

SUBMISSION NO. A0109/2024

December 04, 2024

OWNER(S): 1074086 ONT. INC., 265 Elm Street Sudbury ON P3C 1V5

AGENT(S): ROCH BELAIR ARCHITECT/ARCHITECTE, 10 Greenway Drive Sudbury ON P3L 0A6

LOCATION: PIN 73585 0856, Lot(s) Parts 16 and 17, Subdivision 31-SA, Lot Part 6, Concession 3, Township of McKim, 265 Elm Street, Sudbury

SUMMARY

Zoning: The property is zoned C4(1)(Office Commercial) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct an addition on the existing building reducing the required rear yard and providing an increase in lot coverage and an increase in gross floor area within the required rear yard, eaves and reduced parking at variance to the By-law.

Comments concerning this application were submitted as follows:

Greater Sudbury Hydro Inc., November 28, 2024

Maintain proper clearance from energized apparatus and conductors as per the latest edition of the Ontario Electrical Safety Code.

CGS: Infrastructure Capital Planning Services, November 27, 2024

Roads
No concerns.

Transportation and Innovation Support
We have some concerns regarding the reduction in the required number of parking spaces, it is important to note that only short term on-street parking (maximum of 1 hour) is available on Elm Street, therefore any overflow parking that may occur from this site will affect the neighbouring property owners and the municipal parking lot for Queens athletic park.

Active Transportation
No concerns.

CGS: Building Services Section, November 27, 2024

Based on the information provided, Building Services has no concerns with this application.

Applicant/Owner to be advised of the following comments:

1) We acknowledge the receipt of associated building permit (BP-NEW-2024-01609) for an addition & interior alterations located at 265 Elm Street.

CGS: Development Approvals Section, November 26, 2024

The purpose and effect of the application is to permit a 24.6 m² addition onto an existing mixed use building with the following variances:

1. An eave encroachment of 1.4 m into the 6.405 m rear yard setback, whereas a 1.2 m encroachment is permitted into the required 7.5 m rear yard setback, no closer than 0.6 m;

2. Increasing the gross floor area by 16.16 m² and lot coverage by 5.2% while maintaining a 6.405 m rear yard setback, whereas enlargement, reconstruction, repair and/or renovation does not increase the gross floor area or lot coverage of the building or structure located within the required yard;
3. Minimum of 4 parking spaces, where 7 are required.

The subject lands contain an existing mixed use building containing a dental clinic and a dwelling unit with 4 parking spaces. The lands are serviced by a municipal water and sanitary connection and have existing access from Elm Street and an unnamed Lane 71.

The subject lands are designated 'Downtown' within the City of Greater Sudbury Official Plan and are zoned "C4(1)" Office Commercial Special Zone' within the City of Greater Sudbury Zoning By-law. Surrounding uses are commercial, institutional, and residential in nature.

The applicant is proposing to expand the size of the dental clinic and relocate the existing apartment to the second storey. No additional dwelling units are proposed at this time.

Staff do not anticipate impacts to surrounding land uses as a result of the requested variances to increase the building footprint while maintaining the existing rear yard setback.

The subject lands abut a transit route, with the nearest stop located approximately 43 m on Elm Street. The subject lands are located in the downtown designation of the official plan, which is considered to be compact, walkable and transit-supportive. The applicant is looking to maintain the existing parking spaces on site.

Staff are of the opinion that the variances are considered to be minor in nature, are an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

CGS: Site Plan Control, November 22, 2024

No objections.

Nickel District Conservation Authority, November 22, 2024

Conservation Sudbury does not object to Minor Variance A0109/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Strategic and Environmental Planning, November 22, 2024

No concerns.

CGS: Development Engineering, November 21, 2024

Eaves Encroachment Condition:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.6 m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Ministry of Transportation, November 21, 2024

The subject lands are located outside the MTO's permit control area; therefore, we have no comments to provide at this time.

The applicant's agent, Roch Belair, appeared before Committee and asked about the previously obtained variance from 1990. Committee Chair Dumont advised him that he would direct that question to staff at the appropriate time. The agent provided a summary of the Application to Committee.

