to the commencement of construction.
- All provisions through a required fire separation are to be finished and smoke sealed, as well as any and all combustible services penetrating a required fire separation are to be protected with a fire-rated system.
- The general contractor shall be solely responsible for the subdivision, method of erection and installation procedures of all structural members including the erection of any pre-engineered components. The general contractor shall ensure extreme caution and care during the erection process of any existing structural and existing walls. He/She is responsible to support the required structure and call a professional structural engineer for an inspection and review prior to loading existing members or removing existing walls.

GENERAL SCOPE OF WORK:

- CLIENT APPLICATION TO CREATE A DETACHED SECONDARY DWELLING UNIT STRUCTURE, STAYING ALONG FROM PRINCIPLE DWELLING IN COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS AND THE ONTARIO BUILDING CODE.
- MAINTAIN ALL EXISTING MUNICIPAL SANITARY AND DOMESTIC WATER SERVICES ON PROPERTY. CONTACT AND TIE-IN NEW DWELLING UNIT SERVICES TO PRINCIPAL DWELLING AS PER MUNICIPAL BY-LAWS AND REGULATIONS.

LIMITATIONS OF DESIGN:

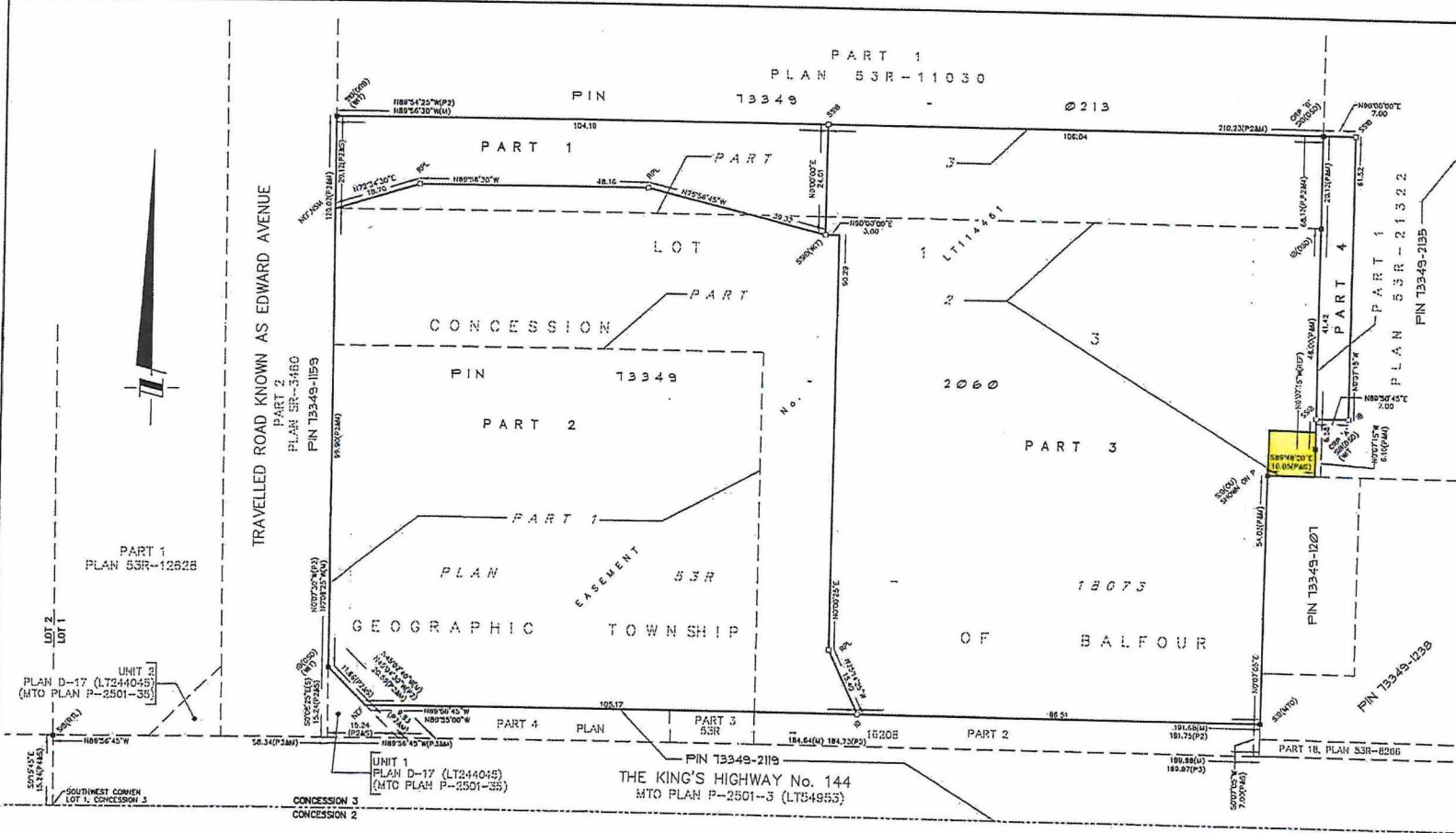
- It shall be the contractor's responsibility to ensure all material, equipment, assemblies, and labor conform to all applicable Codes, By-laws, and Good Construction Practices.
- Violations on the drawings are to be noted and corrected and not necessarily address all aspects of construction.
- The contractor shall check and verify all dimensions and existing site conditions and advise the owner of any discrepancy prior to commencing work.
- The contractor shall verify member and clear rough cut openings with manufacturer & owner prior to framing.
- Technical design data for all pre-engineered framing components are required for the building permit application.
- Any expenses for engaging a Professional Engineer shall be the sole responsibility of the Owner.

I, ROHIT WALIA, DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4, DIV. 17 OF THE ONTARIO BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES FOR SUCH DESIGN WORK.

INDIVIDUAL BCIN#: 35171 FIRM BCIN#: 123463

ROHIT WALIA: PRINCIPAL DESIGNER
CR DESIGN BUILD INC.

PROJECT	10 UNIT BUILDING	DATE	
CLIENT	RW	DESIGNED BY	RW
NO.	3692 HWY. 144	DATE	2023-12-18
TYPE	Plot Plan	SCALE	PP
		DATE	1/16"=1'-0" CAD 2.0m



PLAN 53R-21466

RECEIVED AND DEPOSITED.
 DATE: April 15, 2021
 "Sylvie Guenette"
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES
 DIVISION OF SUDBURY, ONTARIO (No. 53)
 I REGULATE THIS PLAN TO BE DEPOSITED UNDER THE
 LAND TITLES ACT.
April 14 2021 D.S. Dorland
 DATE D.S. DORLAND, O.L.S.

PART	LOT/BLOCK	CON./PLAN	PIN	AREA #
1				1742 Sq.m
2	PART OF LOT 1	3	ALL OF PIN 13349-2000	1.19 ha
3				1.27 ha
4			PART OF PIN 13349-2133	431 Sq.m

PARTS 1 TO 4 INCLUSIVE ARE SUBJECT TO EASEMENT No. L7114481
**PLAN OF SURVEY OF
 PART OF LOT 1
 CONCESSION 3
 GEOGRAPHIC
 TOWNSHIP OF BALFOUR
 CITY OF GREATER SUDBURY
 DISTRICT OF SUDBURY**
 SCALE 1:500
 0 5 10 15 20 25 METRES

D.S. DORLAND LIMITED
 ONTARIO LAND SURVEYORS

LEGEND

N	DENOTES NOT TO SCALE
M	DENOTES MONUMENT FOUND
W	DENOTES WITNESS MONUMENT PLANTED
STB	DENOTES STAIRWAY IRON BAR
SSB	DENOTES SHORT STAIRWAY IRON BAR
IB	DENOTES IRON BAR
IRB	DENOTES IRON ROD
RFB	DENOTES ROCK FLAG
RWB	DENOTES ROCK BAR
RFBT	DENOTES ROCK FLAG WITH WITNESS MONUMENT
WIT	DENOTES WITNESS MONUMENT
OB	DENOTES OBSTACLE
PI	DENOTES PROPERTY IDENTIFICATION NUMBER
LT	DENOTES LAND TITLES
M	DENOTES MEASURED
R	DENOTES RECORDED
SET	DENOTES SET
P1	DENOTES PLAN 53R-21322
P2	DENOTES PLAN 53R-18273
P3	DENOTES PLAN 53R-18208
P4	DENOTES PLAN D-17
DRB	DENOTES D.S. BRUCE, O.L.S.
DSB	DENOTES D.S. DORLAND LIMITED, O.L.S.
MTO	DENOTES MINISTRY OF TRANSPORTATION ONTARIO
ML	DENOTES M.T. LANG, O.L.S.
REF	DENOTES REFERENCE POINT
NSM	DENOTES NOT SUITABLE FOR MONUMENTATION
REF	DENOTES OBSTACLE BEARING ROTATION

D.S. DORLAND LIMITED
 ONTARIO LAND SURVEYORS
 GEOMETRICS PROFESSIONALS

298 LARCH STREET
 SUDBURY, ONTARIO, P3B 1M1
 PHONE (705) 873-2558 FAX (705) 873-1051
 WWW.DSDORLANDLIMITED.CA

PREPARED BY: J. WAN
 CHECKED BY: S.M.
 DATE: APRIL 14, 2021

SCALE: 1:500 METRIC
 HDG FILE: 1888-DORLAND
 P-TRACE: 133-1-PLAN

METRIC NOTE
 DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES
 AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTE
 ALL BEARINGS SHOWN HEREON ARE WITH GRID DERIVED FROM REAL-TIME NETWORK OBSERVATIONS REFERRED TO THE CENTRAL (CSRS) (VER-A/2000)

FOR BEARING COMPARISONS:
 NO ROTATION OF WAS APPLIED TO GRID BEARINGS ON PLAN P.
 A ROTATION OF 0.0111° CLOCKWISE WAS APPLIED TO ASTROMERIC BEARINGS ON PLAN P2.
 NO ROTATION OF WAS APPLIED TO ASTROMERIC BEARINGS ON PLAN P4.
 A ROTATION OF 0.1111° CLOCKWISE WAS APPLIED TO ASTROMERIC BEARINGS ON PLAN P4.

DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID INSTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999965.

POINT ID	NORTHING	EASTING
ORP 'A'	5,187,356.33	485,517.87
ORP 'B'	5,157,424.42	485,517.83

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE REAL-TIME COORDINATES FROM PROVINCIAL (LEICA SHARTRITE NORTH AMERICA) UTM ZONE 17, NAD 83 (CSRS) (VER. 4/2002) UTM ACCURACY PER SEC. 14 (3) OF SCALE 218/10

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEREIN.
- THE SURVEY WAS COMPLETED ON THE 26th DAY OF JANUARY, 2021.

April 14 2021 D.S. Dorland
 SUDBURY, ONTARIO: D.S. DORLAND
 ONTARIO LAND SURVEYOR

30044/2024
 sketch 3

Office Use Only 2024.01.01	
B 0045/2024	
S.P.P. AREA Yes ___ No <input checked="" type="checkbox"/>	
NDCA REG. AREA Yes <input checked="" type="checkbox"/> No ___	

City of Greater Sudbury


APPLICATION FOR CONSENT

APPLICATION FEE: \$2,170.00 (includes \$320.00 Legal Notice Fee)
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: **CITY OF GREATER SUDBURY**
Note: An application fee is levied for **each** new lot created; the remainder is not subject to an application fee.

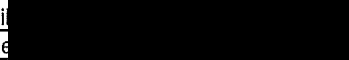
Personal information on this form is collected pursuant to the *Planning Act*, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990, information and material 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 City of Greater Sudbury under Section 53 of the *Planning Act* R.S.O. 1990, c. P.13 for consent, as described in this application.

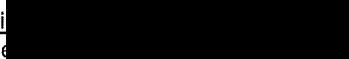
Registered Owner(s): NORTHERN HOME BUILDERS AND RENOVATORS INC. Email: 
 Mailing Address: 3692 Highway 144 Home Phone: _____
 Business Phone: _____
 City: Chelmsford Postal Code: P0M 1L0 Fax Phone: _____

2) Name of Purchaser(s) or Chargee(s):

Name of Purchaser(s) or Chargee(s): DEVLA PROPERTIES INC. Email: 
 Mailing Address: 3692 Highway 144 Home Phone: _____
 Business Phone: _____
 City: Chelmsford Postal Code: P0M 1L0 Fax Phone: _____

Note: If the application is being made by a purchaser or the purchaser's agent, please provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of this application.

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

Name of Agent: TULLOCH Email: 
 Mailing Address: 131 Fielding Road Home Phone: _____
 Business Phone: _____
 City: Lively Postal Code: P3Y 1L7 Fax Phone: _____

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

4) Purpose of Transaction

Creation of a new lot Easement/Right-of-way Lease
 Addition to a lot Creation of lot(s) for Other;
 Cancellation of Prior Consent Semi-detached or row housing specify _____
 File # _____ Date: _____

5) Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged. _____
 DEVLA PROPERTIES INC. _____

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

Roll # _____ Township BALFOUR Lot No. 1 Concession No. 3
 PIN(s): 73349-2165 Parcel(s) _____
 Subdivision Plan No. _____ Lot R-Plan No. 53R21322 Part(s) 2 & 3, PT PART 1
 Municipal Address or Street(s): _____ Ward: 3

7) Are there any easements or restrictive covenants affecting the subject land? Yes No

If the answer is "yes", please indicate a description of each easement or covenant and its effect.

8) Date of acquisition of subject land. 2020

9) Has the land ever had any previous severances? Yes No

If "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed: (attach a schedule if necessary).

Date of Transfer	Name of Transferee
Use of severed land	Consent File No.

10) Has the parcel intended to be severed ever been, or is it now a part of an 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 the file number and status of the application. _____

11) Is the property also subject of an Application for Minor Variance, Rezoning or an Official Plan Amendment? Yes No Concurrent rezoning application

If "yes", indicate the file number(s). _____

Note: If the Consent application is requested to proceed prior to securing necessary minor variance or rezoning approvals, please complete the Acknowledgement of Risks form at the end of this Application form as an Application for Consent cannot succeed without such approval(s) in place.

12) Dimensions of land to be severed in metric units (describe **only** the portion of the land which is to be transferred, leased or mortgaged)?

Frontage <u>N/A</u>	Depth <u>±15m</u>	Area <u>±475m²</u>
Existing Use <u>Vacant</u>	Proposed Use <u>Residential</u>	

Number and use of existing buildings and structures on the land to be severed?	
Existing <u>0</u>	Proposed <u>1</u>

If applicable, indicate Parcel Number and /or Lot and Registered Plan of Subdivision Number of property which will benefit from the lot addition/consolidation, easement/right-of-way.

Parcel 15796 OWS, Part Lot 1, Concession 3, Township of Balfour

13) Dimensions of land intended to be retained in metric units (describe **only** the portion of land which will remain following the severance(s); if the transaction is an easement/right-of-way or lease, describe the entire lot or parcel).

Frontage <u>±48m</u>	Depth <u>±162m</u>	Area <u>±18,860m²</u>
Existing Use <u>Vacant</u>	Proposed Use <u>Same</u>	

Number and use of existing buildings and structures on the land to be retained?	
Existing <u>0</u>	Proposed <u>0</u>

14) Will a certificate be required for the retained land? Yes No

If "yes", please provide a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*, R.S.O. 1990, c. P.13.

80045/2024

15) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway, Yes No
- b) a municipal road that is maintained all year or seasonally, Yes No
- c) a road which is maintained by the municipality, Yes No
- d) by water? Yes No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.

16) What types of water supply and sewage disposal are proposed? Proposed Lot Retained Lot

Municipally owned and operated piped water system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Municipally owned and operated sanitary sewage system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Lake	<input type="radio"/>	<input type="radio"/>
Individual Well	<input type="radio"/>	<input type="radio"/>
Communal Well	<input type="radio"/>	<input type="radio"/>
Individual Septic System	<input type="radio"/>	<input type="radio"/>
Pit Privy	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

17) Is the property located with 1km (0.6 miles) of a First Nation Reserve? Yes No

18) What is the current designation of the subject land in the applicable Official Plan and explain how the application conforms with the Official Plan.

See Planning Justification Brief.

