

#### APPLICATIONS FOR MINOR VARIANCE

Tom Davies Square 200 Brady St

Wednesday, January 18, 2023

#### **PUBLIC HEARINGS**

#### A0159/2022

#### **JOHN SHANE**

Ward: 1

PIN 73588-0739, Parcel 10870 SEC SES, Lot 369, Plan M-128, Part Lot 8, Concession 2, Township of McKim, 69 Tuddenham Avenue, Sudbury; PIN 73588-0785, Parcel 6470 SEC SES, Tuddenham Avenue on Plan M-128, Township of McKim, Tuddenham Avenue, Sudbury; and PIN 73588-0791, Parcel 6470 SEC SES, Fred Street on Plan M-128 (now known as Mary Street), Mary Street, Sudbury, [2010-100Z, R2-3 (Low Density Residential Two)]

For relief from Part 4, Section 4.2, Table 4.1 and Part 6, Section 6.3, Table 6.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage on the resulting lot following a lot addition providing, firstly, a front yard setback of 4.1m, where 6.0m is required, and secondly, a setback from the rear lot line of 1.0m, where an accessory building greater than 2.5m in height shall be no closer than 1.2m from the rear lot line.

#### A0162/2022

#### DALRON CONSTRUCTION LTD.

Ward: 12

PIN 02119 0143, Survey Plan 53R-21755 Part(s) 4, 5, and 6, Lot(s) Parts 50 and 61, Pt Arvo Avenue, Subdivision M-353, Lot Pt 1, Concession 6, Township of McKim, 1336 Arvo Avenue, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve a lot to be transferred, subject of Part Lot Control as approved by By-law 2021-58Z, providing firstly, a minimum lot depth of 26.0 m, where 30.0 m is required, and secondly, a minimum lot area of 245.0 sq. m, where 275.0 sq. m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A19/22 (MAR 23/22) AND A146/19 (JAN 8/20)

#### A0163/2022

#### DALRON CONSTRUCTION LTD.

Ward: 12

PIN 02119 0143, Survey Plan 53R-21755 Part(s) 1, 2, and 3, Lot(s) Parts 50 and 61, Pt Arvo Avenue, Subdivision M-353, Lot Pt 1, Concession 6, Township of McKim, 1338 Arvo Avenue, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve a lot to be transferred, subject of Part Lot Control as approved by By-law 2021-58Z, providing firstly, a minimum lot depth of 26.0 m, where 30.0 m is required, and secondly, a minimum lot area of 248.0 sq. m, where 275.0 sq. m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A19/22 (MAR 23/22) AND A146/19 (JAN 8/20)

#### A0165/2022

#### **1876292 ONTARIO LTD**

Ward: 3

PIN 73349 1544, Parcel 11437 SEC SWS, Survey Plan 53R-4780 Part(s) except 1, Lot Pt 1, Concession 3, Township of Balfour, 0 Main Street, Chelmsford, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, in order to facilitate the construction of an accessory building in the form of a detached garage with a secondary dwelling unit on the upper floor providing a maximum accessory building height of 6.9 m on a residential lot, whereas a maximum accessory building height of 5.0 m on a residential lot is permitted.

#### A0166/2022

#### 1866410 ONTARIO LIMITED

Ward: 6

PIN 73504-2632, Parcel 1323 SES, Part Lot 6, Concession 2, Part 4 on Plan 53R-14504, except Part 2 on Plan 53R-14891, Township of Hanmer, 1350 Dominion Drive, Val Therese, [2010-100Z, R3.D45(Medium Density Residential)]

For relief from Part 4, Section 4.2, subsection 4.2.9 b) and Part 6, Section 6.3, Table 6.5 of Bylaw 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a 14 unit row dwelling and semi-detached residential complex, firstly, to permit the refuse storage area to be located in the front yard and 5.5m from the front lot line, where refuse storage areas shall be located in the interior yard only and no closer than 6.0m from the front lot line, secondly, a rear yard setback of 7.0m, where 7.5m is required, and thirdly, a minimum privacy yard depth of 6.0m, where 7.5m is required.

ALSO SUBJECT TO CONSENT APPLICATIONS B169/96 (SEP 23/96), B290/94 TO B291/94 (OCT 31/94), B268/94 TO B270/94 (AUG 29/94), B250/94 (AUG 29/94), B129/94 (JUN 13/94), B179/93 TO B180/93 (JUN 21/93), AND B138/93 TO B140/93 (MAY 25/93 - LAPSED)

#### A0167/2022

#### . CHARTER ACQUISITION CORP.

Ward: 5

PIN 73502-0055, Parcel 51750 SEC SES, Firstly, Part Lot 6, Concession 6, Parts 1 to 6 on Plan 53R-10061; Secondly, Part Lot 49 on Plan M-323, Parts 7, 8 and 10 on Plan 53R-12782; Thirdly, Block A on Plan M-323, Part 4 on Plan 53R-12782; Fourthly, Part Romeo Street on Plan M-323, Part 3 on Plan 53R-12782; Fifthly, Lot 1 on Plan M-323, Township of Blezard, 3140 Highway 69 North, Val Caron [2010-100Z, C5 (Shopping Centre Commercial)]

For relief from Part 4, Section 4.2, subsection 4.2.1 e) i) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a fourth drive through service facility, where no more than two drive through service facilities are permitted on a lot

THIS APPLICATION WAS DEFERRED PRIOR TO THE MEETING OF AUGUST 24, 2022 TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.

#### A0116/2022

#### A3 CONSTRUCTION INC.

#### "REVISED"

Ward: 12

PIN 73580 0295, Parcel 13801 SEC SES, Survey Plan 53R-15645 Part(s) 1, Lot Pt 2, Concession 4, Township of McKim, 157 Silpaa Street, Sudbury, [2010-100Z, C2 (General Commercial)]

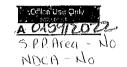
For relief from Part 7, Section 7.3, Table 7.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing building providing a minimum required rear yard setback of 1.2m, where 7.5m is

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B24/96 (APR 1/96) AND MINOR VARIANCE APPLICATION A38/96 (APR 1/96)

A REMINDER... THE NEXT SCHEDULED MEETING IS WEDNESDAY, FEBRUARY 1, 2023



Box 5000, Shitton W. 200 Brady Street Subtury ON F3A 5F3 Tel. (705) 671-2489, Ext. 4376/4349 Fax (705) 673-2200



## City of Greater Sudbury

#### APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee) APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 legal notice fee) CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

PLEASE PRINT, SCHEDULES MAY BE INCLUDED: IF NECESSARY

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 of approval authority as part of this application shall be considered public information and shall be made available to the public.

1)	The undersigned haraby applies to the Com of the Planning Act R.S.O. 1990, c.P. 13 for	mittee of Adjustment of the	e City of Greater Su	dbury under Section 45
		1		
	Registered Owner(s):	hane	Email: Home	
	Mailing Address: 66 Louis S	- P. F.	Busine	
	City: Sulley 10 N	Postal Code: P3B	Fax Ph	
	ONY 201801 1010	7	#3	
2}	If the application will be represented by som prepared and submitted by someone other to	eone other than the registrant for registered owner.	tored owner(s) and/o (s), please specify,	ir the application is
	Name of Agent:	}	Emált:	
	Malling Address:		Home Phone	
	( VV II		Business.Ph	one:
	City: Note: Unless otherwise requested, air turning	Postal Code:	Fax Phone:	
3) 4) 5)	Names and mailing addresses of any morigito ensure that any individual, company, final hotified of this application).  Name: Mailing Address: City: Current Official Plan designation.	agees, holders of charges injet institution holding a d Postal Code:	ör öther endumbrar nortgäge, etc. on fro Zoning By-law desig olication is belna mi	mallon: R2-3
	Variance To	By-taw Regulrement	Proposed	Difference
	at 1 Sta 1 College		0.74 m	
	Front Land Setback	60 M	1,12	
	Kear Yard Sethack	1-5 m	1.00 m	
			·	
				Kud
	b) Is there an paye encroachment?	D Yes To No	If Yes', size of ea	ives: (n)
	c) Description of Proposal: 69 To	udden ham	Avenue -	quage being
	replaced on	Same SI	in F	
	.d) Provide reason why the proposal cannot			ław.
			E. D	
	Mittance To Di	ach and	\$10x5 (	It baclourse

18	) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☐ No
	If "yes", indicate the application number(s):  or, describe briefly,
19	) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☐ No
	If "yes", indicate application number(s) and status of application(s):
20	) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☐ No
	If 'Yes', indicate application number(s) and status of application(s):
21	) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☐ No
	If "yes", provide details on how the property is designated in the Source Protection Plan
P#	ART A: OWNER ACKNOWLEDGEMENT AND CONSENT
	City of Greater Sudbury (please print all
nai	mes), the registered owner(s) of the property described as shown on the sketch attached as Schedule "A"  Part of PIN 73588-0785 (LT), Tuddenham Avenue, Plan M-128, shown on the sketch attached as Schedule "A"
	he City of Greater Sudbury:
Co a)	llection, Use and Disclosure of Information: acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act</i> , 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 <i>Planning Act</i> , 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 <i>Municipal Freedom of Information and Protection of Privacy Act</i> , 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;
	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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;
Аp	pointment of Authorized Agent
g)	appoint and authorize John Shane (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 26th day of October, , 20 22
	Jia Rev. Allen In
	(witness) signature of Owner(s) or Signing Officer or Authorized Agent
	<sub>Print Name:</sub> Shawn Turner