Committee Chair Dumont requested staff to explain the previous minor variance, and the Secretary-Treasurer advised Committee that it was a variance for a sign.

The Committee Members expressed support for the Application and staff's recommendation.

Committee Chair Dumont directed the agent to the parking comments provided by Infrastructure Capital Planning Services and expressed support for the recommendation.

The following decision was reached:

DECISION:

THAT the application by:

1074086 ONT. INC.

the owner(s) of PIN 73585 0856, Lot(s) Parts 16 and 17, Subdivision 31-SA, Lot Part 6, Concession 3, Township of McKim, 265 Elm Street, Sudbury

for relief from Part 4, Section 4.2, Table 4.1, Section 4.25, subsection 4.25.1 and Part 5, Section 5.3, Table 5.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition, firstly, providing eaves to encroach 1.4m into the required rear yard, where eaves may encroach 1.2m into the required rear yard but not closer than 0.6m to the lot line, secondly, providing a reduction in the required rear yard maintaining a rear yard setback of 6.405m and an increase in lot coverage, where enlargement, reconstruction, repair and/or renovation does not further reduce the existing rear yard and/or increase lot coverage, thirdly, an increase in gross floor area of 16.16 sq. m within the required rear yard, where enlargement, reconstruction, repair and/or renovation does not increase the gross floor area of the building or structure located within the required rear yard, and fourthly, 4 parking spaces, where a total of 7 parking spaces are required for a medical office and one dwelling unit, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
David Murray	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0110/2024

December 04, 2024

OWNER(S): TIMESTONE CORPORATION, Attn: John Zulich 1730 Regent St Suite 5, Sudbury ON P3E 3Z8

AGENT(S):

LOCATION: PINs 73576 0528 & 73576 0529, Survey Plan 53R-22079 Part(s) 17, 18, and 19, Lot(s) 96 and Part 95, Subdivision M-1003, Township of Neelon, 127 Covington Crescent, 129 Covington Crescent, Sudbury

SUMMARY

Zoning: The property is zoned R3(66) (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval for lands subject of a future consent application, to permit two semi-detached dwellings to provide maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Greater Sudbury Hydro Inc., November 28, 2024

No objections.

CGS: Infrastructure Capital Planning Services, November 27, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Building Services Section, November 27, 2024

Based on the information provided, Building Services has no concerns with this application.

Applicant/Owner to be advised of the following comments:

1) We acknowledge the receipt of associated building permit (BP-NEW-2024-01669) for the construction of a new semi-detached dwelling located at 127/129 Covington Crescent, Sudbury.

CGS: Development Approvals Section, November 26, 2024

The purpose and effect of the application is to permit the construction of a semi-detached dwelling with a lot coverage of 45%, whereas the maximum lot coverage permitted in 40%. The lands are subject to Consent Application B55/2024, which is conditionally approved, and once finalized would result in each unit of the semi-detached being located on a separate parcel of land.

The subject lands are currently vacant of buildings and structures. The lands will be serviced by a municipal water and sanitary connection and will have access from Covington Street.

The subject lands are designated 'Living Area I' in the City's Official Plan and are zoned 'R3(66)' Medium Density Residential Special in the City of Greater Sudbury Zoning By-law.

Surrounding uses are residential and future development in nature.

Although the lot coverage exceeds what is permitted, the applicant has demonstrated that all other zoning standards are able to be met.

Staff are of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

CGS: Site Plan Control, November 22, 2024

No objections.

Nickel District Conservation Authority, November 22, 2024

Conservation Sudbury does not object to Minor Variance A0110/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Strategic and Environmental Planning, November 22, 2024

No concerns.

CGS: Development Engineering, November 21, 2024

No objection.

Ministry of Transportation, November 21, 2024

The subject lands are located outside the MTO's permit control area; therefore, we have no comments to provide at this time.

As both A0110/2024 and A0111/2024 relate to the same property, Committee agreed to hear the Applications together. The applicant's authorized representative, John Zulich, appeared before Committee and provided a summary of the Application.