19) Explain how the application is consistent with the Provincial Policy Statements issued under subsection 3 (1) of the *Planning Act*. Please provide an explanation below, or attach a Schedule outlining the particulars of same.

See Planning Justification Brief.

20) Explain how the application conforms, or does not conflict with the Growth Plan for Northern Ontario. Please provide explanation below or attach a Schedule outlining the particulars of same.

See Planning Justification Brief.

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

If this application is approved, would any existing dwelling units be legalized? Yes No

If "yes", how many? _____

22) 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. _____

23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please attach a schedule outlining the particulars of same.

Schedule Attached Yes No

B0045/2024

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, NORTHERN HOME BUILDERS AND RENOVATORS INC. (please print all names), the registered owner(s) of the property described as
PIN 73349-2165

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 TULLOCH (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 27 day of May, 2024

x [Signature]
(witness)

x [Signature]
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: x PETER NIKIT
*I have authority to bind the Corporation

B0045/2024

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, TULLOCH (please print all names),

the registered owner(s) or authorized agent of the property described as _____

PIN 73349-2165

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 7 day of June, 2024

David Glen Tulloch
Commissioner of Oaths

David Glen Tulloch
a Commissioner, etc., Province of Ontario
for TULLOCH Engineering Inc.
Expires Feb 20th, 2027

Aaron Ariganello
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: Aaron Ariganello
*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
USE

Date of Receipt: <u>July 12, 2024</u>	Decision Date: <u>August 12/24</u>	Received by: <u>N. Lewis</u>
Zoning Designation: <u>C2</u>	Resubmission <input type="radio"/> Yes <input checked="" type="radio"/> No	
Previous File Number(s): <u>See below</u>	Previous Decision Date: <u>see below</u>	
Referred to Planning: <u>N/A</u>	Received Approval from Planning: <u>N/A</u>	
Acknowledgement of Risk received: <input checked="" type="radio"/> Yes <input type="radio"/> No		
Notes: <u>B0017/2021 (Oct 25/21) LA - P14, 53R-21466 to PIN 73349-2060</u>		
<u>Rezoning 751-5/21-001</u>		
<u>Subject to Concurrent Rezoning 751-5/24-06</u>		

B0045/2024



April 15, 2024

RECEIVED

MAY 01 2024

Tulloch Engineering
1942 Regent Street, Unit L
Sudbury, ON
P3E 5V5

RECEIVED

Attention: Rebecca Dawson, EIT

JUN 11 2024

Re: **Sewer and Water Capacity Analysis**
3692 Hwy 144
Township of Balfour

PLANNING SERVICES

PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCCA
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

The Development Engineering Section has reviewed your request for a Sewer and Water Capacity Analysis at the above noted location and have the following to report:

A review of the sewage mains downstream from the proposed connection at BAL-12-12-0066 HWY 144 revealed that the mains are capable of conveying the additional 0.53 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the 300mm watermain in front of property 3692 Hwy 144.

Values Obtained from Model

C.G.S. Minimum Requirements

Max Hour: 74 psi
Max Day: 74 psi
Fire Flow: 367 l/s

- 40 psi
- 50 psi
- 75 L/s R1, 100 L/s R3

The results of the WaterCAD analysis indicate that sufficient water capacity and pressure exist for the proposal in question.

It should be noted that these results are derived at by using a theoretical computer model based on our best available data. In the event that these developments do not proceed within a one (1) year period, then you should make the necessary arrangements to have a current analysis carried out to take into account any changes made in our sewer or WaterCAD models and to ensure that there is sufficient Sewage, Fire Flows and/or Domestic Pressures available for your proposal(s).

Should you have any questions or concerns please contact me at 671-2489 ext 2409.

Yours truly,

David Longarini
Development Engineering Technician

DVL/ds

cc: Akli BenAnteur, Wastewater Project Engineer, (Kelly Lake)

80049/2024

Aaron Ariganello

From: [REDACTED]

From: Cole, Cameron (MTO) <[REDACTED]>
Sent: Thursday, April 18, 2024 1:58 PM
To: Aaron Ariganello <[REDACTED]>
Cc: Lavallee, Michelle (MTO) <[REDACTED]>
Subject: RE: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

Hi there Aaron,

My recommendation would be that the sooner MTO can be provided with this information, the sooner we will be able to provide confirmation as to whether the additional documents will be required. While the approval of any technical documents will be associated with the building/land use permit, we can receive the documents prior to the submission of the permit application.

I hope this was helpful! Don't hesitate to contact me if there are any other questions or concerns.

Thank you,

Cameron Cole

Corridor Management Planner

Corridor Management, North Region, Area East

Ministry of Transportation

447 McKeown Ave.

North Bay, Ontario, P1B 9S9

Phone [REDACTED]

Email [REDACTED]

RECEIVED

JUN 11 2024

From: Aaron Ariganello <[REDACTED]>
Sent: April 17, 2024 5:24 PM
To: Cole, Cameron (MTO) <[REDACTED]>
Cc: Cole, Jeff (MTO) <[REDACTED]>; Lavallee, Michelle (MTO) <[REDACTED]> Vanessa Smith <[REDACTED]>; Brandon Cormier <[REDACTED]>; Kevin Jarus <[REDACTED]>
Subject: RE: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

PLANNING SERVICES

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Cameron,

Thank you for the below.

Just wanted your confirmation on the last comment – is the information regarding stormwater management and illumination to be provided upon the submission of the rezoning application, or at the time our client submits for their MTO building/land use permit?

B0045/2024

- Proposed parking area layout with maximum number of vehicles to be accommodated at one time.
 - Elevation of the area adjoining the highway and the proposed drainage system for the development
 - Location of existing and proposed entrances.
 - Location and names of adjacent roads.
- The MTO requests more information regarding stormwater management and Illumination in order to determine if a detailed Stormwater Management Plan (SWMP) and Illumination Report will be required. If it can be demonstrated that there will be no substantive change in pre/post development drainage to the highway and external illumination, then the MTO will not require the submission of these technical documents. This information can be in the form of engineers statement or can be shown on the submitted site plan.

Please submit technical documents through the MTO's land development review process, this can be found online at the following link: <https://www.hcms.mto.gov.on.ca/>. This is a new function that is intended to streamline the MTO's review process. If you have any questions regarding this, don't hesitate to contact me.

Following the Land Development Review process, permit applications can be made online at the above link.

Any questions regarding permitting or setbacks can be directed to Michelle Lavallee, Corridor Management Officer at [REDACTED]

If there are any additional questions or concerns, don't hesitate to contact me. These comments will be considered valid for a time period of one (1) year, and if a formal application is not made within that year, a new review and comments will be required.

Thank you,

Cameron Cole

Corridor Management Planner

Corridor Management, North Region, Area East

Ministry of Transportation

447 McKeown Ave

North Bay, Ontario, P1B 959

Phone [REDACTED]

Email: [REDACTED]

From: HCMS-Do-Not-Reply <[REDACTED]>

Sent: Friday, January 26, 2024 3:44 PM

To: Aaron Ariganello <[REDACTED]>

Subject: MTO Highway Corridor Management pre-consultation request received 2024-54S-000026/Demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-54S-000026 reçue

Your request for a pre-consultation, submitted on January 26, 2024 has been received.

Pre-consultation No.: 2024-54S-000026

B0045/2024

Ministry of Transportation
Highway Corridor Management Section - Sudbury Office 3767 Hwy 69 S, Suite 8
Sudbury, ON P3G 1G4

Si vous souhaitez vérifier le statut de la demande de consultation préalable que vous avez présentée ou imprimer les détails de la demande, veuillez vous rendre à Faire le suivi d'une demande et entrer les renseignements ci-dessous :

N° de la consultation : 2024-54S-000026

Code d'accès : 1tlSEXYq

Si vous devez mettre à jour une demande pour cette demande, veuillez utiliser le numéro de demande de consultation préalable et le code d'accès ci-dessus.

Veuillez conserver ce courriel et les détails ci-joints concernant la demande de consultation préalable pour vos dossiers.

Merci
Bureau de gestion des couloirs routiers
Ministère des Transports de l'Ontario
<https://www.hcms.mto.gov.on.ca>

Veuillez noter ce qui suit : Ce courriel est envoyé à partir d'une adresse servant uniquement à l'envoi d'avis qui ne peut accepter de courriels entrants. Veuillez ne pas répondre à ce message.

▪

B0045/2024

RECEIVED

JUN 11 2024

PLANNING SERVICES

PLANNING JUSTIFICATION

BRIEF

3692 HIGHWAY 144, CHELMSFORD
ZONING BY-LAW AMENDMENT

JUNE 2024

Prepared by: TULLOCH
Prepared for: DEVL A PROPERTIES INC.

B0045/2024

Contents

1.0 INTRODUCTION	1
2.0 SUBJECT LANDS & SURROUNDING CONTEXT	1
3.0 PROPOSED DEVELOPMENT	7
4.0 POLICY OVERVIEW & ANALYSIS	9
4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS).....	9
4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO).....	12
4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)	13
4.4 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z	18
5.0 CONCLUSION	19

B0045/2024

1.0 INTRODUCTION

TULLOCH is retained by the owner of 3692 Highway 144 (being PIN 73349-1207) in Greater Sudbury to prepare a planning justification brief as part of a complete application to amend the *City of Greater Sudbury Zoning By-law 2010-100Z*. This brief provides justification for an application that would ultimately facilitate the development of a 2-storey, 10-unit multiple dwelling providing a total of fifteen (15) parking spaces. Subsequent lot addition applications would be required to consolidate the proposed parcel fabric. Site-specific relief is requested through the application and analyzed in this brief.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-law 2010-100Z*

Overall, the author finds that the proposed zoning by-law amendment conforms with the *Growth Plan for Northern Ontario* and the *City of Greater Sudbury Official Plan*, is consistent with the *2020 Provincial Policy Statement* and represents good planning.

2.0 SUBJECT LANDS & SURROUNDING CONTEXT

The proposed parcel is comprised of 3692 Highway 144 (being PIN 73349-1207), and parts of three other properties that are also located along Highway 144 in Chelmsford. The properties can be legally described as follows:

PCL 15796 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT144785 T/W AS IN LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1207)

PCL 15433 SEC SWS; PT LT 1 CON 3 BALFOUR AS IN LT139235 EXCEPT LT144785; S/T LT144785; S/T LT114461; GREATER SUDBURY (PIN 73349-1238)

PART LOT 1 CONCESSION 3 BALFOUR SUBJECT TO AN EASEMENT AS IN LT775143;; SUBJECT TO AN EASEMENT AS IN LT114461; SUBJECT TO AN EASEMENT IN GROSS OVER PART 9 53R20446 AS IN SD297614; SUBJECT TO AN EASEMENT OVER PART 9 53R20446 IN FAVOUR OF PT LOT 1 CON 3, PTS 5, 6, 7, & 8 53R20446 AS IN SD299321; TOGETHER WITH AN EASEMENT OVER PT LT 1 CON 3 PT 6 53R14276 AS IN SD107146; TOGETHER WITH AN EASEMENT OVER PT LOT 1 CON 3 PTS 5, 6, 7 & 8 53R20446 AS IN SD299321; CITY OF GREATER SUDBURY (PIN 73349-2165)

CONSOLIDATION OF VARIOUS PROPERTIES: PT LT 1 CON 3 BALFOUR BEING PTS 1, 2 & 3 53R18073; S/T LT114461; GREATER SUDBURY (PIN 73349-2060)

The lands that make up the proposed parcel fabric will hereby be referred to in this brief as the 'subject lands.' A summary table and figure of the subject lands, and their corresponding applications is provided below.

B0045/2024
1

SUBJECT LANDS (PINs)	DESCRIPTION	SEVERED LOT AREA	FRONTAGE	APPLICATION
PIN 73349-1207 (3692 Hwy 144)	Property benefitting from lot additions & mutual access easement – to be rezoned to C2(S)	N/A Total lot area = ±851.45m ²	N/A	Rezoning
PIN 73349-1238 (3702 Hwy 144)	Portion of property to be added to 3692 Hwy 144 (1), and rezoned to C2(S) + mutual access easement (2) traversing over the property, and benefitting 3692 Hwy 144	1. ±356.4m ² 2. ±152.5m ² 3. ±508.9m ² including the mutual access easement	±79.2m	1. Rezoning 2. Lot Addition + Mutual Access Easement
PIN 73349-2060	Portion of property to be added to 3692 Hwy 144, and rezoned to C2(S)	±128.76m ²	N/A	1. Rezoning 2. Lot Addition
PIN 73349-2165	Portion of property to be added to 3692 Hwy 144, and rezoned to C2(S)	±475.75m ²	N/A	1. Rezoning 2. Lot Addition

Table 1 – Summary of the Subject Lands



Figure 1 – Summary of the Subject Lands

The subject lands are currently designated Mixed Use Commercial and located within the City's settlement area and built boundary in the OP. PINs 73349-1207, 73349-1238, and 73349-2165 are currently zoned C2, while PIN 73349-2060 is zoned R3(74) in the Zoning By-law. 3692 Highway 144 currently features an existing 10-unit multiple dwelling, having access onto Highway 144 (Highway 144 being designated as a Provincial Highway with full municipal sewer and water services). The subject lands are located along GOVA Transit Route 104 with the closest bus stop being located directly in front of the site. Sidewalks are also located on the north side of Highway 144.

On a high-level, the surrounding area is comprised of a range of land uses including residential, commercial, and institutional. Medium density residential uses, as well as commercial and institutional uses, are located along Highway 144. The broader Chelmsford community is predominantly made up of low-density residential uses taking the form of single detached dwellings. The immediate surrounding area can be described as follows:

NORTH: Mix of low and medium density residential uses, lands zoned FD (Future Development)

WEST: Row dwelling complex (currently under construction, containing approximately 40-units), A&W, I.D.A Pharmacy, Chelmsford Valley District Composite School (being the Institutional use referenced in *Figure 2* below)

SOUTH: Mix of Commercial uses (Belanger Ford dealership, Fix Auto, etc.), low density residential uses

EAST: Mix of Commercial uses (Overtime Sports Bar & Grill, Dollarama, Place Bonaventure Mall, etc.)