\*I have authority to bind the Corporation

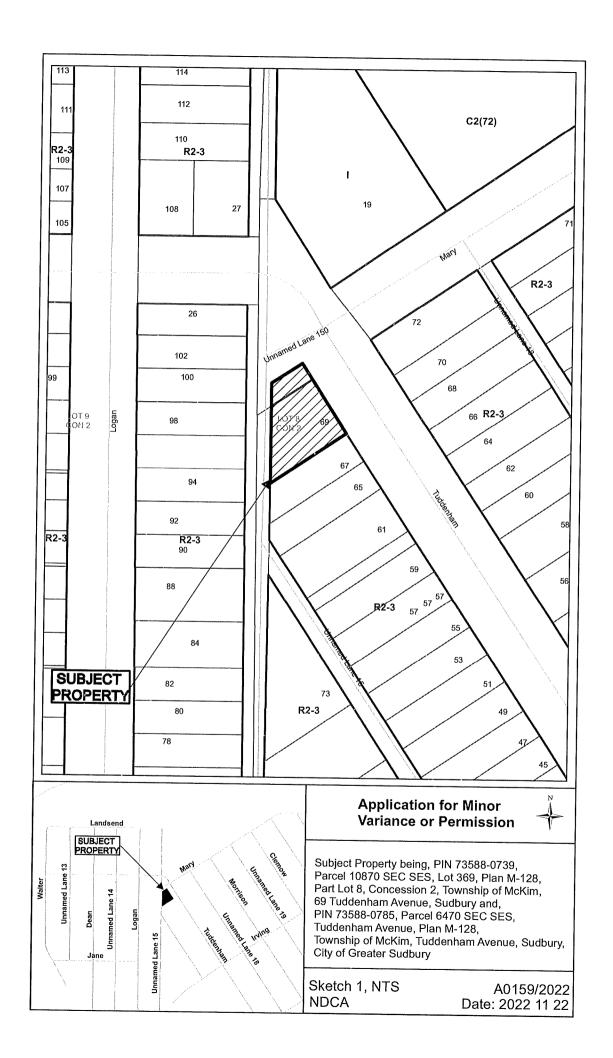
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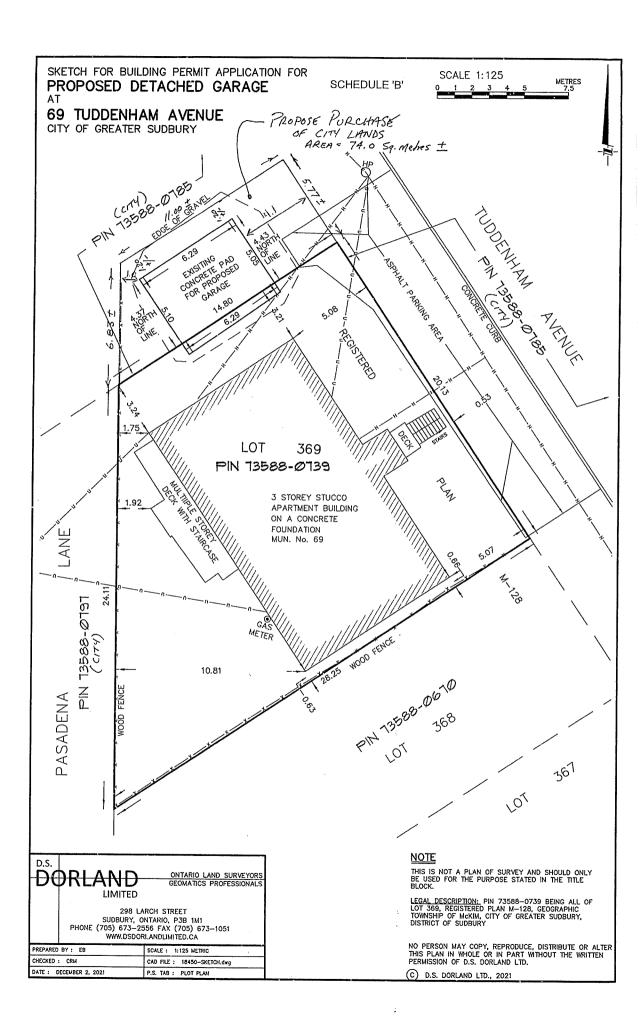
A-	PLICATION FOR MINOR VARIANCE
18)1	To the bost of your humanises have the subject Land stort been conject of a province application for minor residence from the subject of the
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13)1	is the property in scalect of a compart scale of son for Contains (to. serveneral corder Section 53 of the Pisaning Act, R.S.O. 1990 EP.13? If Yes
	"Yes", नार्वक <u>ः</u> व्यवस्थानांका त्यानोब्द्दिकार्च व्यवस्थान्य व क्रोगेकांका(व)
20)	ls this property the subject of memoric opposition for a Plan pl Sybakholour action Society 51 on the Flaming Act. P.S.O. 1980, 1.P.13, or improduces out 51
	lfrast, indicate application number(s) and character spectralistic
21)	to this property location within on once adject to the Greater Stabury Scana Protection Ron? CI Yes 1840
	of "year", provide detable compose that property is designed at the Bourbo Protection Plan.
PA	RT A: CWNER ACKNOWLEDGEMENT AND CONSENT
	The land to the same of the sa
rze.	visit the regularity comercial or the projects' deposited to 109 Tuch den Norm Arena
in tr	Ecologic general Company
ā)	icejkan, Usa and Disclosavia () Information: BiCronologia that postenti information collected on this form is collected pureciant to the Plancky PC, R.S.O. 1993, C.P.T.B.F. the purpose of crososisty of the stranding application;
	addroministing that it is the principle of the City of Greater Student; in accordance with earther 1,0.1 of the Primiting Fait, R.S.O. 1989, C.P.R.S. to preside public excess to all planning emplifications are disconnects; sixturing both trial time to reports, actives and disease, a regimed by the City of Greater Studently in support of Pair application ("Supportion) Documentation") and provided to the City by ext, my agents, my considering and my collection.
	in accordance with the Manicipal Freedom of Internations and Posterions of Privary Act, consent to the units and disclaims of this explication and any importing Decementation, Includes of any processed information, from person or mility, in any material respect by the Explainment of the City's which, advirotions in a consequent, realized distribution in members of council and in studiosports, on releasing to a discipanty upon the party review.
	plantitio Chy perintistica foregroups, in which or in part, the application and Supporting Documentation for internal true; inclination in statistic process, distribution to our profits for the purpose of people consistent as any other under statistic with the impropose of mixeds and implications failth and the captification.
An O	Drenky to Enter Land and Pholograph gent the CDI permission by dilectly firskey up and commed inspections of the lands subject to this application on part of the CSV on the ward reconstruct of the Englishment
か	external object that, in the use of all pixels propose of this application (who applicable) to the Creation Land Trained, the City of Casalter Studency may not actume at the Onlands Land Trained healthy indicate the City is provided with the City's required to be or administration of the healthy of
<b>L</b> I	polnissent at Authorized Agent
ુંબ	appoint and authorize plant within regard with regard to this application to the City of Grander Shortler, facilities, but not method for each grand at the case of Agenty, to call on a special within regard to the City of Grander Shortler, facilities, but not fined to reached a contract and scale, can provide a style of contract and scale, and provide any any five at a contract and scale, and provide a style of the opening and active style of the opening and contract and the opening and th
	DECEMBE (4 asya December ) 2022
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A012/19099