Committee Member Castanza had no issues with the Application and expressed support for the development.

Committee Members Goswell, Sawchuk and Murray and Committee Chair Dumont had no comments and supported staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

TIMESTONE CORPORATION

the owner(s) of PINs 73576 0528 & 73576 0529, Survey Plan 53R-22079 Part(s) 17, 18, and 19, Lot(s) 96 and Part 95, Subdivision M-1003, Township of Neelon, 127 Covington Crescent, 129 Covington Crescent, Sudbury

for relief from Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve lands subject of a future consent application to permit a semi-detached dwelling to provide a maximum lot coverage of 45%, where a maximum of 40% is permitted, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
David Murray	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0111/2024

December 04, 2024

OWNER(S): TIMESTONE CORPORATION, Attn: John Zulich 1730 Regent St Suite 5, Sudbury ON P3E 3Z8

AGENT(S):

LOCATION: PINs 73576 0528 & 73576 0529, Survey Plan 53R-22079 Part(s) 17, 18, and 19, Lot(s) 96 and Part 95, Subdivision M-1003, Township of Neelon, 127 Covington Crescent, 129 Covington Crescent, Sudbury

SUMMARY

Zoning: The property is zoned R3(66) (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval for lands subject of a future consent application, to permit two semi-detached dwellings to provide maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Site Plan Control, December 04, 2024

REVISED
No objection.

Greater Sudbury Hydro Inc., November 28, 2024

No objections.

CGS: Infrastructure Capital Planning Services, November 27, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Building Services Section, November 27, 2024

Based on the information provided, Building Services has no concerns with this application.

Applicant/Owner to be advised of the following comments:

1) We acknowledge the receipt of associated building permit (BP-NEW-2024-01669) for the construction of a new semi-detached dwelling located at 127/129 Covington Crescent, Sudbury.

CGS: Development Approvals Section, November 26, 2024

The purpose and effect of the application is to permit the construction of a semi-detached dwelling with a lot coverage of 44%, whereas the maximum lot coverage permitted in 40%. The lands are subject to Consent Application B55/2024, which is conditionally approved, and once finalized would result in each unit of the semi-detached being located on a separate parcel of land.

The subject lands are currently vacant of buildings and structures. The lands will be serviced by a municipal water and sanitary connection and will have access from Covington Street.

The subject lands are designated 'Living Area I' in the City's Official Plan and are zoned 'R3(66)' Medium Density Residential Special in the City of Greater Sudbury Zoning By-law.

Surrounding uses are residential and future development in nature.

Although the lot coverage exceeds what is permitted, the applicant has demonstrated that all other zoning standards are able to be met.

Staff are of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

CGS: Site Plan Control, November 22, 2024

No objections.

Nickel District Conservation Authority, November 22, 2024

Conservation Sudbury does not object to Minor Variance A0111/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Strategic and Environmental Planning, November 22, 2024

No concerns.

CGS: Development Engineering, November 21, 2024

No objection.

Ministry of Transportation, November 21, 2024

The subject lands are located outside the MTO's permit control area; therefore, we have no comments to provide at this time.

As both A0110/2024 and A0111/2024 relate to the same property, Committee agreed to hear the Applications together. The applicant's authorized representative, John Zulich, appeared before Committee and provided a summary of the Application.

Committee Member Castanza had no issues with the Application and expressed support for the development.

Committee Members Goswell, Sawchuk and Murray and Committee Chair Dumont had no comments and supported staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

TIMESTONE CORPORATION

the owner(s) of PINs 73576 0528 & 73576 0529, Survey Plan 53R-22079 Part(s) 17, 18, and 19, Lot(s) 96 and Part 95, Subdivision M-1003, Township of Neelon, 127 Covington Crescent, 129 Covington Crescent, Sudbury

for relief from Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve lands subject of a future consent application to permit a semi-detached dwelling to provide a maximum lot coverage of 44%, where a maximum of 40% is permitted, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
David Murray	Concurring
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Ron Goswell	Concurring