Figure 2 – Subject Lands and Surrounding Context Map

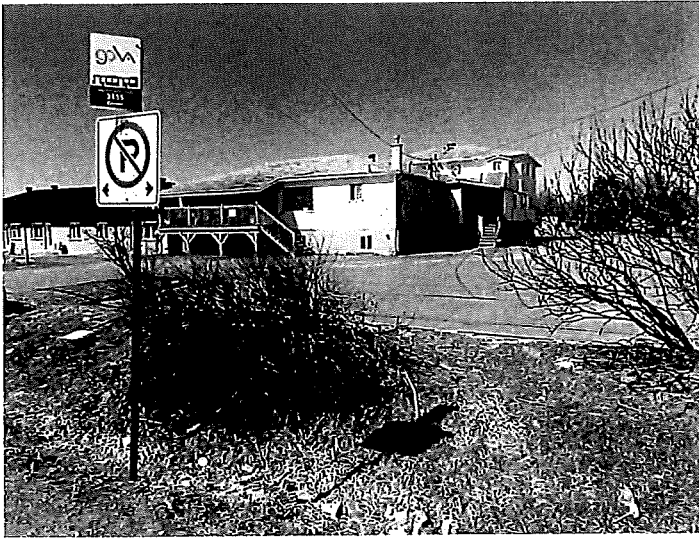


Figure 3 – View of Existing Building to be Demolished

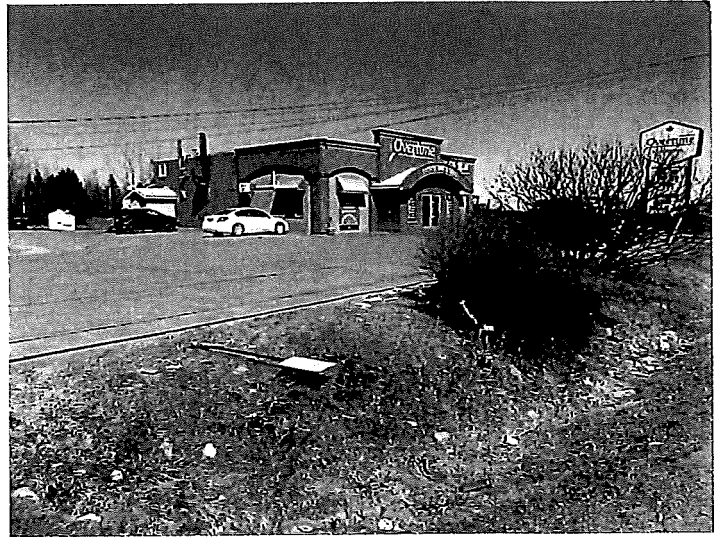


Figure 4 – Overtime Bar & Grill directly East of the Subject Lands



Figure 5 – Row dwelling complex currently under construction directly west of the Subject Lands

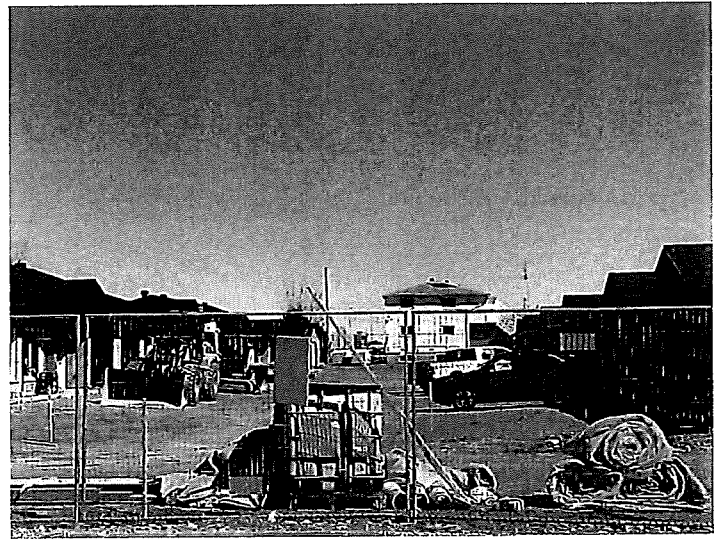


Figure 6 – View of the Existing Building Facing East (from the west end of the Row Dwelling Complex)



Figure 7 – Auto Body Shop just South of the Subject Lands across Highway 144



Figure 8 – Ford Dealership just South of the Subject Lands across Highway 144



Figure 9 – View of Highway 144 (main thoroughfare) Facing West of the Subject Lands

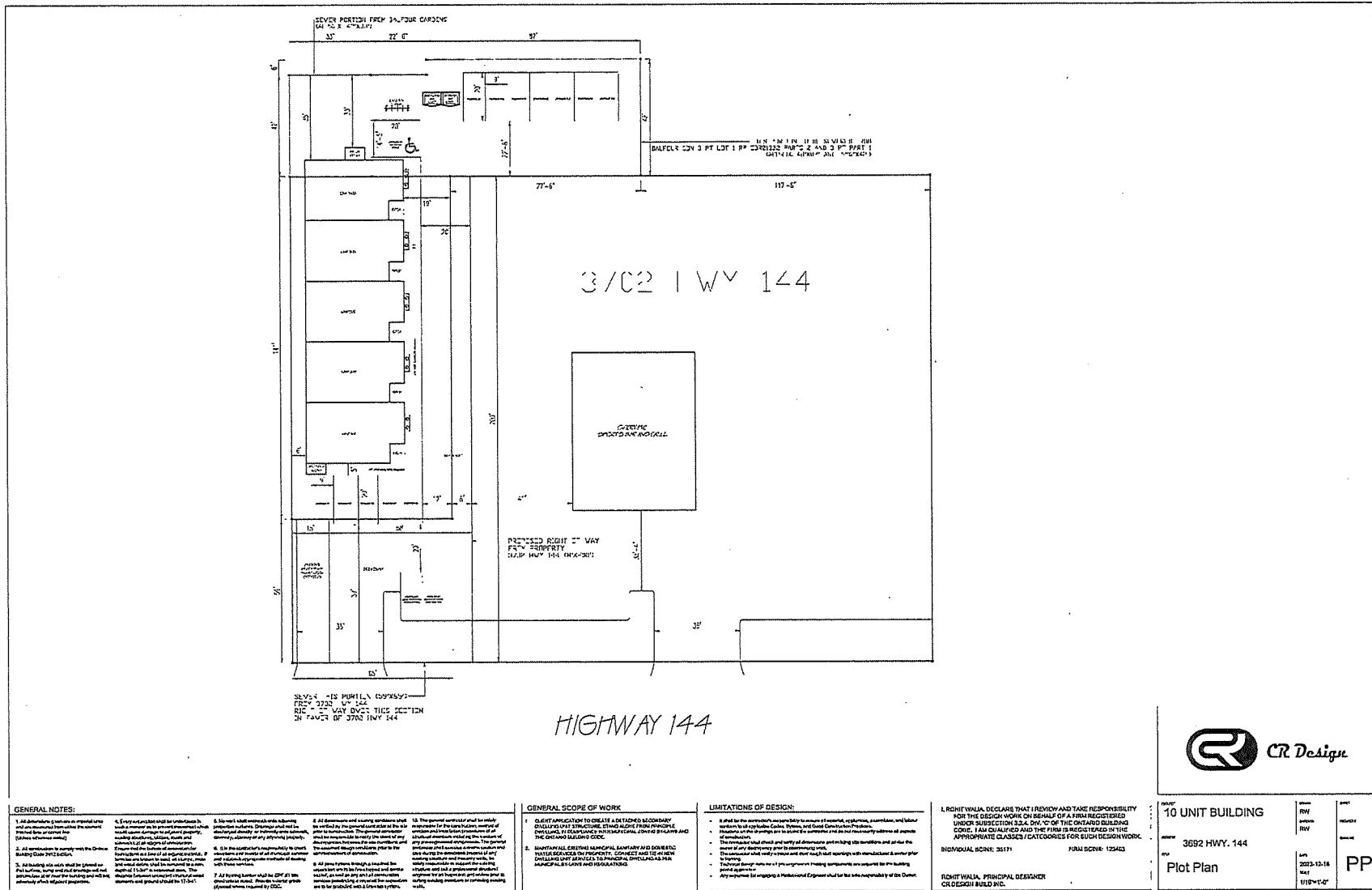
3.0 PROPOSED DEVELOPMENT

The application proposes to rezone PIN 73349-1207, and parts of PINs 73349-1238, 73349-2165 and 73349-2060 from their current C2 (General Commercial) and R3(74) (Medium Density Residential Special) zones to a C2(S) (General Commercial Special) zone. The R3(74) zone is only over PIN 73349-2160. The application would rectify future split zoning issues from occurring (see *Figure 1 & 10*), and facilitate the development of a 2-storey, 10-unit multiple dwelling providing a total of fifteen (15) parking spaces. The proposed development would also require that a series of lot addition applications be submitted to make up the proposed parcel fabric. The proposed parcel fabric would have an area of $\pm 1812.36\text{m}^2$ with ± 19 metres of lot frontage, and the proposal would represent a density of ± 55 units per hectare.

A new mutual access easement is proposed over PIN 73349-1238 (see *Figure 1 & 10*) and would benefit the subject lands. This easement will not provide direct access off Highway 144. Rather, the easement is necessary to provide future residents with legal two-way access to the proposed parking area to the north of the proposed multiple dwelling.

Site specific relief from the standard C2 zoning provisions is being requested, as outlined below:

- Minimum lot frontage of 19.0 metres, whereas a minimum of 30.0 metres is required (*Table 7.3* of the zoning by-law)
- Minimum two-way drive aisle width of 3.5 metres, whereas a minimum of 6.0 metres is required (*Section 5.2.9.3* of the zoning by-law)
- 3.0-metre-wide planting strip adjacent to the northerly and westerly property boundary not be required for residential uses (*Section 4.15.4* of the zoning by-law)



GENERAL NOTES:

1. All dimensions given are in imperial units and are rounded to the nearest 1/8" unless otherwise indicated.
2. All dimensions are given to the center of the building footprint.
3. All building setbacks shall be given as follows: 10' front, 5' side, and 5' rear. All setbacks shall be measured from the building footprint and not the property boundary.
4. Erosion control shall be provided in accordance with the Ontario Building Code (OBC) and the City of Mississauga's Erosion Control By-Law.
5. All parking spaces shall be provided in accordance with the Ontario Building Code (OBC) and the City of Mississauga's Parking By-Law.
6. The north-south setback shall be subject to the City of Mississauga's Erosion Control By-Law.
7. All building setbacks shall be given as follows: 10' front, 5' side, and 5' rear. All setbacks shall be measured from the building footprint and not the property boundary.
8. All parking spaces shall be provided in accordance with the Ontario Building Code (OBC) and the City of Mississauga's Parking By-Law.
9. All dimensions are given to the center of the building footprint.
10. All building setbacks shall be given as follows: 10' front, 5' side, and 5' rear. All setbacks shall be measured from the building footprint and not the property boundary.

GENERAL SCOPE OF WORK

1. CONSULTATION TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPALITY AND THE PROVINCE.
2. PREPARE ARCHITECTURAL DRAWINGS AND SPECIFICATIONS FOR THE BUILDING.
3. PREPARE CONTRACT DOCUMENTS FOR THE BUILDING.
4. ASSIST IN THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPALITY AND THE PROVINCE.
5. ASSIST IN THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPALITY AND THE PROVINCE.

LIMITATIONS OF DESIGN:

- This plan is based on the information provided by the client and is not intended to be a final design.
- The architect is not responsible for the accuracy of the information provided by the client.
- The architect is not responsible for the accuracy of the information provided by the client.
- The architect is not responsible for the accuracy of the information provided by the client.
- The architect is not responsible for the accuracy of the information provided by the client.

I, ROHITH WALKA, DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 2.24.1 OF THE ONTARIO BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES FOR SUCH DESIGN WORK.

INDIVIDUAL SIGNATURE: 3692 HWY 144
 FIRM SIGNATURE: CR DESIGN INC.
 ROHITH WALKA, PRINCIPAL DESIGNER
 CR DESIGN INC.

PROJECT	10 UNIT BUILDING	DATE	2023-10-18	SCALE	PP
ADDRESS	3692 HWY. 144	DATE	11/18/14		
DESCRIPTION	Plot Plan				

Figure 10 – Concept Plan

B0045/2024

4.0 POLICY OVERVIEW & ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the application in the context of Provincial and Municipal policies and regulations. Each subsection will outline relevant policies and provide an analysis with respect to how the zoning by-law amendment is consistent with or conforms to such policies.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

The *2020 Provincial Policy Statement* (PPS) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal official plans must be consistent with the PPS. Policies applicable to the application are outlined and analyzed below.

Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. **Section 1.1.1** states, in part:

1.1.1 *Healthy, liveable and safe communities are sustained by:*

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

...

e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards, to minimize land consumption and servicing costs;

f) Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

...

Section 1.1.3 of the PPS states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Considering the subject lands are located within Sudbury's settlement area, the following policies are applicable:

1.1.3.1 *Settlement areas shall be the focus of growth and development.*

1.1.3.2

Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

...

d) prepare for the impacts of a changing climate;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed; and

...

1.1.3.6

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

...

Section 1.4.3 of the PPS speaks to housing and how planning authorities can provide for an appropriate range and mix of housing options and densities to meet projected needs. It states, in part:

...

1.4.3

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

...

Section 1.6.7 of the PPS provides policies outlining the efficient use of transportation systems. Given the subject lands proximity to existing public and active transportation networks, the following policy is applicable:

...

1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are applicable:

1.7.1 *Long-term economic prosperity should be supported by:*

a) promoting opportunities for economic development and community investment-readiness;

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

...

Per **Section 1.1.1**, healthy, livable, and safe communities are sustained by accommodating an appropriate range and mix of land uses (including residential) to meet long-term needs. The application would facilitate the development of a medium density housing option that would contribute to the range and mix of land uses that are available in the area surrounding the subject lands. It would also contribute to providing a greater range and mix of housing types to the broader Chelmsford community (which is predominantly

made up of single detached dwellings) to assist in meeting the long-term needs of purpose built rental housing. The proposed development represents an efficient development and land use pattern by continuing to utilize existing municipal sewer and water services, and existing public transit and active transportation networks, thereby assisting in supporting the financial well-being of the Province and Municipality over the long term. With respect to **Section 1.1.1(f)**, the proposal has the potential to improve accessibility for elderly people - proximity to amenities, public transit and active transportation networks promotes a development that may benefit an aging population.

The subject lands are located within the City's settlement area boundary, which under **Section 1.1.3** shall be the focus of growth and development. The PPS encourages a mix of densities and land uses which efficiently use land and resources within settlement areas. To support consistency with the above noted policies, the proposal:

- Makes efficient use of the lands which benefit from the existing resources/infrastructure noted above;
- Will not result in the uneconomical expansion of infrastructure, considering the subject lands are connected to existing hard municipal services with the capacity to accommodate the proposal;
- Assists in minimizing the length and number of vehicle trips, with a proposal that supports active transportation, and is transit supportive as the subject lands are located along existing transit and active transportation networks;
- Represents an appropriate location for a 10-unit multiple dwelling, given the locational context of the subject lands, and the existing built-up character of the area. The lands are located along a portion of the highway which generally acts as a main thoroughfare for the community of Chelmsford. This portion features existing public transportation networks adjacent to the subject lands, and the surrounding area currently features a mix of housing types, among many other land uses (e.g. institutional, commercial). The proposal would thereby assist in enhancing the vitality and viability of this main thoroughfare; and
- Promotes the development of a range and mix of housing types to assist in supporting the social, health, economic, and well-being needs of current and future residents, and responds to the dynamic market-based needs arising from a diverse population. This is achieved by providing purpose built rental housing that would assist the City in achieving a needed supply and range of housing, especially given the City's aging demographic. In fact, the City's *Housing Needs Assessment* (2023) identified that population growth and eroding affordability in the ownership market are driving up rental demand across the City.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The Growth Plan for Northern Ontario (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

Section 3.4.3 of the GPNO promotes a diverse mix of land uses within northern communities. It states, in part:

- 3.4.3** *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.*

Per **Section 3.4.3**, the application supports and promotes healthy living by contributing to a range and mix of housing types in the surrounding area, as well as being in proximity to existing transit and active transportation networks. GOVA Transit Route 104 (the nearest transit stop being located directly in front of the subject lands, along Highway 144) and existing sidewalks on the north side of the highway provides individuals with nearby access to a commercial corridor along Highway 144, featuring a variety of amenities and essential services such as grocery stores, restaurants, a pharmacy, and more (see *Figure 2*).

4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

The *City of Greater Sudbury Official Plan (OP)* is the principal land use planning policy document for the City of Greater Sudbury. The OP establishes objectives and policies that guide both public and private development/decision-making.

Section 2.3.2 contains land use policies related to the City's settlement areas, and states, in part:

- 2.3.2.1** *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.*
- 2.3.2.2** *Settlement Area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.*
- 2.3.2.3** *Intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.*

...

Section 2.3.3 outlines land use policies regarding intensification, and states, in part:

...

- 2.3.3.4** *Medium scale intensification and development is permitted in Town Centres, Secondary Community Nodes, Regional Corridors and Mixed Use Commercial corridors, in accordance with the policies of this Plan.*

- ...
- 2.3.3.7** *Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities.*
- 2.3.3.8** *Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal.*
- 2.3.3.9** *The following criteria, amongst other matters, may be used to evaluate applications for intensification:*
- a. the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;*
 - b. the compatibility proposed development on the existing and planned character of the area;*
 - c. the provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;*
 - d. the availability of existing and planned infrastructure and public service facilities;*
 - e. the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;*
 - f. the impact of traffic generated by the proposed development on the road network and surrounding land uses;*
 - g. the availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;*
 - h. the level of sun-shadowing and wind impact on the surrounding public realm;*

The subject lands are located within the City's settlement area and built boundary. Per **Section 2.3.2.1 & 2.3.2.3**, the application directs development within the settlement area and built boundary. As previously discussed, the lands are located along a portion of Highway 144 which generally acts as a main thoroughfare and established commercial corridor for the community of Chelmsford. The proposal would contribute to the supply of housing in an area which currently features a range and mix of housing types, including a 40-unit row dwelling complex currently being constructed directly west of the subject lands. With respect to **Section 2.3.2.2**, the application proposes a compact built form that would make efficient use of the lands, and existing resources, infrastructure, and public service facilities. The proposed compact built form would also assist in minimizing negative impacts on air quality, promote energy efficiency, and support the use of existing public transit and active transportation networks.