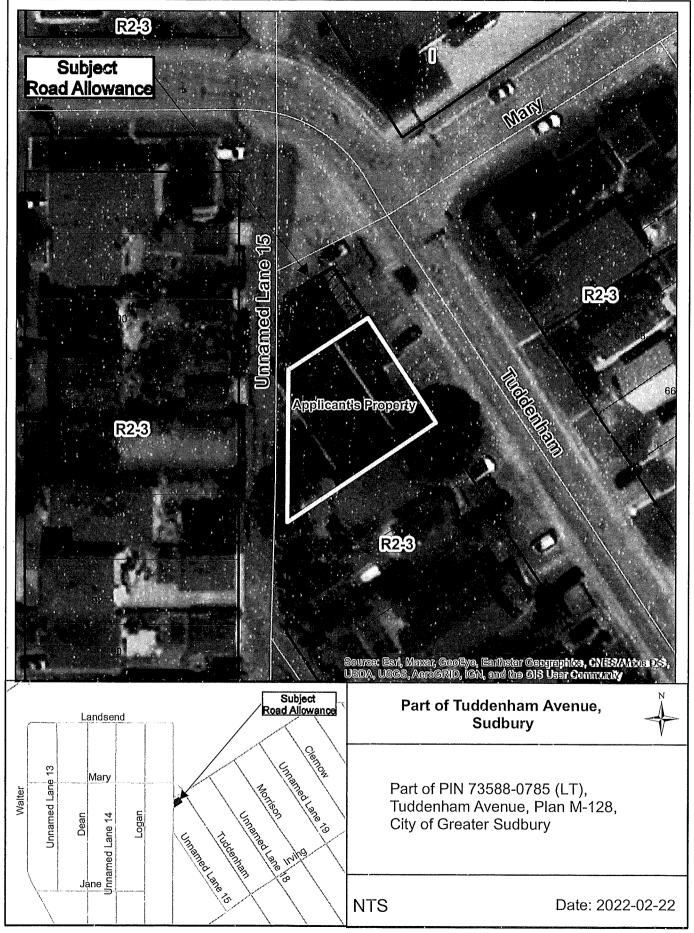
## APPLICATION FOR MINOR VARIANCE PAGE 4 OF 4 PART B: OWNER OR AUTHORIZED AGENT DECLARATION (please print all names), the registered owner(s) or authorized agent of the property described as in the City of Greater Sudbury: solemnly declare that all of the statements contained in this application and 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 Commissione signature of Owner(s) or Signing Officer or Authorized Agent (\*where a Corporation) Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while wi the Territorial District of Sudbury and while appoin as a Deputy-Clerk for the City of Greater Sudbury. Print Name: \*I have authority to bind the Corporation 224-1622 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.

Date of Receipt: Dec 14/2a Hearing Date: Jan 18/23  Zoning Designation: R2-3 Resubmission: □ Yes No	Received By: S. Pinkerton
Previous File Number(s): N/A none	
Previous Hearing Date:	·
Notes: Setback from front lot line is 4.24m to material the applicant is seeking relie	of foundation, with other bu
-	3
	· · · · · · · · · · · · · · · · · · ·
	×





ADUS9/2022 Skutch 2



AUS9/2022 Sketch 3



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

## Office Use Only 2022,01.01 A OMO 1202.01 S.P.P. ARÉA YES \_\_\_ NO 🗸 NDCA REG. AREA YES \_\_ NO

## **City of Greater Sudbury APPLICATION FOR MINOR VARIANCE**

AP	PLICATION FEE: \$1,025.00 (includes \$24 PLICATION FEE FOR HEDGEROWS: \$31 SH, DEBIT OR CHEQUE MADE PAYABLE	2.00 (includes \$245	.00 legal notice fe	e)	
que Ap rec	sonal information on this form is collec stions regarding the collection of this in provals. In accordance with Section 1.0. uired to be provided to a municipality o sidered public information and shall be	nformation may be o 1 of the <i>Planning Ac</i> r approval authority	directed to the Ma et, R.S.O. 1990 info as part of this ap	nager of Developm ormation and mate	ent
PL	EASE PRINT. SCHEDULĖS MAY BE II	NCLUDED, IF NEC	ESSARY.	i i	
1)	The undersigned hereby applies to the Commi of the Planning Act R.S.O. 1990, c.P. 13 for re	ttee of Adjustment of th lief, as described in this	e City of Greater Suc application, from the	lbury under Section 45 By-Law, as amended	
	Registered Owner(s): Dalron Construction Mailing Address: 130 Elm Street		Email: Home Phone:		
	Sudbury, On P3C 1T6		Business Pho	ne:	
	City:	Postal Code:	Fax Phone:		
2)	If the application will be represented by someoprepared and submitted by someone other that Name of Agent:  Mailing Address:	n the registered owner(	(s), please specify.  Email:  Home Phone  Business Pho	:	
	City: Note: Unless otherwise requested, all commu	Postal Code:	Fax Phone:		
3)	Names and mailing addresses of any mortgag to ensure that any individual, company, financi notified of this application).  Name:	ees, holders of charges al institution holding a r	s or other encumbran nortgage, etc. on the	ces. (Give full particula subject lands can be	ars
	Mailing Address:		•		
	City:	Postal Code:			
4) 5)	a) Nature and extent of relief from the Zoning variances are being sought, a schedule	By-law for which the ap	Zoning By-law desig plication is being mane the application form	de. (If more than five	
	be in metric.				_
	Variance To	By-law Requirement	,	Difference	
	Minimum Lot Depth	30m	26m 11-	4.0m H-	
	Minimum Lot Area	275 m 2	245m2+1-	30m	
					1
	b) Is there an eave encroachment? $\qed$	Yes 🕱 No	If 'Yes', size of ea	ves:	<u>(m)</u>
	c) Description of Proposal:  Request relief of minimum lot depth.				
	d) Provide reason why the proposal cannot of Lot size is deficient due to dedication of land to enlarge the cul-de-sa		ns of the Zoning By-	law:	

6)	Legal Description (incl	ude any abutting pro	perty registered ι	ınder the same	ownership).			
	PIN(s): 02119-013	1		Township	: McKim			
	Lot No.: Pt of Lots		0.:	Parcel(s):				
	Subdivision Plan No.		Lot:	Reference	Plan No.: 5	3R-21755	Part(s): 4	, 5, 6
	Municipal Address or		vo Ave					
	Mariopar radioco o	000.(0). 1000 7	107110					
7)	Date of acquisition of	f subject land. 201	6					
8)	Dimensions of land a	affected.			9			
	Frontage 9.525	(m) Depth	(m)	Area	(m <sup>2</sup> )	Width of Stre	eet <u>20</u>	(m)
9)	Particulars of all build	dings:	Existing			Proposed	i	•
	Ground Floor Area:	60+/-		(m <sup>2</sup> )	60+/-		-	(m <sup>2</sup> )
	Gross Floor Area:	180+/-		(m <sup>2</sup> )	180+/-			(m <sup>2</sup> )
	No. of storeys:	two (2)			two (2)			
	Width:		al - two semi	unite) (m)	5.85+/-/s	emi unit		(m)
	Length:		ai - two seriir	(m)	10.2+/-	Citi dilit		(m)
	Height:	10.2+/-		(m)				(m)
	neight.	9.5+/-			9.5+/-			(/
10)	Location of all building lot lines).	gs and structures on	or proposed for Existing	the subject lan	ids (specify di	istances from s Proposed		nd front
	Rear:	9.33+/-		(m)	9.33+/-			(m)
	Side:	3.21+/-		(m)	3.21+/-			(m)
	Side:	N/A (semi p	orty wall)	(m)		ni party wall	\	(m)
	Oldo.	iwa (semi p	oarty wall)	()	INA (Sell	ili party wali	L	
11)	What types of water drainage are available	e?			What type	of access to th	ne land?	
	Municipally owned &	operated piped wa	ter system	同	Provincial	Highway		
	Municipally owned &	operated sanitary	sewage system	9	Municipal F			
	Lake					ined Yearly		
	Individual Well					ined Seasona		
	Communal Well				Right-of-wa	ay		
	Individual Septic Sys	stem			Water	!-		
	Communal Septic Sy	ystem				ss is by water o		
	Pit Privy Municipal Sewers/Di	itahaa/Quralar			and do	cking facilities	to be use	u.
	Wutiicipai Seweis/Di	Itories/Owales		_				
12)	Date(s) of constructi	on of all buildings a	nd structures on	the subject la	nd.			
13)	Existing use(s) of the	e subject property a	nd length of time	e it / they have	continued.			b.
	Use(s): One buildi	ina - two units		Length o	of time: new			
		<u> </u>					······································	
14	) Proposed use(s) of t	he subject property	•					
	Same as #13 □	Or, two semi detached	unite					
		· WYO Sellii detaciica	unico		100000000000000000000000000000000000000			
15	) What is the number	of dwelling units on	the property?	)				
16	) If this application is a	approved, would an	y existing dwellir	ng units be leg	alized?	☐ Yes	<b>□</b> No	
	If "yes", how many?	1000	OF THE STREET	and the state of t				·····
17	) Existing uses of abu	itting properties.	lautial					
	, according about	resid	ienda)					

A016212022

### APPLICATION FOR MINOR VARIANCE

	To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☐ No
	If "yes", indicate the application number(s): A-0046/22 or, describe briefly,
19)	ls the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☐ No
	If "yes", indicate application number(s) and status of application(s): Lot will be transferred via part lot control
20)	Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☐ No
	If 'Yes', indicate application number(s) and status of application(s):
21)	Is this property located within an area subject to the Greater Sudbury Source Protection Plan?  ☐ Yes ☐ No
	If "yes", provide details on how the property is designated in the Source Protection Plan.
PΑ	RT A: OWNER ACKNOWLEDGEMENT AND CONSENT
IW	e, Dalron Construction Limited (please print all
	nes), the registered owner(s) of the property described as 1336 Arvo Ave Parts 4, 5, 6 Plan 53R-21755
in t	he City of Greater Sudbury:
Co a)	llection, Use and Disclosure of Information: acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act</i> , 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 <i>Planning Act</i> , 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 <i>Municipal Freedom of Information and Protection of Privacy Act</i> , 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;
Au e)	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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;
Αp	pointment of Authorized Agent
g)	appoint and authorize Kristi Arnold (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 1 day of December , 20 2022
	Kan to I was
	(witness) Signature of Owner(s) or Signing Officer or Authorized Agent
	Print Name: Kristi Arnold