With respect to **Section 2.3.3.4 & 2.3.3.7**, the application proposes a medium density development within a Mixed Use Commercial corridor which is encouraged as the site contains suitable existing infrastructure and benefits from nearby public service facilities.

To ensure the intent of **Section 2.3.3** is met, this report evaluates the proposed development against the tests for intensification as outlined in **Section 2.3.3.9**. Per the criteria outlined in this section of the OP, the proposal:

- Reconfigures the parcel fabric of 3692 Highway 144 so that it is of a suitable shape and size to appropriately accommodate a 10-unit multiple dwelling with adequate on-site parking (1.5 parking spaces per unit is proposed, in conformity with *Table 5.5* in the zoning by-law);
- Proposes a residential development that is compatible with the existing and planned character of the area. As previously discussed, the immediate surrounding area is largely comprised of a mix of housing types, as well as commercial and institutional uses, and the proposal would contribute to this existing range and mix of land uses;
- Provides public road frontage and adequate ingress/egress to the subject lands through a subsequent lot addition application (see *Figure 1 & 10*); and
- Provides the potential to enhance nearby active transportation and public transit networks as the proposed development promotes a development over the subject lands that may encourage the use of such networks.

Mixed Use Commercial areas have been established in Sudbury with the intent of recognizing the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. **Section 4.3** provides policies regarding the development of lands designated Mixed Use Commercial in the OP, and states, in part:

4.3.1 *All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed-Use Commercial designation through the rezoning process. Uses permitted in the Mixed-Use Corridor designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods at a lesser density and concentration than Regional Corridors.*

...

4.3.4 *Subject to rezoning, new development may be permitted provided that:*

- a) sewer and water capacities are adequate for the site;*
- b) parking can be adequately provided;*
- c) no new access to Arterial Roads will be permitted where reasonable alternate access is available;*
- d) the traffic carrying capacity of the Arterial Road is not significantly affected;*
- e) traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;*

f) landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,

g) the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.

All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process, per **Section 4.3.1**. **Section 4.3.4** outlines the tests that these new developments must align with. The application meets these tests, considering that:

- Existing sewer and water capacities are adequate to service the subject lands;
- Adequate on-site parking would be provided over the subject lands, in accordance with the applicable parking provisions in the zoning by-law;
- No new access on an arterial road is being proposed, nor will the traffic carrying capacity of an arterial road(s) be significantly affected. The application had the benefit of receiving preliminary comments (through pre-consultation) from the City's Traffic and Transportation Department, for which no concerns with the post-development traffic impact of the proposed development were raised;
- Landscaping along the entire length of the subject lands lot frontage can be accommodated through a 3-metre wide landscaped area; and
- The application meets the applicable policies of Sections 11.3.2 & 14 of the OP. An analysis of such is provided below.

Section 11.3.2 speaks to land use policies to support transit needs. Given the subject land's proximity to transit, the following policy is applicable:

11.3.2.1 *Urban design and community development that facilitate the provision of public transit will be promoted;*

11.3.2.2 *Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop;*

...

Section 14.1 outlines the objectives of the City's urban design policies, and states, in part:

14.1 *The objective of the urban design policies are to:*

a. encourage well designed and high quality communities, neighbourhoods and public realm;

b. encourage well designed and high quality development and intensification;

c. promote an environment that is accessible, safe, sustainable and climate change resilient;

The proposed development would support the use of public transit, given that it is located along GOVA Transit Route 104, with the closest bus stop being within 500m walking distance of the subject lands, and should therefore be promoted per **Section 11.3.2**. Additionally, **Section 14.1** outlines the objectives of the City's Urban Design policies. The application seeks to meet these objectives by:

- Enhancing the overall public realm by contributing to the range and mix of land uses available in the surrounding area, and proposing a development that is transit supportive and in proximity to a mix of commercial uses and essential services; and
- Promoting sustainable development by continuing to make efficient use of the subject lands.

Section 17.2 of the OP contains policies related to providing adequate and more affordable housing and encouraging a wide range of housing types and forms for a diverse population. It states, in part:

17.2.1 *To encourage a greater mix of housing types and tenure, it is policy of this Plan to:*

a. encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;

b. encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households;

c. promote a range of housing types suitable to the needs of senior citizens;

d. discourage downzoning to support increased diversity of housing options; and

e. support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities – designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents

Per **Section 17.2.1**, the application encourages a range of housing types and forms to the surrounding area which are suitable to meet the housing needs of current and future residents. The proposed development plans for multiple dwelling units to accommodate the growing number of smaller households and Sudbury's aging demographic. In addition, the proposal contributes to the creation of complete communities by planning for housing within an area that features a mix of land uses, and is supportive of existing transportation networks that connect individuals to a wide range of commercial uses and public service facilities within the surrounding area.

4.4 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The application proposes to rezone the subject lands from C2 (General Commercial) and R3(74) (Medium Density Residential Special) to C2(S) (General Commercial Special). A zoning matrix table (see *Table 2* below) was created to evaluate the application against applicable zoning provisions.

	Zoning Requirements (C2 zone / General Provisions)	Proposed
Minimum Lot Area	1350m ²	±1812.36m ²
Minimum Lot Frontage	30.0m	±19.0m
Maximum Building Height	15.0m	2 storeys (<15m)
Minimum Front Yard	6.0m	±25m
Minimum Rear Yard	7.5m	±10.7m
Minimum Interior Side Yard	1.2m (+0.6m for every additional storey)	±1.8m
Maximum Lot Coverage	50%	±25%
Minimum Landscape Open Space	5%	> 5%
Landscaping (Sec. 4.15.1)	3.0m wide landscaped area adjacent to Highway 144	3.0m wide landscaped area adjacent to Highway 144
Landscaping (Sec. 4.15.4)	3.0m wide planting strip adjacent to the northerly and westerly property boundary	0m wide planting strip adjacent to the northerly and westerly property boundary
Parking Spaces (Table 5.5)	1.5 spaces/unit with a 10% reduction per Sec. 5.5.1.1 (14 spaces)	1.5 spaces/unit [15 spaces (including 1 accessible parking space)]
Aisle Width (Sec. 5.2.9.2)	6.0m	±3.0m
Bicycle Parking (Table 5.10)	0.5 spaces/unit (5 spaces)	5 spaces

*RED TEXT DENOTES RELIEF REQUIRED

Table 2 – Zoning Matrix Table

Site specific relief is requested through the rezoning application. Such reliefs are outlined as follows:

- Minimum lot frontage of 19.0 metres, whereas a minimum of 30.0 metres is required (*Table 7.3* of the zoning by-law)
- Minimum two-way drive aisle width of 3.5 metres, whereas a minimum of 6.0 metres is required (*Section 5.2.9.3* of the zoning by-law)
- 3.0-metre-wide planting strip adjacent to the northerly and westerly property boundary not be required for residential uses (*Section 4.15.4* of the zoning by-law)

The proposed site-specific reliefs are requested to accommodate the proposed parcel fabric and built form. It is the author's opinion that such reliefs are appropriate, given the rationale provided below.

A reduced two-way drive aisle width of 3.5 metres is technical in nature, and would accommodate a larger built form, providing residents with more living area. This reduction is seen as technical because a mutual access easement with a width of ±2.5 is being proposed adjacent to the 3.5 metre drive aisle.

Combined, the drive aisle and mutual access easement would make up a total of 6 metres in width, maintaining the intent of **Section 5.2.9.3** of the zoning by-law (to maintain an access driveway width of 6 metres for two-way traffic). This would also provide future residents with legal access to the proposed parking area to the north. With respect to a reduced frontage, we note that the property benefitting from the future lot additions (being 3692 Highway 144) currently does not benefit from frontage on a public road. Therefore, the application would bring this existing lot closer into conformity with the zoning by-law.

A 0-metre planting strip adjacent to the northerly and westerly property boundary would only be applicable where the subject lands are occupied by a permitted residential use. A planting strip would be required per **Section 4.15.4[a) i)]** as such reads as follows:

a) A 3.0-metre-wide planting strip adjacent to the full length of the lot line shall be required:

i) Where the lot line of a non-residential lot, other than a lot containing an open space use or a lot in an Industrial Zone, abuts a residential lot or Residential Zone;

...

Although the subject lands would continue to be used for residential purposes, the zoning by-law defines the property as a *non-residential lot*, considering it is zoned C2, and such lands abut a residential zone [being the property zoned R3(74) Medium Density Residential Special to the west of the subject lands]. The zoning by-law does not require planting strips to serve as a buffer between two medium density residential uses, therefore relief for a 0 metre planting strip adjacent to the northerly and westerly property boundary is requested only where the subject lands are occupied by a permitted residential use. This will ensure the intent of the zoning by-law is met (to not apply landscaping buffers in between compatible land uses), while being cognizant of the potential for the subject lands to develop as a general commercial use in the future – for which the required planting strip along the northerly and westerly property boundary would be required.

5.0 CONCLUSION

The proposed Zoning By-law amendment would facilitate the development of a medium density housing option within the community of Chelmsford, contributing to the range and mix of residential types currently available in the surrounding area. Overall, the application represents an efficient development and land use pattern in an appropriate location that benefits from existing amenities and municipal infrastructure, while contributing to the creation of complete communities.

Given the analysis provided herein, it is the author's opinion that the proposed Zoning By-law amendment is consistent with the *2020 Provincial Policy Statement*, conforms with the *Growth Plan for Northern Ontario* and the intent of the *City of Greater Sudbury Official Plan*, and represents good planning.

Respectfully Submitted,

Prepared by:



Aaron Ariganello, BURP

Land Use Planner

TULLOCH

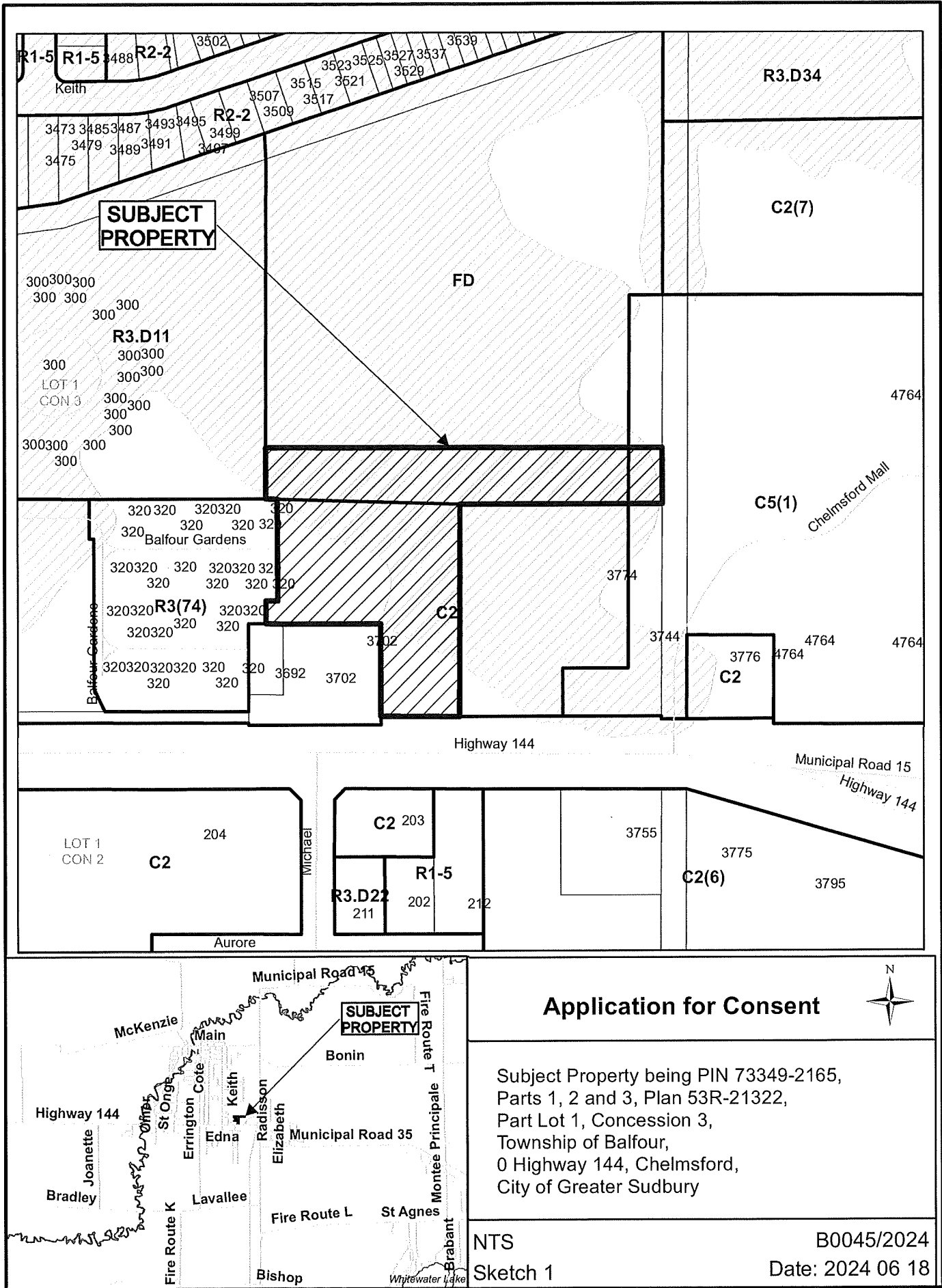
Reviewed by:



Kevin Jarus, M.Pl., RPP

Planning Manager

TULLOCH



SUBJECT PROPERTY

R3.D11

R3(74)

C2

R3.D34

C2(7)

C5(1)

FD

Highway 144

Municipal Road 15
Highway 144

LOT 1
CON 2

C2

204

C2

R1-5

R3.D22

202

212

3755

3775

C2(6)

3795

Aurore

Michael



Application for Consent

Subject Property being PIN 73349-2165,
Parts 1, 2 and 3, Plan 53R-21322,
Part Lot 1, Concession 3,
Township of Balfour,
0 Highway 144, Chelmsford,
City of Greater Sudbury

NTS
Sketch 1

B0045/2024
Date: 2024 06 18

Highway 144

Joanette

Bradley

McKenzie

Main

St Onge

Errington

Cote

Edna

Lavallee

Fire Route K

Fire Route L

Bishop

Municipal Road 15

Bonin

Radisson

Elizabeth

Municipal Road 35

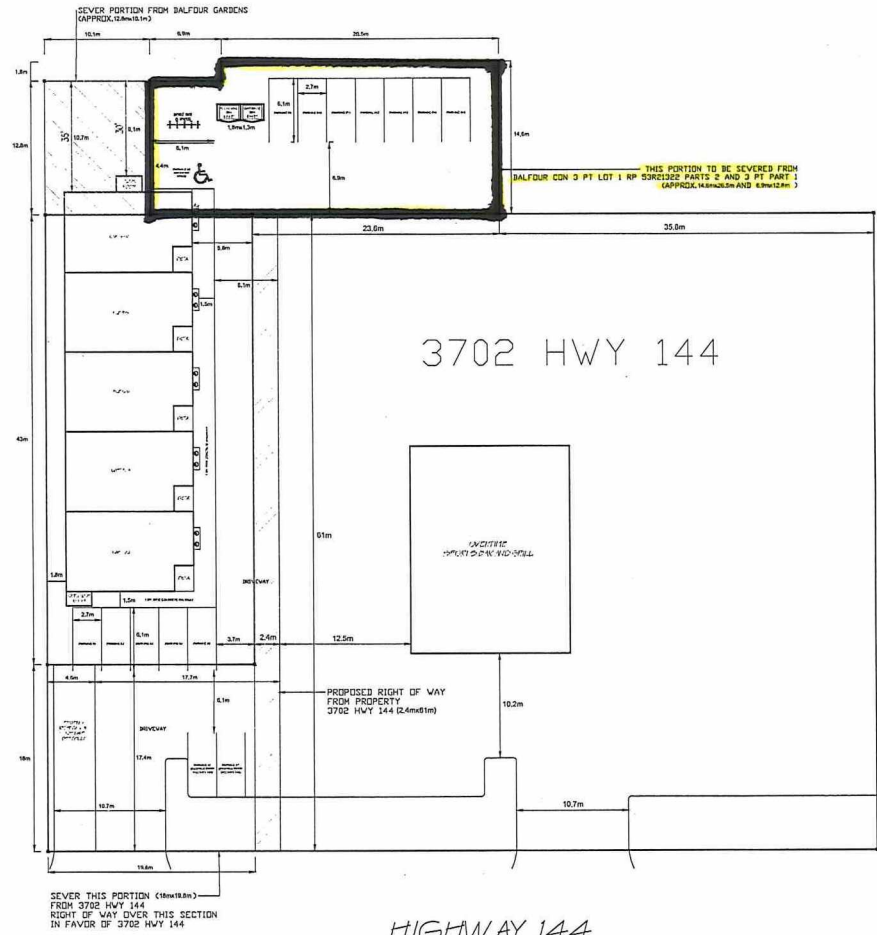
St Agnes

Montee Principale

Fire Route T

Brabant

Whitewater Lake



3702 HWY 144

HIGHWAY 144



GENERAL NOTES:

- All dimensions given are in imperial units and are measured from either the exterior finished face or center line. (Unless otherwise noted)
- All construction to comply with the Ontario Building Code 2012 Edition.
- All building site work shall be graded as flat surface, topsoil and soil coverage will not be required at or over the building and will not adversely affect adjacent properties.
- Every excavation shall be undertaken in such a manner as to prevent movement which would cause damage to adjacent property, existing structures, utilities, roads and sidewalks to all depths of excavation. Excavate and backfill to original ground level. Foundations are to be at least 100mm below finished grade level.
- It is the contractor's responsibility to check dimensions and levels of all foundation work and establish appropriate methods of clearing with these sections.
- All finishing labor shall be DPF #1 bit dried unless noted. Provide exterior grade prepared where required by ODC.
- No work shall encroach into adjoining properties surfaces. Drainage shall not be discharged directly or indirectly onto sidewalks, driveway or any adjoining property.
- It is the contractor's responsibility to check dimensions and levels of all foundation work and establish appropriate methods of clearing with these sections.
- All finishing labor shall be DPF #1 bit dried unless noted. Provide exterior grade prepared where required by ODC.
- All dimensions and existing conditions shall be verified by the general contractor of the site prior to construction. The general contractor shall be responsible to verify the client of any discrepancies between the site conditions and the information provided on the drawings. The general contractor shall ensure the accuracy of any existing structure and existing walls, be they existing or new, to be in the proposed and future plans, as well as any and all environmental services providing a required for separation and to be protected with a 150mm system.
- The general contractor shall be solely responsible for the construction, method of erection and installation procedures of all structure and existing systems condition and any pre-erected components. The general contractor shall ensure the accuracy of any existing structure and existing walls, be they existing or new, to be in the proposed and future plans, as well as any and all environmental services providing a required for separation and to be protected with a 150mm system.
- The general contractor shall be solely responsible for the construction, method of erection and installation procedures of all structure and existing systems condition and any pre-erected components. The general contractor shall ensure the accuracy of any existing structure and existing walls, be they existing or new, to be in the proposed and future plans, as well as any and all environmental services providing a required for separation and to be protected with a 150mm system.

GENERAL SCOPE OF WORK

- CLIENT APPLICATION TO CREATE A DETACHED SECONDARY DWELLING UNIT STRUCTURE, SEPARATE FROM PRINCIPLE DWELLING, IS COMPLIANCE WITH MUNICIPAL ZONING BY-LAW AND THE ONTARIO BUILDING CODE.
- MAINTAIN ALL EXISTING MUNICIPAL SANITARY AND DOMESTIC SEWER SERVICES ON PROPERTY. CONNECT AND TIE-IN NEW DWELLING UNIT SERVICES TO PRINCIPAL DWELLING AS PER MUNICIPAL BY-LAW AND REGULATIONS.

LIMITATIONS OF DESIGN:

- It shall be the contractor's responsibility to ensure all material, appliances, assemblies, and labour conforms to all applicable Codes, Bylaws, and Good Construction Practices.
- Notations on the drawings are to assist the contractor and do not necessarily address all aspects of construction.
- The contractor shall check and verify all dimensions and existing site conditions and advise the owner of any discrepancies prior to commencing work.
- The contractor shall verify existing and clear height clearings with manufacturer & owner prior to buying.
- Technical specifications for all pre-engineered building components are required for the building permit application.
- Any expenses for engaging a Professional Engineer shall be the sole responsibility of the Owner.

I, ROHIT WALIA, DECLARE THAT I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4, DIV. 'C' OF THE ONTARIO BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASS/ES CATEGORIES FOR SUCH DESIGN WORK.

INDIVIDUAL BCIN#: 35171 FIRM BCIN#: 123403

ROHIT WALIA: PRINCIPAL DESIGNER
CR DESIGN BUILD INC.

PROJECT:	10 UNIT BUILDING	DATE:	2023-12-18	SCALE:	1/16"=1'-0"
CLIENT:	3692 HWY. 144	DATE:	2023-12-18	SCALE:	1/16"=1'-0"
TITLE:	Plot Plan	DATE:	2023-12-18	SCALE:	1/16"=1'-0"
DESIGNER:	ROHIT WALIA	DATE:	2023-12-18	SCALE:	1/16"=1'-0"
CHECKER:	ROHIT WALIA	DATE:	2023-12-18	SCALE:	1/16"=1'-0"
APPROVED:	PP	DATE:	2023-12-18	SCALE:	1/16"=1'-0"

130045/2024
Sketch 2

7) Are there any easements or restrictive covenants affecting the subject land? Yes No

If the answer is "yes", please indicate a description of each easement or covenant and its effect.

8) Date of acquisition of subject land. 1991

9) Has the land ever had any previous severances? Yes No

If "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed: (attach a schedule if necessary).

Date of Transfer	Name of Transferee
Use of severed land	Consent File No.

10) Has the parcel intended to be severed ever been, or is it now a part of an 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 the file number and status of the application. _____

11) Is the property also subject of an Application for Minor Variance, Rezoning or an Official Plan Amendment? Yes No Concurrent OPA & ZBLA application

If "yes", indicate the file number(s). 701-6/24-03 & 751-6/24-04

Note: If the Consent application is requested to proceed prior to securing necessary minor variance or rezoning approvals, please complete the Acknowledgement of Risks form at the end of this Application form as an Application for Consent cannot succeed without such approval(s) in place.

12) Dimensions of land to be severed **in metric units** (describe **only** the portion of the land which is to be transferred, leased or mortgaged)?

Frontage	Depth	Area
<u>N/A</u>	<u>±187m</u>	<u>±2ha</u>
Existing Use <u>Temporary parking area / vacant land</u>	Proposed Use <u>Same</u>	

Number and use of existing buildings and structures on the land to be severed?

Existing <u>0</u>	Proposed <u>0</u>
-------------------	-------------------

If applicable, indicate Parcel Number and /or Lot and Registered Plan of Subdivision Number of property which will benefit from the lot addition/consolidation, easement/right-of-way.

13) Dimensions of land intended to be retained **in metric units** (describe **only** the portion of land which will remain following the severance(s); if the transaction is an easement/right-of-way or lease, describe the entire lot or parcel).

Frontage	Depth	Area
<u>0m</u>	<u>±1000m (irregular, land locked parcel)</u>	<u>±42ha</u>
Existing Use <u>Vacant</u>	Proposed Use <u>Same</u>	

Number and use of existing buildings and structures on the land to be retained?

Existing <u>0</u>	Proposed <u>0</u>
-------------------	-------------------

14) Will a certificate be required for the retained land? Yes No

If "yes", please provide a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*, R.S.O. 1990, c. P.13.

B0048/2024

15) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway, Yes No
- b) a municipal road that is maintained all year or seasonally, Yes No
- c) a road which is maintained by the municipality, Yes No
- d) by water? Yes No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.

16) What types of water supply and sewage disposal are proposed? Proposed Lot Retained Lot

- | | | |
|---|----------------------------------|----------------------------------|
| Municipally owned and operated piped water system | <input checked="" type="radio"/> | <input checked="" type="radio"/> |
| Municipally owned and operated sanitary sewage system | <input checked="" type="radio"/> | <input checked="" type="radio"/> |
| Lake | <input type="radio"/> | <input type="radio"/> |
| Individual Well | <input type="radio"/> | <input type="radio"/> |
| Communal Well | <input type="radio"/> | <input type="radio"/> |
| Individual Septic System | <input type="radio"/> | <input type="radio"/> |
| Pit Privy | <input type="radio"/> | <input type="radio"/> |
| Other | <input type="radio"/> | <input type="radio"/> |

17) Is the property located with 1km (0.6 miles) of a First Nation Reserve? Yes No

18) What is the current designation of the subject land in the applicable Official Plan and explain how the application conforms with the Official Plan.

See Planning Justification Report.

19) Explain how the application is consistent with the Provincial Policy Statements issued under subsection 3 (1) of the *Planning Act*. Please provide an explanation below, or attach a Schedule outlining the particulars of same.

See Planning Justification Report.

20) Explain how the application conforms, or does not conflict with the Growth Plan for Northern Ontario. Please provide explanation below or attach a Schedule outlining the particulars of same.

See Planning Justification Report.

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

If this application is approved, would any existing dwelling units be legalized? Yes No

If "yes", how many? _____

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

Yes No Intake protection zone 3

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

23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please attach a schedule outlining the particulars of same.

Schedule Attached Yes No

B0048/2024

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Peter Kyrzakos and Michael Kyrzakos (Estate) (please print all names), the registered owner(s) of the property described as PIN 02132-0463

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

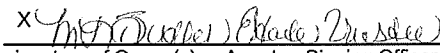
- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land 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 TULLOCH (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 31st day of May, 2024

X
(witness) 

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

Print Name: X MERILYNN BUTLER
*I have authority to bind the Corporation

B0048/2024

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Peter Kyrzakos and Michael Kyrzakos (Estate) (please print all names), the registered owner(s) of the property described as PIN 02132-0463

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;
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- 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;
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Appointment of Authorized Agent

- g) appoint and authorize TULLOCH (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 22 day of July, 2024

x Valerie Kyrzakos-Bradley
(witness)

x Olivia Kyrzakos Bradshaw
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: Olivia Kyrzakos Bradshaw
*I have authority to bind the Corporation

(CO-TRUSTEE)

B0048/2024

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, TULLOCH (please print all names),


the registered owner(s) or authorized agent of the property described as _____

PIN 02132-0463

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 2 day of July, 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.



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

Print Name: Aaron Ariguello
 *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

Date of Receipt:	Decision Date:	Received by: <u>N. Lewis</u>
Zoning Designation: <u>OSP</u>	Resubmission <input type="radio"/> Yes <input checked="" type="radio"/> No	
Previous File Number(s): <u>See below</u>	Previous Decision Date: <u>See below</u>	
Referred to Planning: <u>No, not applicable.</u>	Received Approval from Planning: <u>n/a</u>	
Acknowledgement of Risk received: <input checked="" type="radio"/> Yes <input type="radio"/> No		
Notes: <u>B0481/1968 (Aug. 7/68) - LC - Part 1, Plan 53R-2077</u>		
<u>B0166/1971 (Aug. 16/71) - LC - Part 1, Plan 53R-4349</u>		
<u>B0093/1986 (Apr. 28/86) - Ease - Parts 13 & 14, Plan 53R-10747</u>		
<u>B0176/1987 (June 22/87) - LD - Part 2, Plan 53R-10946, consolidated with Parcel 47479 (Pt. 1, Plan 53R-10946)</u>		
<u>N0287/1989 (April 23/90) - MV for B538/89 - file closed, no decision</u>		
<u>B0338/1989 (April 23/90) - LC - file closed, no decision</u>		

B0048/2024



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

ACKNOWLEDGEMENT OF RISKS

**Proceeding with a Consent Application
Prior to Securing Required Development Approvals
such as Rezoning or Minor Variance**

Registered Owner(s): Peter Kyrzakos and Michael Kyrzakos (Estate)

Agent: TULLOCH

Property Affected: PIN 02132-0463

Read Carefully – Your Rights may be affected by your choice

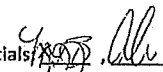
Each of the undersigned registered owner(s) and agent in the application for consent under the *Planning Act* as described above acknowledge having been advised that the application for consent will require a:

- re-zoning of the property.
- minor variance

The owners/applicants and agent are advised to apply for and determine if they are able to secure the necessary approvals noted above prior to the submission of the Consent Application. An application for consent cannot succeed without such approval(s) in place.

Notwithstanding the foregoing, each of the registered owner(s) and agent wish to proceed with the application for consent prior to proceeding with the development applications noted above. In doing so, each of the registered owner(s) and agent acknowledge being advised and understand that:

- any decision by the Consent Official will include a condition that the necessary development approval(s) be obtained in final form prior to the issuance of a consent; **AND**
- as with other conditions, the responsibility for seeking compliance with the development approvals will rest with them as registered owner(s) and agent; **AND**
- there are costs associated with the applications for development approval; **AND**
- the City's acceptance of the application for consent is not a representation that:
 - a decision will be made with respect to the development approval(s) within the timeline required to meet conditions for the application for consent; and/or
 - the development application(s) will be approved by the approving body; **AND**
- in the event that one (1) or more required development approval(s) is/are granted:
 - such approval(s) may be conditional upon compliance with conditions, which may involve additional costs or time to comply with; and/or
 - may be subject to appeal, with consequences for costs, time and reversal or amendment of the decision; **AND**
- in the event that one (1) or more required development approval(s) is/are not approved or not approved within the timeline for complying with conditions:
 - the Consent Official **will not** issue the consent certificate; and
 - none of the application for consent fee or any development approval application fees will be refunded; **AND**

Initials/Signature:  _____

B0048/2024

- all risks associated with proceeding with the application for consent prior to proceeding with the development applications rather than securing development approvals prior to submitting the application for consent shall be borne by the registered owner(s) and agent.

In consideration of being permitted to proceed with the application for consent without first securing the required development approvals, the registered owner(s) and agent hereby release and discharge the City from any and all claims for liability, costs, expenses, damages, losses associated with or resulting from an inability to meet, or failure to meet, the conditions imposed in any conditional approval of the consent application in this matter requiring the obtaining of development approval(s).

Dated at Sudbury this 31st day of MAY, 2024.
(day) (month) (year)

X [Signature]
 Witness

X [Signature]
 Signature of Registered Owner or Authorized Signing Officer (*where a corporation)

Print Name: X MERI-LYNN BUTLER
 I have authority to bind the corporation.

[Signature]
 Witness

[Signature]
 Signature of Registered Owner or Authorized Signing Officer (*where a corporation)

Print Name: Aaron Ariganello
 I have authority to bind the corporation.

 Witness

 Signature of Agent

* 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.

BO048/2024



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

ACKNOWLEDGEMENT OF RISKS

**Proceeding with a Consent Application
Prior to Securing Required Development Approvals
such as Rezoning or Minor Variance**

Registered Owner(s): Peter Kyrzakos and Michael Kyrzakos (Estate)

Agent: TULLOCH

Property Affected: PIN 02132-0463

Read Carefully – Your Rights may be affected by your choice

Each of the undersigned registered owner(s) and agent in the application for consent under the *Planning Act* as described above acknowledge having been advised that the application for consent will require a:

- re-zoning of the property.
- minor variance

The owners/applicants and agent are advised to apply for and determine if they are able to secure the necessary approvals noted above prior to the submission of the Consent Application. An application for consent cannot succeed without such approval(s) in place.

Notwithstanding the foregoing, each of the registered owner(s) and agent wish to proceed with the application for consent prior to proceeding with the development applications noted above. In doing so, each of the registered owner(s) and agent acknowledge being advised and understand that:

- any decision by the Consent Official will include a condition that the necessary development approval(s) be obtained in final form prior to the issuance of a consent; **AND**
- as with other conditions, the responsibility for seeking compliance with the development approvals will rest with them as registered owner(s) and agent; **AND**
- there are costs associated with the applications for development approval; **AND**
- the City's acceptance of the application for consent is not a representation that:
 - a decision will be made with respect to the development approval(s) within the timeline required to meet conditions for the application for consent; and/or
 - the development application(s) will be approved by the approving body; **AND**
- in the event that one (1) or more required development approval(s) is/are granted:
 - such approval(s) may be conditional upon compliance with conditions, which may involve additional costs or time to comply with; and/or
 - may be subject to appeal, with consequences for costs, time and reversal or amendment of the decision; **AND**
- in the event that one (1) or more required development approval(s) is/are not approved or not approved within the timeline for complying with conditions:
 - the Consent Official **will not** issue the consent certificate; and
 - none of the application for consent fee or any development approval application fees will be refunded; **AND**

Initials: X PK ML

BOO48/2024

- all risks associated with proceeding with the application for consent prior to proceeding with the development applications rather than securing development approvals prior to submitting the application for consent shall be borne by the registered owner(s) and agent.