\*I have authority to bind the Corporation

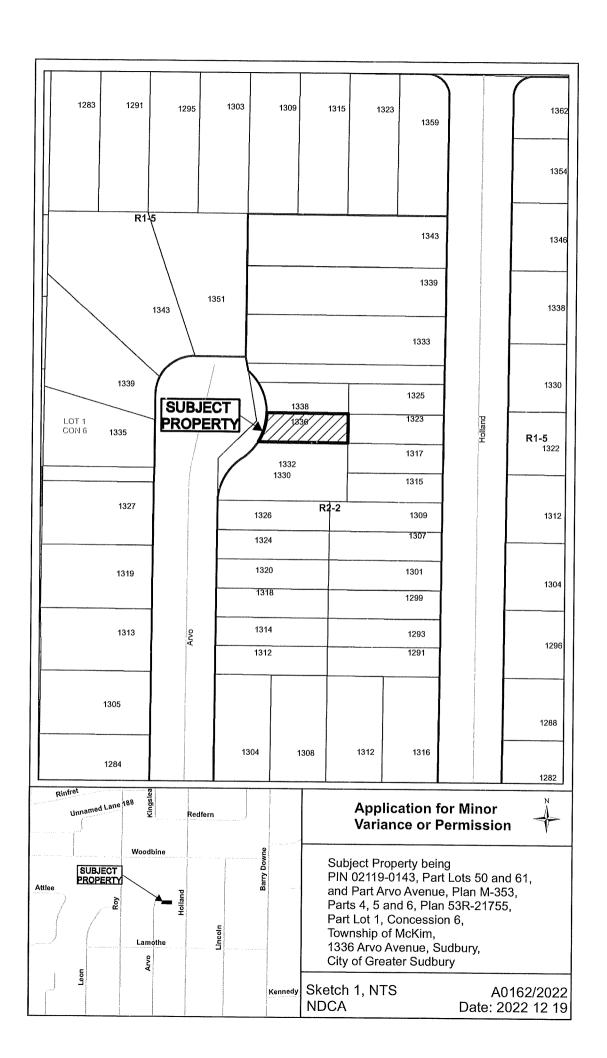
A0162/2022

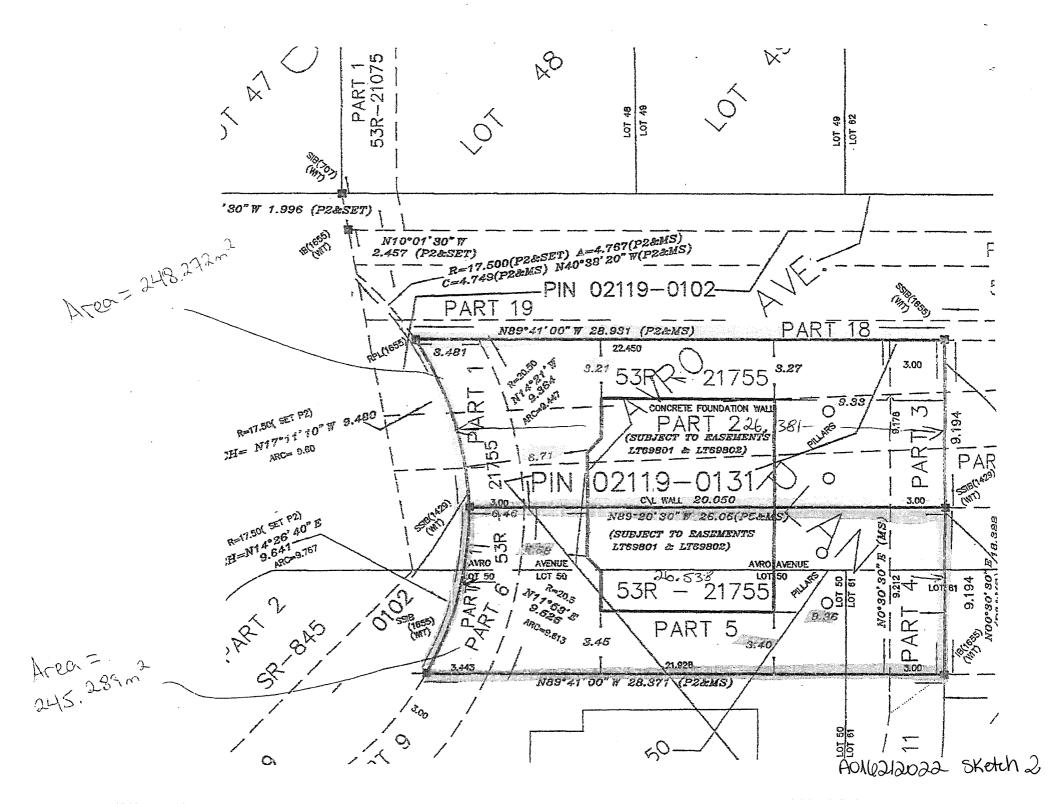
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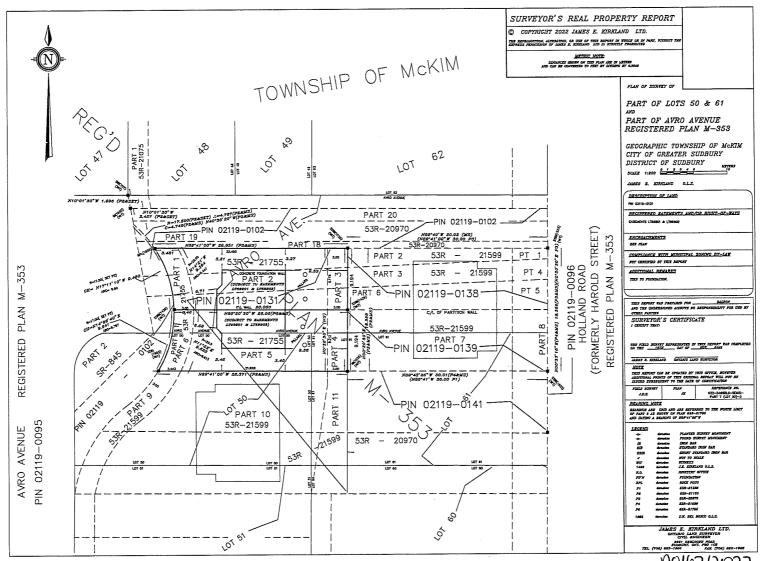
I/W	/e, Dalron Con	struction Lin	nited					(please print all names
the	registered owne	r(s) or authorize	d agent of the	property	described as	1336 An	vo Avenue	
Pa	arts 4, 5, 6	53R-21755	j .					
	the City of Greate	er Sudbury:						
and	lemnly declare the d complete, and me force and effo	I/we make this	solemn declar	ained in ation co	this applicat	ion and in the believing it	ne Supportin to be true ar	g Documentation are true id knowing that it is of the
Da	ited this	R	day of	KÜR	<u>Cern V.</u>	) W		,20 <u>JZ</u>
Co	ommissioner of Q	aths	· .		signature of (*where a Co		Signing Office	cer or Authorized Agent
	the Territorial	Green, a Commissi d for the Courts of C District of Sudbury a ink for the City of Gr	Intario, while with	ď	Print Name: *I have author	大人 ity to bind the	Corporation	ÍRNOLD.
*	Where the owner corporation or affi			on signing	<b>;</b> this instrume	nt shall state t	hat he/she ha	s authority to bind the
	OR OFFICE U	SE ONLY						,
	SK OFFICE C	OL ONLI,						
D	ate of Receipt:	Dec Haa	Hearing Date	Jan	18/20		Received	By: S. Pinkertz
I	oning Designation	2 11 W/	Resubmission		∕es ⊠No			

Date of Receipt: Deci 7/22 Hearing Date: Jun 18/22	Received By: S. Pinkerton
Zoning Designation: R2-2 Resubmission: ☐ Yes ☐ No	
Previous File Number(s): 10019/22 4 A0146	5/19
Previous Hearing Date: (Mar 23/22) (Jan	<u>8/20)</u>
Notes:	

AD162/2022









Box 5000, Station 'A', 200 Brady Street Sudbury ON P3A 5F3 Tel. (705) 671-2489, Ext. 4376/4346 Fax (705) 673-2200