In consideration of being permitted to proceed with the application for consent without first securing the required development approvals, the registered owner(s) and agent hereby release and discharge the City from any and all claims for liability, costs, expenses, damages, losses associated with or resulting from an inability to meet, or failure to meet, the conditions imposed in any conditional approval of the consent application in this matter requiring the obtaining of development approval(s).

Dated at Sudbury this 22 day of JULY, 2024.
(day) (month) (year)

X Valeria Kyzarek-Bradley
 Witness

X Conalia Kyzarek-Braughton
 Signature of Registered Owner or
 Authorized Signing Officer (*where a corporation)

Print Name: X CONALIA KYZAREK BRAUGHTON
 I have authority to bind the corporation.
(ESTATE TRUSTEE)

[Signature]
 Witness

A. Ariguello
 Signature of Registered Owner or
 Authorized Signing Officer (*where a corporation)

Print Name: Aaron Ariguello
 I have authority to bind the corporation.

 Witness

 Signature of Agent

* 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.

BOO48/2024

SUPERIOR COURT OF JUSTICE

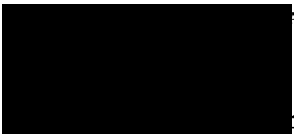
IN THE ESTATE OF Michael (also known as Michael Peter) Kyrzakos, deceased

late of City of Sudbury

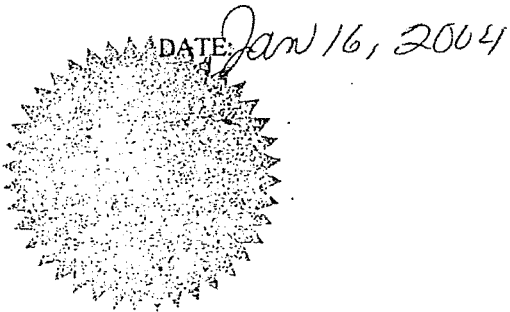
occupation Retired Merchant

who died on April 5, 1965

**CERTIFICATE OF APPOINTMENT
OF SUCCEEDING ESTATE TRUSTEE WITH A WILL**

Applicant	Address	Occupation
Meri-Lynn Butler		Administrator
Gloria Baughman		Operations Manager

This CERTIFICATE OF APPOINTMENT OF SUCCEEDING ESTATE TRUSTEE WITH A WILL is hereby issued under the seal of the court to the applicant named above. A copy of the deceased's last will (and codicil(s), if any) is attached.



Judlyn Battocchio
Registrar

Address of court office
155 Elm Street
Sudbury, Ontario
P3C 1T9

CANADA
Province of Ontario



NOTARIAL CERTIFICATE

I, ROBERT LOUIS FABBRO

a duly appointed notary public for the Province of Ontario, residing at the city of Greater Sudbury, in the District of Sudbury,

in the Province of Ontario, certify as follows:

1. I have compared the attached document with a document produced and shown to me and purporting to be the original

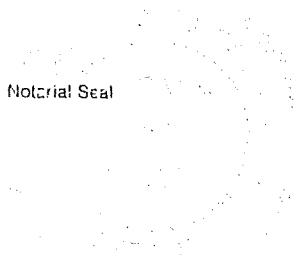
Check applicable boxes

- Certificate of Appointment of Estate Trustee
 - With a Will* *Without a Will* *During Litigation*
- Certificate of Appointment of Succeeding Estate Trustee
 - With a Will* *Without a Will*
- Certificate of Ancillary Appointment of Estate Trustee With a Will
- Letters

in the estate of Michael (also known as Michael Peter) Kyrzakos
 late of the city of Sudbury
 in the Province of Ontario, deceased,
 issued out of the Superior Court of Justice at Sudbury
 dated January 16 (year) 2004, and numbered E-3413/04.

2. The attached document is a true copy of the original.

DATE: January 20, 2004



Notarial Seal

A Notary Public for the Province of Ontario

80048/2004

PLANNING JUSTIFICATION

REPORT

1024 KINGSWAY, SUDBURY
OFFICIAL PLAN & ZONING BY-LAW AMENDMENT

MARCH 2024

Prepared by: TULLOCH
Prepared for: 900281 ONTARIO INC.

B0048/2024

Contents

1.0 INTRODUCTION 3

2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT 3

3.0 PROPOSED DEVELOPMENT 10

4.0 POLICY OVERVIEW & ANALYSIS 14

 4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS) 14

 4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO) 17

 4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)..... 18

5.0 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z..... 21

6.0 CONCLUSION 22

Boo 8/2024

1.0 INTRODUCTION

TULLOCH is retained by the owner of 1024 Kingsway (being PIN 02132-1364) in Sudbury to prepare a planning justification report as part of a complete application to amend the *City of Greater Sudbury Official Plan* and the *City of Greater Sudbury Zoning By-Law 2010-100Z*. This report provides justification for the application to redesignate a ±2 hectare extent of PIN 02132-0463 (the ±2 hectare extent being the subject property) from Parks and Open Space to Mixed Used Commercial, and to rezone the said ±2 hectare extent from OSP (Open Space Private) to an amended C2(106) (General Commercial Special). The application would facilitate a lot addition from PIN 02132-0463 to 1024 Kingsway (PIN 02132-1364, being the benefitting property) for the future expansion of the existing businesses over the benefitting property.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-Law 2010-100Z*

Overall, the author finds that the proposed official plan and zoning by-law amendments conform with the *City of Greater Sudbury Official Plan*, is consistent with the *2020 Provincial Policy Statement* and represents good planning.

2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT

The subject property is located on the north side of the Kingsway (a large mixed use commercial corridor) in Sudbury between Silver Hills Drive to the east and Bancroft Drive to the west. The subject property makes up ±2 hectares and is currently apart of a property that makes up ±44.6 hectares with frontage on the Kingsway, while the irregular-shaped benefitting property makes up ±6 hectares with ±20 metres of frontage on the Kingsway (see *Figure 1 & Figure 2*).

The entirety of PIN 02132-0463 is currently zoned OSP (Open Space – Private) in the zoning by-law and designated Parks and Open Space in the OP. 1024 Kingsway is currently zoned C2(106) (General Commercial) and designated Mixed Use Commercial in the OP. PIN 02132-0463 is largely vacant, while 1024 Kingsway currently contains two main buildings occupied by an automotive body shop (Imperial Collision Centre) and a retail store/business office (Forest & Lawn Equipment Supply & Insurance Company). The subject property contains an existing cleared area that makes up ±0.9 hectares. This area is currently being used as a temporary parking area for the Imperial Collision Centre (see *Figure 4 & Figure 5*). Both properties are designated as an intake protection zone 3 in the City of Greater Sudbury's Source Water Protection Plan, and located within the Ramsey Lake Watershed in the zoning by-law.

The Kingsway is fully serviced by municipal water and sanitary sewer, classified as a Primary Arterial road on OP *Schedule 7* and benefits from access to GOVA Transit Routes 2, 12, and 103. The nearest transit stop is located approximately 110 metres from 1024 Kingsway.

The surrounding area largely comprises of a mix of general commercial land uses. The immediate surrounding area can be described as follows:

NORTH: Several large tracts of privately-owned open space containing mature vegetation and rocky topography.

EAST: General commercial land uses (eg. Pioneer Gas Station, Lot 88 Steakhouse & Bar, Kia Sudbury Motors, etc.), several large tracts of both public and privately-owned open space, and Silver Hills Drive.

SOUTH: General commercial land uses (eg. Northern Nissan, Wendy's, Esso Canada Gas Station, Tim Hortons, etc.).

WEST: General commercial land uses (eg. Palladino Honda), and two large tracts of public and privately-owned open space containing mature vegetation and rocky topography.

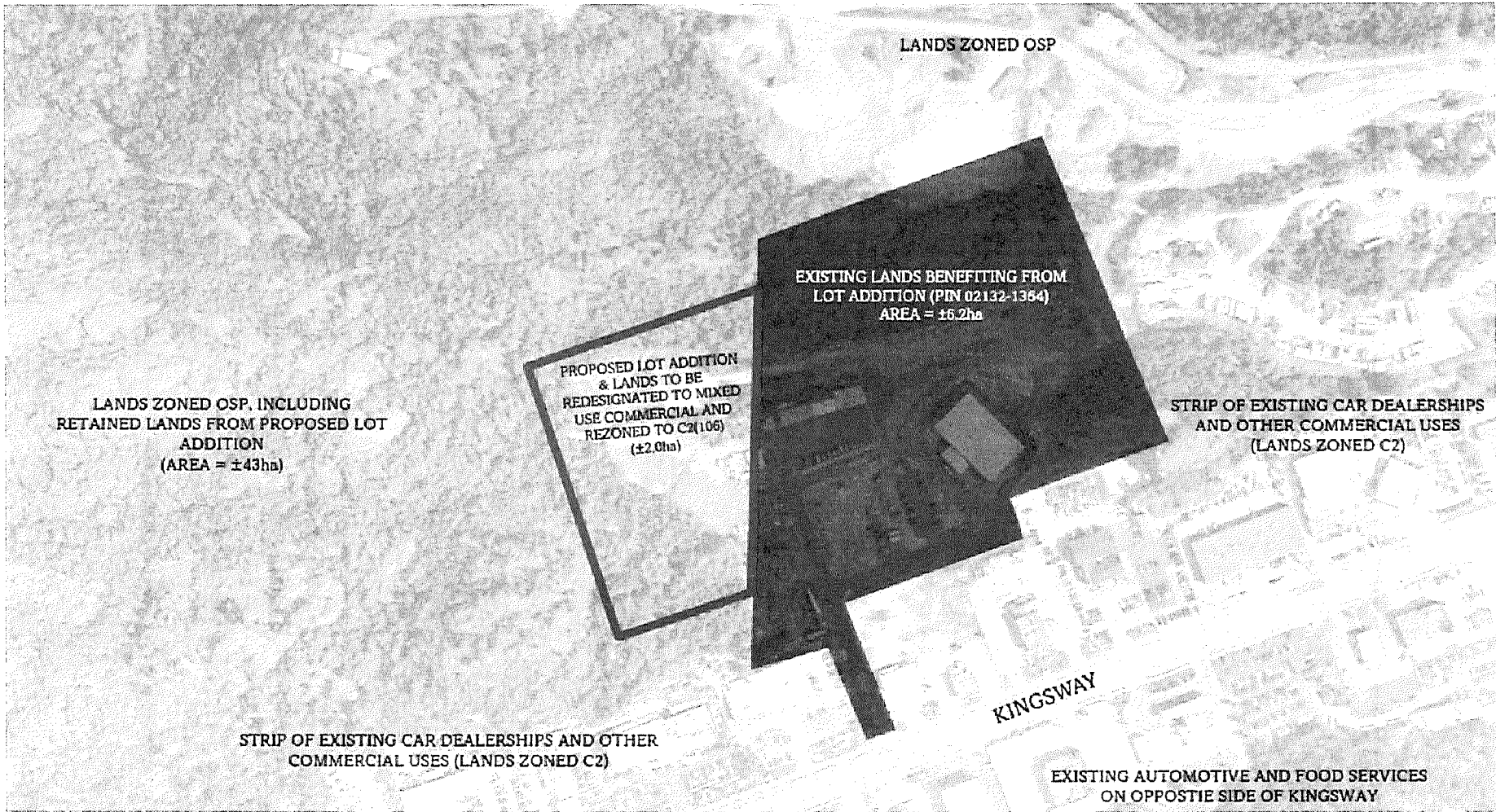
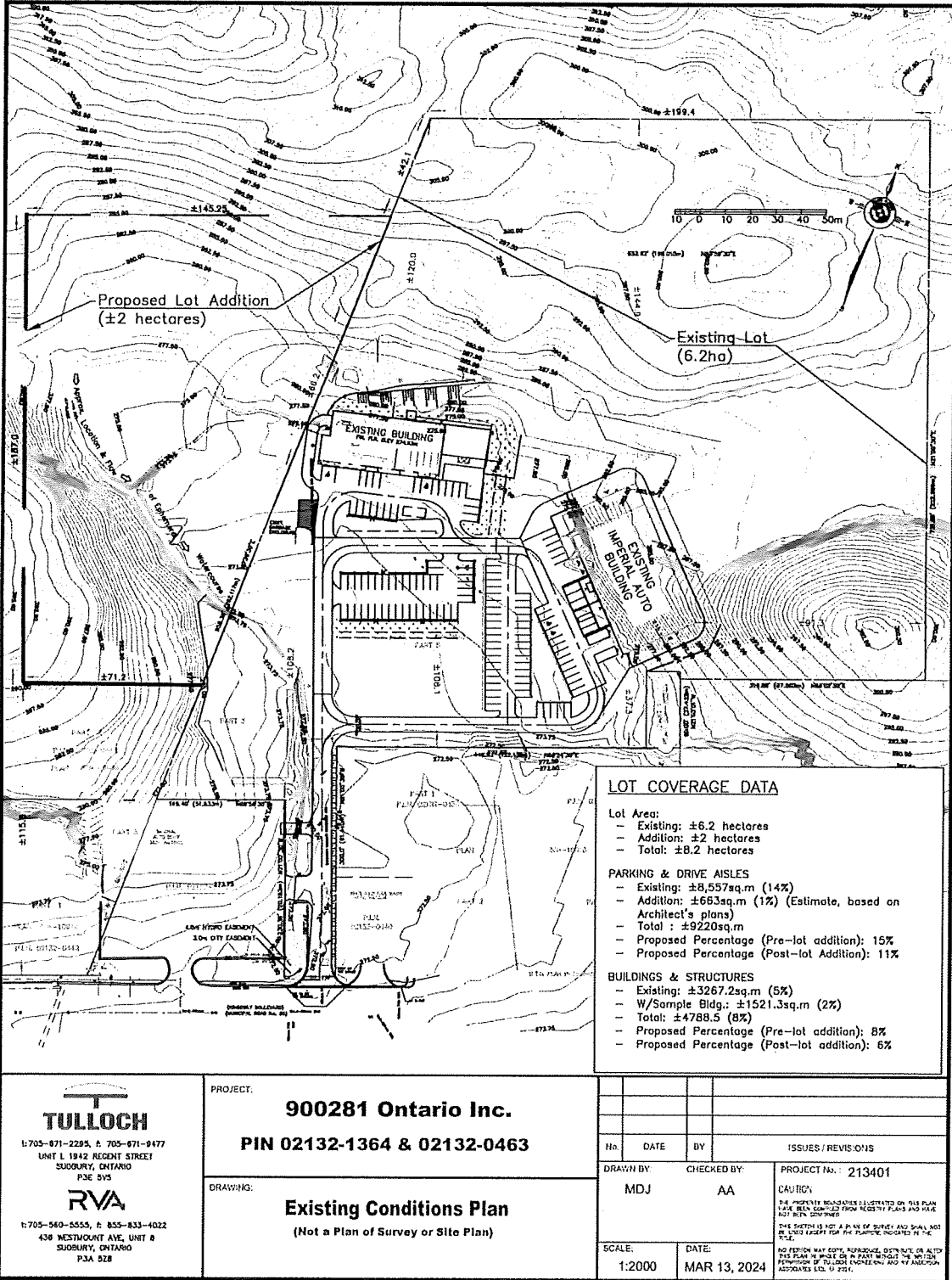


Figure 1: Subject Property and Surrounding Context

B0048/2024



C:\Users\mtdj\p\Documents\213401 - 900281 Ontario Inc. - 20221130 - Forest & Lawn SPD-FL.dwg

TULLOCH
 1-705-871-2295, f. 705-871-0477
 UNIT L 1942 REGENT STREET
 SUDBURY, ONTARIO
 P3C 5Y5

RVA
 1-705-540-8555, f. 855-833-4022
 438 WESTMOUNT AVE, UNIT 8
 SUDBURY, ONTARIO
 P3A 9Z8

PROJECT:
900281 Ontario Inc.
PIN 02132-1364 & 02132-0463

DRAWING:
Existing Conditions Plan
 (Not a Plan of Survey or Site Plan)

No.	DATE	BY	ISSUES / REVISIONS

DRAWN BY: MDJ	CHECKED BY: AA	PROJECT NO.: 213401
CAUTION: ALL PROPERTIES INDICATED OR ELIMINATED ON THIS PLAN HAVE BEEN ASSUMED FROM RECORD PLANS AND FIELD SURVEY DATA. THIS SYSTEM IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE.		
SCALE: 1:2000	DATE: MAR 13, 2024	NO PERSON MAY COPY, REPRODUCE, OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF TULLOCH ENGINEERS AND THE ASSOCIATION APPROVES ECL 9/2014.