#### Office Use Only A 016312022 S.P.P. AREA YES \_\_\_ NO V NDCA REG. AREA NO YES\_

## **City of Greater Sudbury APPLICATION FOR MINOR VARIANCE**

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee) C

	ASE PRINT. SCHEDULES MAY BE	INCLUDED, IF NEC	SSARY.	*,	•				
) T o	he undersigned hereby applies to the Com f the Planning Act R.S.O. 1990, c.P. 13 for	mittee of Adjustment of the relief, as described in this	e City of Greater Suc application, from the	dbury under Section 4 e By-Law, as amende	15 d.				
	Registered Owner(s): Dalron Construction	on Limited	Email:						
V	Mailing Address: 130 Elm Street		Home Phone		<u> </u>				
	Sudbury, On P3C 1T6	Postal Code:	Business Pho Fax Phone:	one:					
_	Pity:	Fostal Code.	T AX T TIONE.						
) If	If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.								
N	lame of Agent:		Email:						
	/lailing Address:		Home Phone						
	338 Arvo Ave	De-1-1 On-1-1	Business Ph	one:					
_	City: lote: Unless otherwise requested, all comr	Postal Code:	Fax Phone:						
te	lames and mailing addresses of any mortg o ensure that any individual, company, final otified of this application).	agees, holders of charges ncial institution holding a m	or other encumbran ortgage, etc. on the	ices. (Give full particu subject lands can be	llars				
te n N	o ensure that any individual, company, fina	agees, holders of charges ncial institution holding a m	or other encumbran ortgage, etc. on the	ices. (Give full particu subject lands can be	llars				
te n	o ensure that any individual, company, final lotified of this application). lame:	agees, holders of charges ncial institution holding a m Postal Code:	or other encumbran ortgage, etc. on the	ices. (Give full particu	llars				
10 10 10 10 10 10 10 10 10 10 10 10 10 1	o ensure that any individual, company, final lotified of this application). Jame: Jailing Address:	ncial institution holding a m	ortgage, etc. on the	nation: R2-2	llars				
te n	o ensure that any individual, company, final lotified of this application). Name: Mailing Address: Dity:	Postal Code:  Current ing By-law for which the appropriate institution holding a management of the properties of the control of the	cortgage, etc. on the	subject lands can be nation: $Ra-2$ de. (If more than five	e				
to n	o ensure that any individual, company, final polified of this application).  Name: Mailing Address: City: Current Official Plan designation: Living Nature and extent of relief from the Zonin variances are being sought, a schedu	Postal Code:  Current ing By-law for which the appropriate institution holding a management of the properties of the control of the	cortgage, etc. on the	subject lands can be nation: $Ra-2$ de. (If more than five	e				
te n N C	co ensure that any individual, company, final cotified of this application).  Name: Mailing Address: City: Current Official Plan designation: Living  Nature and extent of relief from the Zonir variances are being sought, a schedule in metric.	Postal Code:  Postal Code:  Current and By-law for which the appule may be attached to the	Zoning By-law desig	nation: R2-2 de. (If more than five	e				
te n	co ensure that any individual, company, final cotified of this application).  Name: Mailing Address: City: Current Official Plan designation:  Nature and extent of relief from the Zonir variances are being sought, a schedule in metric.  Variance To	Postal Code:  Postal Code:  Current and By-law for which the appule may be attached to the By-law Requirement 30m	Zoning By-law desig	nation: R2-2 de. (If more than five	e				
te n	co ensure that any individual, company, final cotified of this application).  Name: Mailing Address: City: Current Official Plan designation: Living  Nature and extent of relief from the Zonir variances are being sought, a schedule in metric.  Variance To  Minimum Lot Depth	Postal Code:  Postal Code:  Current and By-law for which the appule may be attached to the By-law Requirement 30m	Zoning By-law desig blication is being ma e application form  Proposed	nation: R2-2 de. (If more than five	e				
te n N C	co ensure that any individual, company, final polified of this application).  Name: Mailing Address: City: Current Official Plan designation:  Nature and extent of relief from the Zonir variances are being sought, a schedule in metric.  Variance To  Minimum Lot Depth  Minimum Lot Depth	Postal Code:  Postal Code:  Current and By-law for which the appule may be attached to the By-law Requirement 30m  275 m 2	Zoning By-law designosication is being made application form  Proposed  248 m  248 m  2	nation: R2-2 de. (If more than five ). Measurements mu  Difference 4.0 M 27m	e				
	co ensure that any individual, company, final polified of this application).  Name: Mailing Address: City: Current Official Plan designation:  Nature and extent of relief from the Zonir variances are being sought, a schedule in metric.  Variance To  Minimum Lot Depth  Minimum Lot Depth	Postal Code:  Postal Code:  Current and By-law for which the appule may be attached to the By-law Requirement 30m	Zoning By-law desig blication is being ma e application form  Proposed	nation: R2-2 de. (If more than five ). Measurements mu  Difference 4.0 M 27m	e				

6)	Legal Description (include any abutting property registered under the same ownership).								
	PIN(s): 02119-0131			Township	: McKim				
	Lot No.:Pt of Lots 50.8	Concession No.:		Parcel(s):					
	Subdivision Plan No.: M-		Lot:		e Plan No.: 5	3R-21755	Part(s):	1, 2, 3	
	Municipal Address or Stre		Ave						
	Wallopal / laal coo of Oliv	00((0): 1000 7 (110	,,,,						
	•								
7)	Date of acquisition of sub	ject land. 2016					.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
8)	Dimensions of land affect	ted.							
٠,	Difficiono di tanta anto				2				
	Frontage 9.364 (n	n) Depth	(m)	Area	(m <sup>2</sup> )	Width of St	reet 20	(m)	
9)	Particulars of all buildings	s: Ex	isting			Propose	ed		
,	Ground Floor Area:			(m <sup>2</sup> )	60+/-		<del></del>	(m <sup>2</sup> )	
	Gross Floor Area:	60+/- 180+/-		(m <sup>2</sup> )	180+/-		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(m <sup>2</sup> )	
	No. of storeys:	two (2)			two (2)			<u> </u>	
	Width:	11.7+/- (total -	two semi	units) (m)	5.85+/-/s	emi unit		(m)	
	Length:	10.2+/-	two ocim	(m)	10.2+/-	om am		(m)	
	Height:	9.5+/-		(m)	9.5+/-			(m)	
		0,017			0.0 7				
10	) Location of all buildings a lot lines).		oroposed fo Existing		nds (specify d	istances from Propose	side, rear : ed		
	Front:	6.71+/-		(m)	6.71+/-			(m)	
	Rear:	9.33+/-		(m)	9.33+/-			(m)	
	Side:	3.21+/-		(m)	3.21+/-		1)	(m) (m)	
	Side:	N/A (semi part	y wall)	(m)	N/A (ser	ni party wal	1)	(311)	
11	) What types of water supportainage are available?  Municipally owned & open Municipally owned & open Lake Individual Well Communal Well Individual Septic System Communal Septic System Pit Privy	erated piped water serated sanitary sewa	system		Provincial Municipal Mainta Mainta Right-of-wa Water If acce	Road iined Yearly iined Seasona	al only, provi		
	Municipal Sewers/Ditche	es/Swales							
					<u> </u>				
12	) Date(s) of construction o	of all buildings and s	structures o	n the subject la	ind.				
13	) Existing use(s) of the su	bject property and I	ength of tim	ne it / they have	continued.				
	Use(s): One building	- two unite		Lenath a	of time: new	,			
	osc(s). One building	- two units		20113111	- Tiew	· · · · · · · · · · · · · · · · · · ·	-A-HE-G		
14	Proposed use(s) of the s	subject property.							
	Same as #13 □ or,	two semi detached units							
	Cultio do in to La Con j	two semi detached units							
15	i) What is the number of d	welling units on the	property?	wo		······································		_1/2-1/11-11-11-11-11-11-11-11-11-11-11-11-1	
	svieni. II ii i		dada - 4 0	lmm	nalizad?	□ Vac	m Na		
16	<ol><li>If this application is appr</li></ol>	oved, would any ex	isting dwell	ing units be leg	jalized?	☐ Yes	□ No		
	If "yes", how many?								
	, ,						- Court		
17	7) Existing uses of abutting	g properties: <sub>residentia</sub>	al						