Figure 2: Existing Conditions

BOO48/2024



Figure 3: Photo taken near the north-east extent of the subject property, facing north



Figure 4: Photo taken near the north-east extent of the subject property, facing west



Figure 5: Photo taken near the north-east extent of the subject property, facing south



Figure 6: Potential location of ephemeral watercourse near the north-west extent of the subject property



Figure 7: View of potential ephemeral watercourse facing north



Figure 8: View of potential ephemeral watercourse facing south

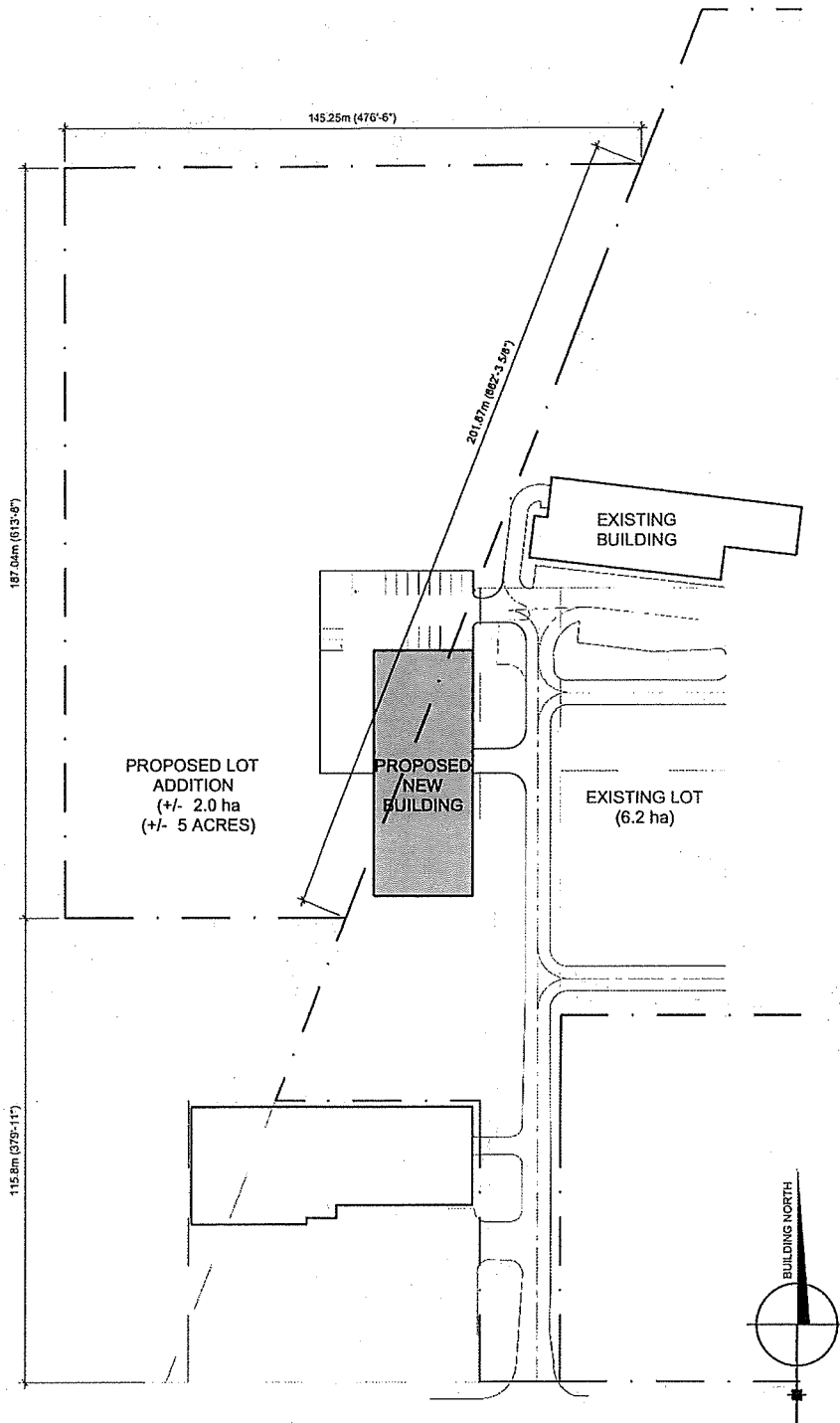
3.0 PROPOSED DEVELOPMENT

The application proposes to redesignate a ±2 hectare extent of PIN 02132-0463 (the ±2 hectare extent being the subject property) from Parks and Open Space to Mixed Used Commercial, and to rezone the said ±2 hectare extent from OSP (Open Space Private) to an amended C2(106) (General Commercial Special). **Section 19.9** of the OP considers boundary designations as *'general guidelines only, except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features.'* Through pre-consultation, this section was discussed, and the City confirmed the need for an official plan amendment. Although the agent does not agree with the need for an official plan amendment, such is being submitted as pre-consultation comments from the City indicated that the City is the formal interpreter of the boundaries of the designations within the OP.

The proposal seeks to avoid a split-zoning issue from occurring as a result of a future application for consent that would facilitate a lot addition from PIN 02132-0463 to 1024 Kingsway (PIN 02132-1364 being the benefitting property). The proposal would also resolve the encroachment of two existing accessory structures between the subject property and benefitting property (see *Figure 2*). The proposed zoning by-law amendment defines the uses permitted over the subject property, restricting these lands to the following uses in the zoning by-law:

- *Automotive Body Shop;*
- *Tire Storage Building;*
- *Warehouse;*
- *Automotive Repair Shop;*
- *Commercial or Public Garage.*

A ±1522m² warehouse is outlined on the submitted concept plan for the purpose of demonstrating the applications compliance with the zoning by-law, and for the purpose of producing the required building elevation plans and sewer/water capacity analysis that are required as part of a complete application (see *Figure 9, Figure 10 & Figure 11*). Ultimately, the application would facilitate a lot addition for the future expansion of the existing businesses over the benefitting property - no new buildings or structures are proposed at this time.



Laking Tire Storage Facility

Kingsway
Sudbury, Ontario

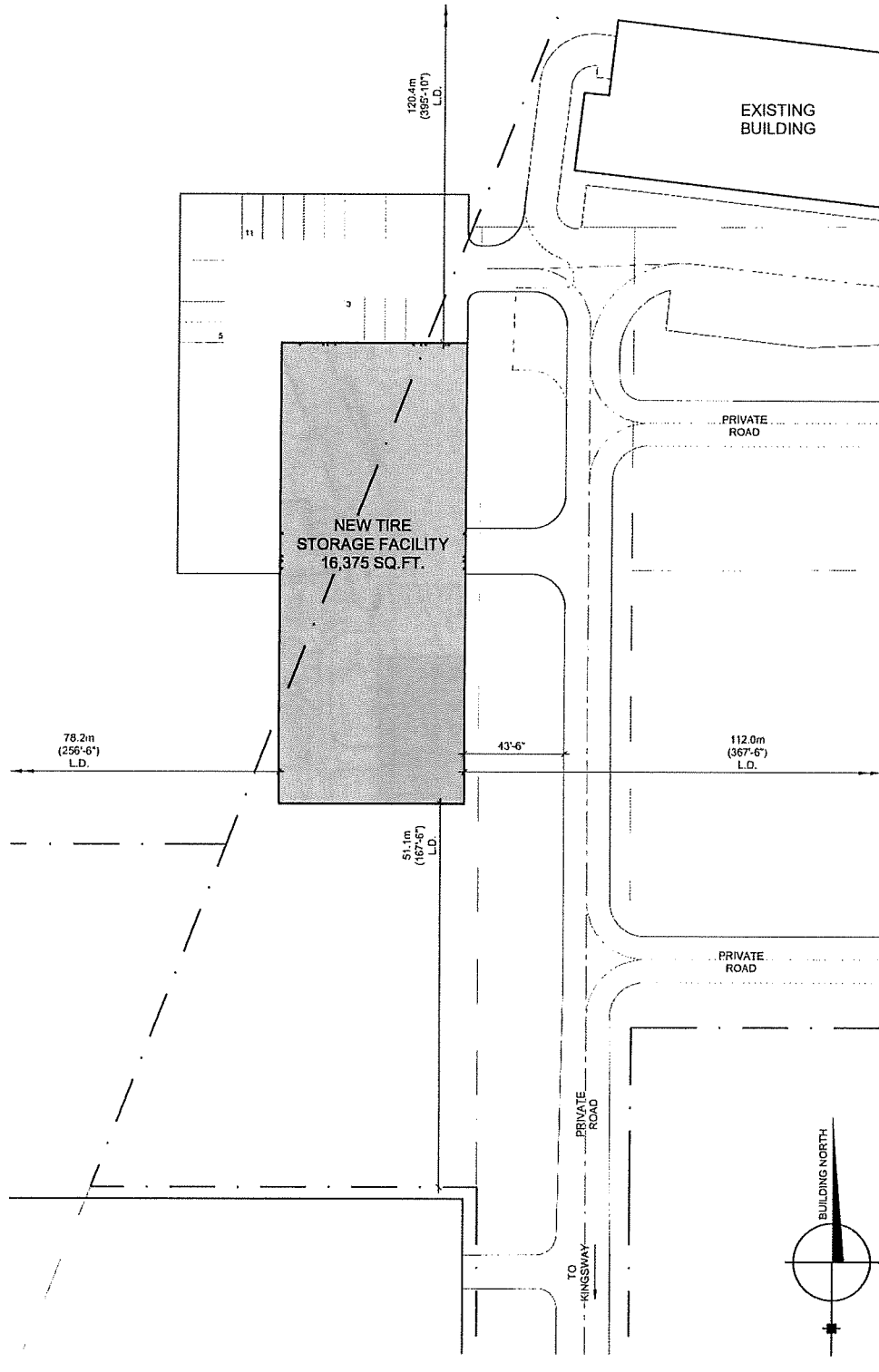
LUCIW ■ BOUDREAU
ARCHITECTURE

Proposed Key Site Plan - Option F
Scale = 1" = 80'-0"
March 14, 2024

SP-F.1

Figure 9: Concept Plan

B0048/2024



Laking Tire Storage Facility

Kingsway
Sudbury, Ontario

LUCIW ■ BOUDREAU
ARCHITECTURE

Proposed Site Plan - Option F
Scale = 1" = 40'-0"
March 14, 2024

SP-F.2

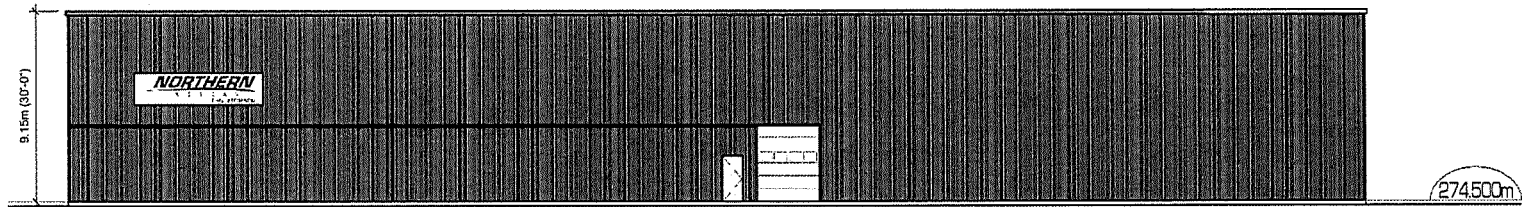
Figure 10: Concept Plan – Zoomed-in

B0048/2024

Laking Tire Storage Facility
Kingsey
Stedbury, Ontario

LUCIWI ■ BOUDREAU
A R C H I T E C T U R E

Proposed Floor Plan - Option E
Scale = 1/16" = 1'-0"
February 13, 2024
EL-E



EAST ELEVATION

Figure 11: Conceptual Elevations

B0048/2024

4.0 POLICY OVERVIEW & ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the application in the context of Provincial and municipal policies and regulations. Each sub-section will outline relevant policies and provide an analysis with respect to how the official plan and zoning by-law amendments are consistent with or conforms to such policy.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

The *2020 Provincial Policy Statement (PPS)* provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal official plans must be consistent with the PPS. Policies applicable to the application are outlined and analyzed below.

Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. **Section 1.1.1** states, in part:

- 1.1.1** *Healthy, liveable and safe communities are sustained by:*
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- ...

Section 1.1.3 of the PPS states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Considering the subject property is located within Sudbury's settlement area, the following policies are applicable:

- 1.1.3.1** *Settlement areas shall be the focus of growth and development.*
- 1.1.3.2** *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- a) efficiently use land and resources;*

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

...

Per **Section 1.1.1**, healthy, livable and safe communities are sustained by accommodating an appropriate market-based range and mix of residential types and employment uses (including industrial and commercial) to meet long-term needs. The application seeks to expand upon the employment land of the benefitting property, contributing to a range and mix of employment land which already exists along the Kingsway corridor. The application promotes efficient development and land use patterns by adding employment land to an area that benefits from existing municipal services and infrastructure, thereby supporting the financial well-being of the Province and the municipality over the long term. The benefitting property is connected to full municipal sewer and water services, and active transportation (sidewalks) and public transit networks in proximity (within 110m, being GOVA Transit Routes 2, 12, and 103).

With respect to **Section 1.1.1 (c)**, the application seeks to avoid a development and land use pattern that would negatively contribute to environmental or public health and safety concerns. Considering the subject property is located within an intake protection zone 3 in the City of Greater Sudbury's Source Water Protection Plan, a Source Water Protection Section 59 application is being submitted as part of a complete application to evaluate the proposals impact on the quality of drinking water in the area.

The subject property is located within the City's settlement area boundary, which under **Section 1.1.3** shall be the focus of growth and development. The PPS encourages a mix of densities and land uses that efficiently use land and resources within settlement areas. To support consistency with the above noted policies outlined in **Section 1.1.3**, the application focuses growth and development within the City's settlement area boundary and represents a land use pattern that is based on a mix of land uses that:

- Efficiently use land and existing resources as the application would make more efficient use of an underutilized part of PIN 02132-0463 (through the proposed amendments and eventual lot addition) that would benefit from (once the subject property is added to the benefitting property) a variety of existing municipal infrastructure and services which already exist along the Kingsway corridor; and
- Are appropriate for, and would continue to utilize existing municipal infrastructure, generally avoiding the need for their unjustified and/or uneconomical expansion.

Section 1.3 of the PPS contains policies related to promoting economic development and competitiveness within employment areas. **Section 1.3.1** states:

1.3.1 *Planning authorities shall promote economic development and competitiveness by:*

a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;

d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and

e) ensuring the necessary infrastructure is provided to support current and projected needs.

Per **Section 1.3.1 (a) & (b)**, the application provides the opportunity for a more diversified economic base by maintaining and expanding upon lands that are suitable for employment uses along the Kingsway. These lands support a wide range of economic activities and account for the needs of existing and future businesses. Regarding the existing businesses, the proposed zoning by-law amendment defines the uses permitted over the subject property, restricting these lands to a limited number of uses in the zoning by-law to ensure that these lands can appropriately tie into the benefiting property, while still meeting the short term needs of the current property owner. With respect to future businesses, all the provisions of the zoning by-law applicable to the C2(106) zone will still apply to the current extent of the benefitting property. This will provide flexibility to future businesses considering the C2 zone permits a wide range and mix of employment and residential uses as outlined in *Table 7.1* and *Table 7.2* in the zoning by-law.