AUN6312022

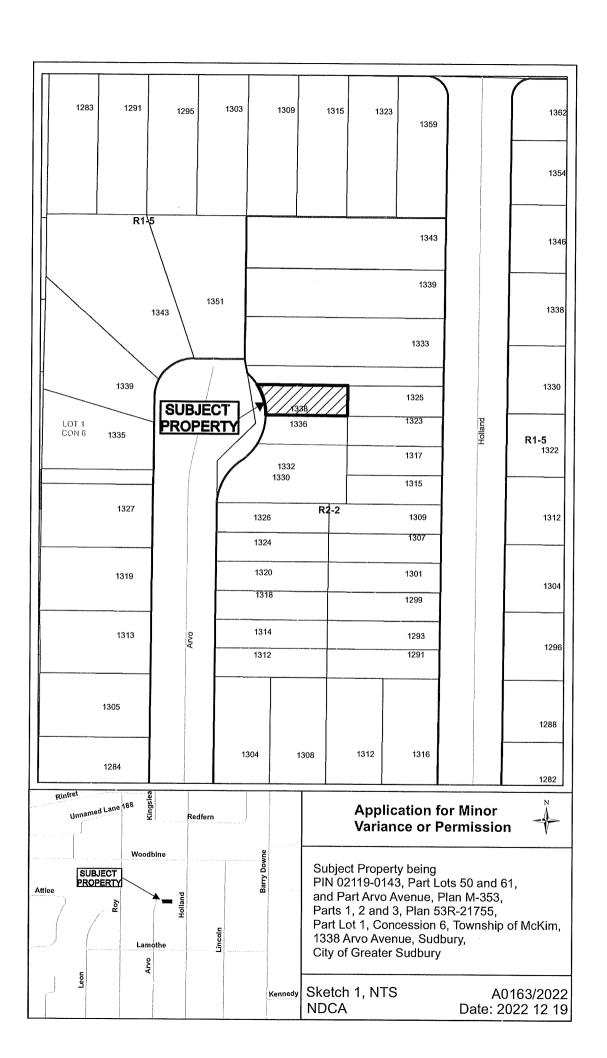
18)	To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☐ No
	If "yes", indicate the application number(s): A-0046/22 or, describe briefly,
19)	Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☐ No
	If "yes", indicate application number(s) and status of application(s): Lot will be transferred via part lot control
20)	Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☐ No
	If 'Yes', indicate application number(s) and status of application(s):
21)	Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☐ No
	If "yes", provide details on how the property is designated in the Source Protection Plan.
_	RT A: OWNER ACKNOWLEDGEMENT AND CONSENT
l/W	e, Dalron Construction Limited (please print all
nar	nes), the registered owner(s) of the property described as 1338 Arvo Ave Parts 1, 2, 3 Plan 53R-21755
in t	he City of Greater Sudbury:
Co a)	<b>llection, Use and Disclosure of Information:</b> acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act,</i> 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 <i>Planning Act</i> , 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 <i>Municipal Freedom of Information and Protection of Privacy Act</i> , 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;
Au e)	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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;
Αp	pointment of Authorized Agent
g)	appoint and authorize Kristi Arnold (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 1day of December, 20 2022
	(witness) signature of Owner(s) or Signing Officer or Authorized Agent
	(witness)  Signature of Owner(s) or Signing Officer or Authorized Agent  Print Name: Kristi Arnold
	Print Name: N1150 ATTIOID

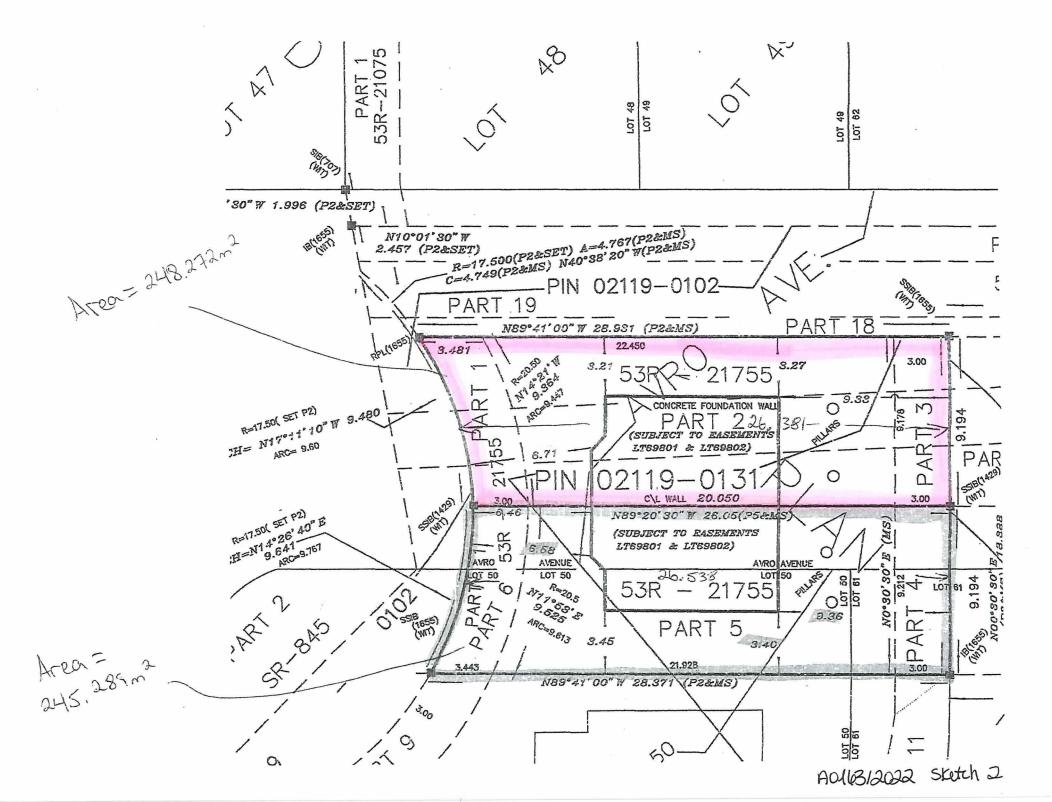
\*I have authority to bind the Corporation

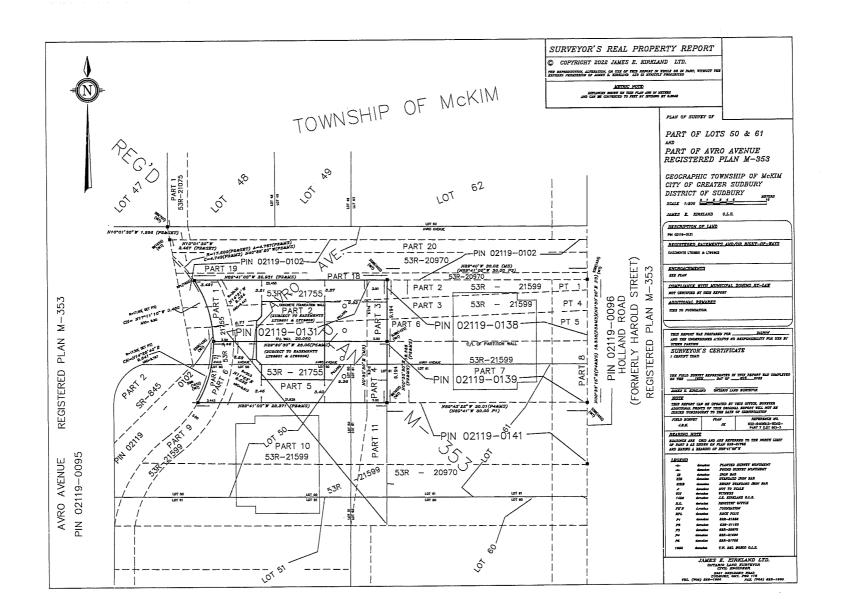
A016312022

We, Dalron Construction Limited	(please print all names)
ne registered owner(s) or authorized agent of the property desc	ribed as 1338 Arvo Avenue
<sup>2</sup> arts 1, 2, 3 Plan 53R-21755	
the City of Greater Sudbury:	
olemnly declare that all of the statements contained in this nd complete, and I/we make this solemn declaration consci ame force and effect as if made under oath.	,,
pated this a day of <u>We ren</u>	1641 ,20 <u>22</u>
1 1 1 1/	ature of Owner(s) <u>or</u> Signing Officer <u>or</u> Authorized Agent ere a Corporation)
The street of diegraph strangers.	Name: Name: Aris Asia
Where the owner is a firm or corporation, the person signing this corporation or affix the corporate seal.	instrument shall state that he/she has authority to bind the

FOR OFFICE USE ONLY			
Zoning Designation: Ra-a Resubmission:  Previous File Number(s): See below 5	Jan 18/22 - Yes A No	Received By: S. (	Pinkerton
Previous Hearing Date:  Notes: A0019/22 (Mar 2: A0146/19 (Jan 8)	3/22) /20)		









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

## Office Use Only: 2022 01 01 A OUDS J 202 S.P.P. AREA YES \_\_\_ NO L NDCA REG. AREA YES \_\_\_ NO \_

## **City of Greater Sudbury APPLICATION FOR MINOR VARIANCE**

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 legal notice fee)