With respect to **Section 1.3.1 (c), (d) & (e)** the subject property would benefit from (once the subject property is added to the benefiting property) a variety of existing municipal infrastructure and services that already exist along the Kingsway corridor, making it a strategic site for investment. The subject property is also market-ready as it does not contain any significant constraints (e.g. environmental, topographic, etc.) that would hinder it's future development. While the subject property contains, and is surrounded by, mature vegetation and rocky topography, it also contains an existing cleared area that makes up ±0.9 hectares. As previously discussed, this area serves as a temporary parking area for the Imperial Collision Centre. However, this area can additionally be used for the future expansion of the existing businesses over the benefitting property. The application incorporates and builds off of compatible employment uses to assist in supporting a livable and resilient community.

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are applicable:

1.7.1 *Long-term economic prosperity should be supported by:*

a) promoting opportunities for economic development and community investment-readiness;

...

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

...

Per **Section 1.7.1 (a) & (c)**, the application promotes opportunities for economic development and community investment-readiness by expanding upon the employment land of the benefitting property, while accounting for the needs of existing businesses, and the needs of future businesses to ensure the benefitting property remains investment-ready by continuing to permit a wide range and mix of employment and residential uses. The application utilizes existing resources, infrastructure, and public services in a more efficient manner by expanding upon the employment land along the Kingsway, and contributing to a range and mix of employment uses which already exist along this corridor.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The *Growth Plan for Northern Ontario* (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

Section 4.3 of the GPNO promotes efficient use of economic and service hubs in Northern Ontario. The following policies are applicable:

4.3.3 *Economic and service hubs shall maintain updated official plans and develop other supporting documents which include strategies for:*

a. developing a diverse mix of land uses, an appropriate range of housing types, and high quality public spaces; and providing easy access to stores, services and recreational opportunities

...

d. encouraging a significant portion of future residential and employment development to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas

...

The City of Greater Sudbury is designated as an economic and service hub under the GPNO. Per the above noted policies, economic and service hubs shall maintain updated official plans and develop other supporting documents that include strategies for developing a diverse mix of land uses, and encourage a significant portion of future employment development to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas.

Within the GPNO, intensification corridors are defined as *'areas along major roads, arterials or transit corridors that have the potential to provide a focus for higher density mixed-use development.'* The subject property and benefitting property are located along an arterial road (being the Kingsway).

Therefore, the application encourages future employment development to locate in existing intensification corridors, consistent with **Section 4.3.3**.

4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

The *City of Greater Sudbury's Official Plan* is the principal land use planning policy document for the City of Greater Sudbury. The official plan (OP) establishes objectives and policies that guide both public and private development/decision-making.

Section 2.3.2 contains land use policies related to the City's settlement area and states, in part:

- 2.3.2.1** *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.*
- 2.3.2.2** *Settlement Area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.*
- 2.3.2.3** *Intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.*

...

The application would direct growth and development in the settlement area through the proposed amendments and eventual lot addition. In doing so, the proposal seeks to establish a more suitable use for the subject property, while continuing to utilize existing municipal infrastructure. The subject property is located outside of the Built Boundary, however per **Section 2.3.2.3**, development outside of the Built Boundary may be considered in accordance with the policies of the OP. It is the authors opinion that the application conforms to the applicable policies found within the OP, given the analysis provided in this section of the report.

Section 4.1 speaks to the objectives of the City's Employment Areas and states, in part:

- 4.1** *It is the objective of the Employment Area policies to:*
 - a) ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;*
 - b) ensure that a broad range of commercial opportunities are provided for residents, employees and tourists;*
- ...
- f) ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;*

...

Mixed Use Commercial areas have been developed in Sudbury with the intent of recognizing the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. **Section 4.3** provides municipal policies regarding the development of lands designated Mixed Use Commercial in the OP and states, in part:

4.3.1 *All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed-Use Commercial designation through the rezoning process. Uses permitted in the Mixed-Use Corridor designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods at a lesser density and concentration than Regional Corridors.*

...

4.3.4 *Subject to rezoning, new development may be permitted provided that:*

- a) sewer and water capacities are adequate for the site;*
- b) parking can be adequately provided;*
- c) no new access to Arterial Roads will be permitted where reasonable alternate access is available;*
- d) the traffic carrying capacity of the Arterial Road is not significantly affected;*
- e) traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;*
- f) landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,*
- g) the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.*

With respect to **Section 4.1**, the application would assist in meeting the objectives of the Employment Area policies, considering it:

- Contributes to the supply and variety of serviced employment land which already exists along the Kingsway corridor, allowing for the expansion and diversification of existing and future businesses;
- Ensures that a broad range of commercial opportunities are maintained for residents, employees and tourists as all the provisions of the zoning by-law applicable to the C2(106) zone will still apply to the current extent of the benefitting property. As previously discussed, this will provide flexibility to future businesses considering the C2 zone permits a wide range and mix of employment and residential uses as outlined in *Table 7.1* and *Table 7.2* in the zoning by-law; and
- Promotes the growth and development of an underutilized site, as discussed throughout this report.

Moreover, all uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process, per **Section 4.3.1**. **Section 4.3.4** outlines the tests that these new developments must align with. The application seeks to align with these tests, considering it:

- Is accompanied by a sewer and water capacity request to determine if there is adequate municipal capacity to service the uses proposed over the subject property;
- Demonstrates that parking can be adequately provided over the subject property, in accordance with the applicable provisions found within the zoning by-law;
- Does not propose new access to the Kingsway (being an Arterial Road);
- Would likely introduce a negligible impact on the traffic carrying capacity of the Kingsway. A traffic impact study is not required as part of a complete application considering the subject property will be restricted to the uses outlined in *Section 3.0* of this report; and
- Meets the applicable policies of **Section 14** of the OP. An analysis of such is provided in this section of the report.

Section 7.3.2 contains land use policies for properties that are privately owned and designated Parks and Open Space in the OP. This section states, in part:

- 7.3.2.1** *Private lands designated Parks and Open Space primarily consist of:*
- a) lands with natural hazards such as flood plains that are not suitable for development;*
 - b) lands that are difficult and uneconomical to develop and service;*
 - c) lands that are intended to be left undeveloped to serve as buffers between mining or heavy industrial uses and built-up areas;*
 - d) hydro corridors; and,*
 - e) lands occupied by private outdoor recreational facilities such as golf courses.*
- ...

The subject property is currently privately owned and designated Parks and Open Space in the OP.

Section 7.3.2.1 outlines what these types of lands primarily consist of. The subject property does not align with this section, considering it:

- Is not located within an area regulated by Conservation Sudbury. Pre-consultation comments from Conservation Sudbury indicated that there appears to be an unmapped ephemeral watercourse which appears to drain toward the subject property, however due to consolidated bedrock visible at surface, there are no erosion hazards associated with the said watercourse. The submitted concept plan confirms (through site visits and topographic data) the approximate location, and flow of the said watercourse (see *Section 2.0* & *Section 3.0* of this report);
- Does not contain any significant constraints (e.g. environmental, topographic, etc.) that would hinder the future development of this site. In addition, should the subject property be added to the benefitting property, the subject property will benefit from access to the Kingsway and full municipal sewer and water services;

- Does not serve as a buffer between mining or heavy industrial uses and built-up areas;
- Is not apart of a hydro corridor; and
- Is not occupied by a private outdoor recreational facility.

Building off of the analysis provided herein, and given the above, it is the authors opinion that the subject property does not fully align with the intent of **Section 7.3.2.1**, and such lands would be more suitable for employment uses.

The OP promotes their dedication to the preservation and enhancement of the City's design features, views and corridors, as outlined in **Section 14.7**, which states, in part:

14.7.1 *New land uses or design features that would detract from the enhancement of major focal point areas within the City, such as Science North, the Big Nickel, Bell Park, Tom Davies Square and Laurentian University are discouraged. The open space character and natural aesthetic environment of the Paris Street corridor, especially that section between Walford Road and York Street, will be preserved and enhanced. In particular, the view corridor to and from Science North will be protected.*

...

As previously discussed, a ±1522m² warehouse is outlined on the submitted concept plan partially for the purpose of producing building elevation plans that are required as part of a complete application. This warehouse is sited at an elevation of 274.5 metres, while elevations in proximity to the benefitting property's frontage along the Kingsway range from 272.5 – 273.75 metres above sea-level (see *Section 2.0* of this report). This results in a 0.75 - 2 metre difference in elevation from the benefitting property's frontage along the Kingsway to the location of the conceptual warehouse outlined on the submitted concept plan. In addition, the subject property is setback ±116 metres from the Kingsway, and screened by a range and mix of existing employment uses along the north side of the Kingsway. These uses are largely automotive related (as outlined in *Section 2.0* of this report), similar to those uses proposed over the subject property.

Given the elevations outlined above and the surrounding context of the subject property, it is the authors opinion that the proposed land uses would not detract from the enhancement of any focal point areas along the Kingsway, per **Section 14.7.1**.

5.0 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

As previously discussed, a ±1522m² warehouse is outlined on the submitted concept plan for the purpose of demonstrating the applications compliance with the zoning by-law, and for the purpose of producing the required building elevation plans and sewer/water capacity analysis that are required as part of a complete application. The below zoning matrix table evaluates zoning compliance with respect to the conceptual warehouse and the applicable provisions in the zoning by-law:

	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM INTERIOR SIDE YARD	MAX. LOT COVERAGE	MAX HEIGHT	MINIMUM LANDSCAED OPEN SPACE	STANDARD PARKING SPACES	ACCESSIBLE PARKING SPACES	LOADING SPACES
PROVIDED	>15m	±120.4m	±51.1m	±6%	±9.15m	>5%	19	SUFFICIENT AREA AVAILABLE	SUFFICIENT AREA AVAILABLE
REQUIRED	15m	15m	NO MINIMUM	50%	15m	5%	17 (1/90m2)	1	1

Ultimately, the application would facilitate a lot addition for the future expansion of the existing businesses over the benefitting property - no new buildings or structures are proposed at this time.

6.0 CONCLUSION

The subject amendments would facilitate a lot addition from PIN 02132-0463 to 1024 Kingsway (PIN 02132-1364, being the benefitting property) for the future expansion of the existing businesses over the benefitting property. These amendments seek to expand upon the employment land of the benefitting property, contributing to a range and mix of employment land which already exists along the Kingsway corridor, and supporting current and future needs. Overall, the author found that the application promotes a more efficient use of land and land use patterns that expand upon compatible employment uses and effectively utilize existing municipal infrastructure.

Given the analysis provided herein, it is the author's opinion that the proposed official plan and zoning by-law amendments are consistent with the *2020 Provincial Policy Statement*, conforms with the *Growth Plan for Northern Ontario* and the intent of the *City of Greater Sudbury Official Plan*, and represents good planning.

Respectfully submitted,

Prepared by:



Aaron Ariganello, BURP

Land Use Planner

TULLOCH

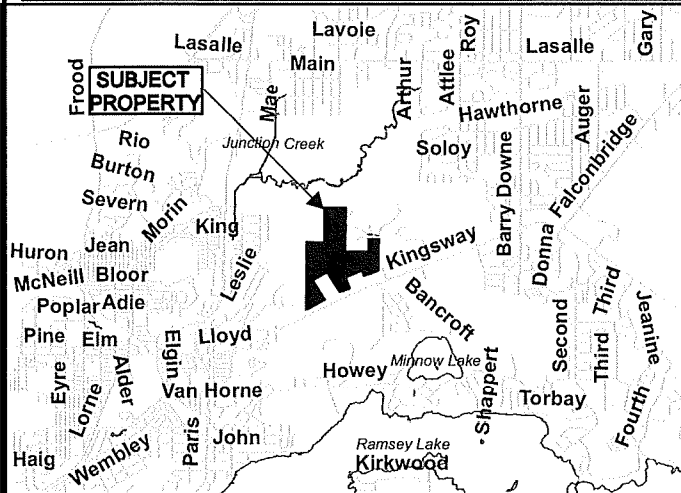
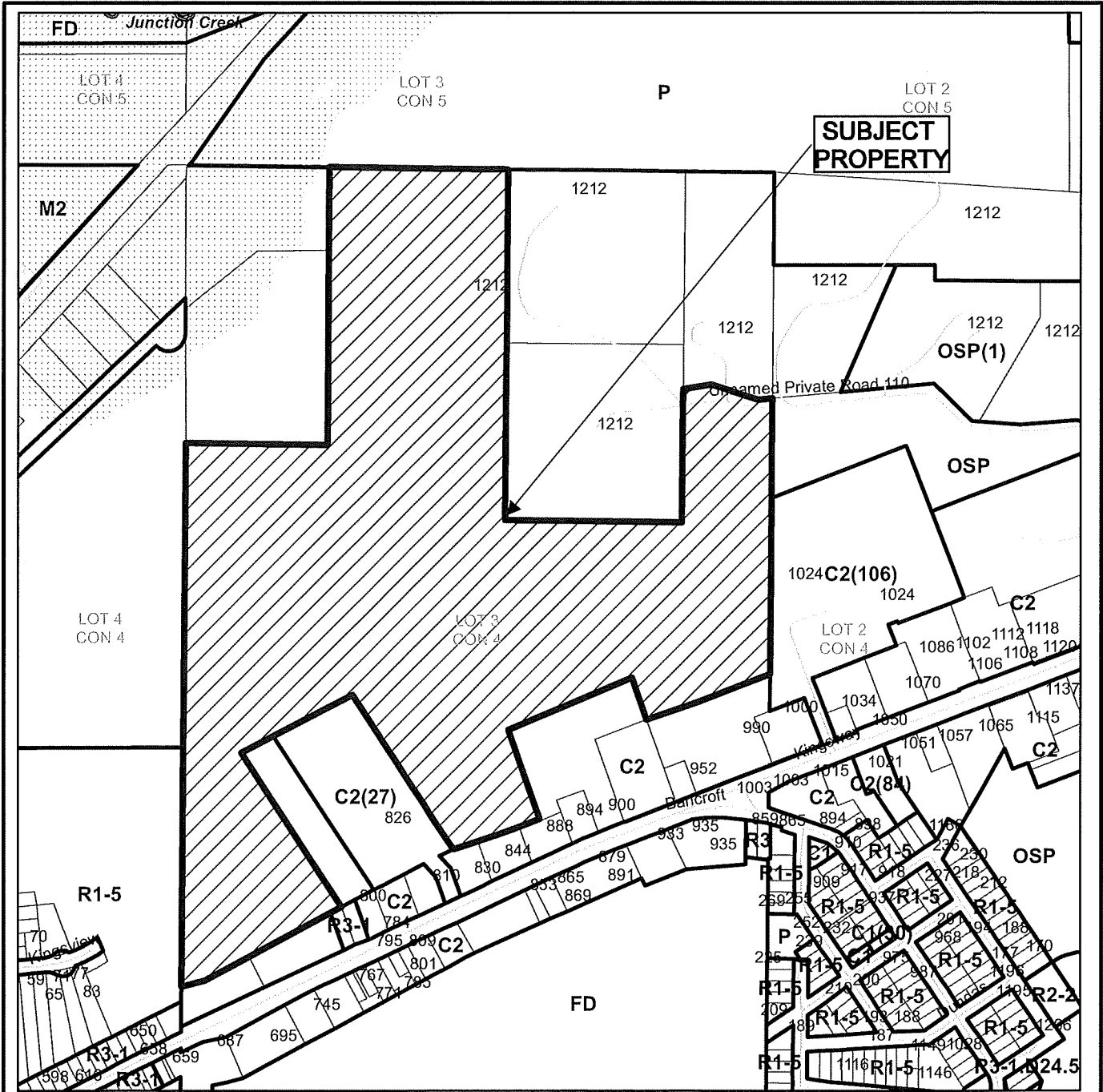
Reviewed by:



Mark H. Simeoni, MCIP, RPP

Senior Planning Consultant

TULLOCH



Application for Consent



Subject Property being PIN 02132-0463,
Parcel 24005A SEC SES,
Part Lot 3, Concession 4,
Township of McKim,
0 Kingsway, Sudbury ,
City of Greater Sudbury

NTS B0048/2024
Sketch 1 Date: 2024 07 11