CA	SH, DEBIT OR CHEQUE MADE PAYABL	.E TO: CITY OF GRE	ATER SUDBURY		
qu Ap rec	rsonal information on this form is colle estions regarding the collection of this provals. In accordance with Section 1.0 quired to be provided to a municipality on nsidered public information and shall b	information may be 0.1 of the <i>Planning A</i> or approval authorit	directed to the M Act, R.S.O. 1990 in v as part of this a	lanager of Develop	ment
PL	EASE PRINT. SCHEDULEŞ MAY BE	INCĽÚĎED, IF NEO	CESSĄRŸ.:		
1)	The undersigned hereby applies to the Comm of the Planning Act R.S.O. 1990, c.P. 13 for re	nittee of Adjustment of t elief, as described in th	he City of Greater So is application, from the	udbury under Section 4 ne By-Law, as amende	45 ed.
	Registered Owner(s): 1876292 Ontario LT	TD	Email:		
	Mailing Address: PO box 5075		Home Phon		
	City: Chelmsford, ON	Postal Code: P0M 1	Business Pt L0 Fax Phone:	ione:	
2)	If the application will be represented by some prepared and submitted by someone other that	one other than the regi an the registered owne	stered owner(s) and/ r(s), please specify.	or the application is	
	Name of Agent:		Email:		
	Mailing Address:  0 Main street		Home Phon		
	City:	Postal Code:	Business Pt Fax Phone:	none:	
	Note: Unless otherwise requested, all commu				
	Names and mailing addresses of any mortgag to ensure that any individual, company, financi notified of this application).  Name:  Mailing Address:  City:	ial institution holding a	mortgage, etc. on the	e subject lands can be	
	a) Nature and extent of relief from the Zoning variances are being sought, a schedule	By-law for which the ap	Zoning By-law design plication is being make application form	de. (If more than five	st
	be in metric.			-	_
	Variance To	By-law Requirement	Proposed	Difference	
	Heigh 4.2.4 (A)	5.0 m	6.9 m	1.9 m	
					_
	b) Is there an eave encroachment?	Yes □ No	If 'Yes', size of ea	ves:	(m) 
,	C) Description of Proposal:  Detached garage with secondary unit				
1	Building cost 1 101 3200 ndary	omply with the provisio <u>しいけ ゃへ ら</u>	ns of the Zoning By-I ຂະດດ ໄດ້ ໄລເ		

6)	Legal Description (include an	y abutting property registere	ed under the sar	ne ownership).	0		
	PIN(s): 73349 (see atta	ched description)	Townsh	nip: Chelmsfo	ord K.(()	1 1 <b>3</b> i 3	
		Concession No.: 3	Parcel(s	s): 11437	14	7 U-Y	
	Subdivision Plan No.:	Lot:		nce Plan No.: 5	3R15111	Part(s):	
	Municipal Address or Street	(s): 0 Main street			0	(0).	
7)	Date of acquisition of subject	t land. June 28, 2022					
8)	Dimensions of land affected						
	Frontage 35.6 (m)	Depth 163.2 (m)	Area 7650	(irregu(m²)	Width of Stree		(m)
9)	Particulars of all buildings:	Existing	2	Garage	Proposed	Heus	
	Ground Floor Area:		(m²)	66.8	-	350	(m <sup>2</sup> )
	Gross Floor Area:		(m²)	133.6		350	(m <sup>2</sup> )
	No. of storeys:			2	· · · · · · · · · · · · · · · · · · ·	1	
	Width:		(m)	9.1		16	(m)
	Length:		(m)	7.3		21.5	(m)
	Height:		(in)	6.9		5.5	(m)
10)	Location of all buildings and solutions).	structures on or proposed fo Existing	or the subject la	inds (specify dis タルーム タモ	stances from sid Proposed	e rear and f	ront
	Front:	LAMING	(m)		Proposed		(m)
	Rear:		(m)	53.6		12.2	(m)
	Side:		(m)	81.3 3.4		80	(m)
	Side:		(m)	23.2		14.8	(m) (m)
			(/	23.2		5.5	(111)
11)	What types of water supply, drainage are available?		1	What type o	of access to the	land?	
	Municipally owned & operate	ed piped water system	日	Provincial H	lighway		1
	Municipally owned & operate	ed sanitary sewage system	7	Municipal R		-	
	Lake				ned Yearly		)
	Individual Well			Maintair	ned Seasonal		)
	Communal Well			Right-of-way	1		i
	Individual Septic System	•		Water			
	Communal Septic System Pit Privy			If access	s is by water only	, provide pa	rking
	Municipal Sewers/Ditches/St	vales		and doc	king facilities to	be used.	
12)	Date(s) of construction of all	buildings and structures or	n the subject la	nd.			
	April 2023					-	
13)	Existing use(s) of the subject	property and length of time	e it / they have	continued.			
	Use(s): Residential		Length o	of time:			
14)	Proposed use(s) of the subje	ct property.					
•							
	Same as #13	ential	-10.00		-		<del></del>
15)	What is the number of dwelling	g units on the property?					
16)	If this application is approved	, would any existing dwellir	ng units be lega	alized?	□ Yes □	No	
	If "yes", how many?	_	Ü		*	-	
7)	Existing uses of abutting prop	erties:					
- /	O Proph	Residential					

A0165/2022

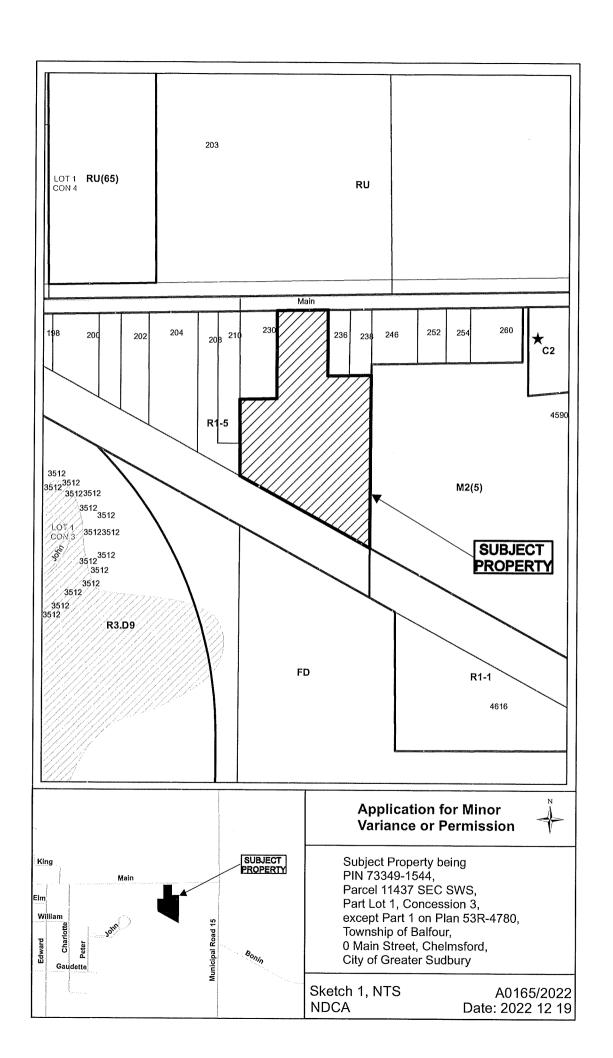
18)	To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☐ No
	If "yes", indicate the application number(s):  or, describe briefly,
19)	Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13?
	If "yes", indicate application number(s) and status of application(s):
20)	Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☐ No
	If 'Yes', indicate application number(s) and status of application(s):
21)	Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☐ No
	If "yes", provide details on how the property is designated in the Source Protection Plan.
D/	ART A: OWNER ACKNOWLEDGEMENT AND CONSENT
	re, 1876292 Ontario LTD Steve Lessard (please print all
	nes), the registered owner(s) of the property described as
in t	he City of Greater Sudbury:
	one of croater causary.
Co a)	<b>Ilection, Use and Disclosure of Information:</b> acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act,</i> 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 <i>Planning Act</i> , 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 <i>Municipal Freedom of Information and Protection of Privacy Act</i> , 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;
Au e)	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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;
Аp	pointment of Authorized Agent
g)	appoint and authorize
	Dated this 8 day of December , 20 22
	(witness) Signature of Owner(s) or Signing Officer or Authorized Agent
	Print Name: StONO, LOSS O. C.

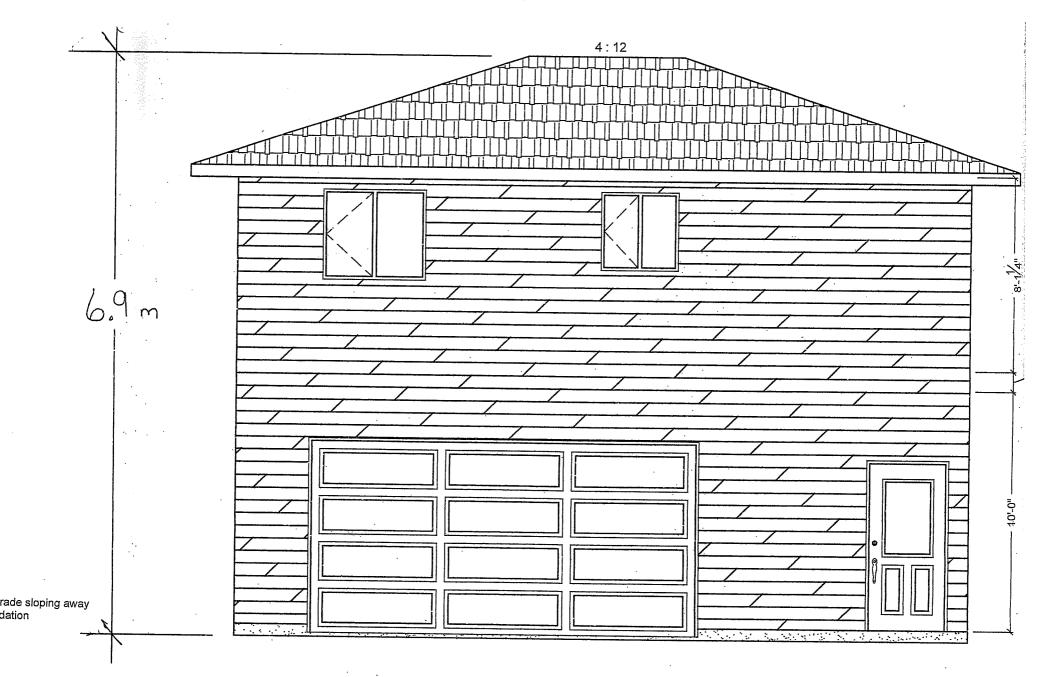
\*I have authority to bind the Corporation

AU165/2022

/e, <i>\\8\7\</i> 6}	92 Ox	aria F	7D	Steve 1	Lossard	(please print all names),
registered owner		d agent of the	e property desc	cribed as	D Main	Street
				*		
he City of Greate	er Sudbury:					
emnly declare the d complete, and me force and effe	I/we make this s	solemn decl	ntained in this aration consci	application and entiously believ	d in the Supportir ing it to be true a	ng Documentation are true nd knowing that it is of the
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mmissioner of	ath					cer or Authorized Agent
Karen Elizabeth P	igeau, a Commission	er for taking	(*wh	ere a Corporatio	on)	
the Territorial Dis	ligeau, a Commission for the Courts of Ont strict of Sudbury and c for the City of Great	while appointed ter Sudbury.		<1		~ \ - \
ay a wapaty 41	1141 212 213 213			t Name: 🍑 ve authority to bi	nd the Corporation	SON
		,				
Where the owner corporation or affix			son signing this	instrument shall	state that he/she ha	as authority to bind the
corporation or affi	x the corporate se		son signing this	instrument shall	state that he/she ha	as authority to bind the
corporation or affin	x the corporate se	eal.				
OR OFFICE U	x the corporate se SE ONLY  Dec 13/22	eal.	e: Jan	instrument shall	state that he/she ha	
OR OFFICE U  Oate of Receipt: 1  Coning Designation	SE ONLY  Dec 13/22  n: R1-5	eal. Hearing Dat	e: Jan	18/23		
OR OFFICE UDate of Receipt: Coning Designation Previous File Num	SE ONLY  Dec 13/22  n: R1-5  aber(s): N/A	eal. Hearing Dat	e: Jan	18/23		
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DR OFFICE U  tate of Receipt: 1 oning Designation revious File Num revious Hearing	SE ONLY  Dec 13/22  n: R1-5  aber(s): N/A	eal. Hearing Dat	e: Jan	18/23		
DR OFFICE U Date of Receipt: 1 oning Designation revious File Num revious Hearing	SE ONLY  Dec 13/22  n: R1-5  aber(s): N/A	eal. Hearing Dat	e: Jan	18/23		
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	SE ONLY  Dec 13/22  n: R1-5  aber(s): N/A	eal. Hearing Dat	e: Jan	18/23		
OR OFFICE U  Date of Receipt: 1  Coning Designation  Previous File Num  Previous Hearing	SE ONLY  Dec 13/22  n: R1-5  aber(s): N/A	eal. Hearing Dat	e: Jan	18/23		

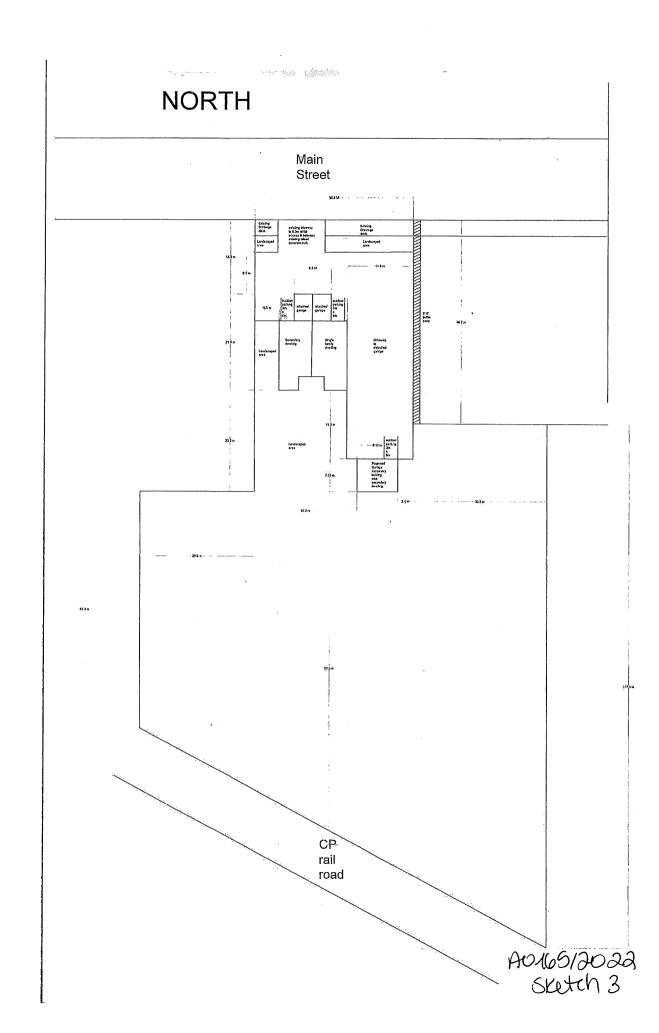
A0165/2022





# FRONT ELEVATION

AU165/2022 SKetan 2



35.6 M Existing Drainage ditch Existing Drainage ditch existing driveway is 6.3m of flat access in between existing raised concrete curb Landscaped Landscaped area 16.5 m -14.8.m-8.3 M 9,5 m outdoor outdoor parking 3m parking 3m attached attached 5.5 m garage garage X 6m X 6m 5'-0" buffer zone 45.7 m Single family dwelling Secondary dwelling Driveway 21.5 m to detached garage Landscaped area 15.9 m outdoor 22.2 m parking 3m Landscaped 9.15 m area x 6m Proposed Garage Accessory building 7.31 m with secondary dwelling 30.2 m 3:4 m 23.2 m A0165/2022 Skotch 4 79,5m

\*\*\*\*\*\*\* \*\*\*\*\*\*\*\*



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

#### Office Use Only A 046612022 S.P.P. AREA YES\_ NO L NDCA REG. AREA YES V NO

## **City of Greater Sudbury APPLICATION FOR MINOR VARIANCE**

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 legal notice fee)

	SH, DEBIT OR CHEQUE MADE PAYABLE			66)
que Ap rec	rsonal information on this form is collectestions regarding the collection of this in provals. In accordance with Section 1.0. Juired to be provided to a municipality on a municipality on the provided to a municipality on the provided to a municipality on the provided to a municipality on the provided public information and shall be a municipality or the provided public information and shall be a municipal to the provided public information and shall be a municipal to the provided public information and shall be a municipal to the provided public information and shall be a municipal to the provided public information and shall be a municipal to the provided public information and the provided publication and the provided public information and the provided public information	nformation may be 1 of the <i>Planning A</i> r approval authority	directed to the Ma ct, R.S.O. 1990 in as part of this ap	anager of Development formation and material
ΡL	EASE PRINT. SCHEDULES MAY BE I	NCLUDED, IF NEC	ESSARY.	
1)	The undersigned hereby applies to the Commi of the Planning Act R.S.O. 1990, c.P. 13 for re		•	•
	Registered Owner(s): 1866410 ONTARIO LIMITED		Email	
	Mailing Address: 6794 Hwy 17 East		Home	
	City: Coniston	Postal Code: P0M 1M0	Busin Fax Phone:	
	Oity. Conston	1 Ostar Oode. 7 OW TWIC	, rax mone.	
2)	If the application will be represented by someoprepared and submitted by someone other that	_	(s), please specify.	or the application is
	Name of Agent: TULLOCH Engineering		Email:	-
	Mailing Address: 1942 Regent Street Unit L		Home Busine	-
	City: Sudbury	Postal Code: P3E 5V5		-
	Note: Unless otherwise requested, all commun			
3)	Names and mailing addresses of any mortgag to ensure that any individual, company, financinotified of this application).			
	Name: NAME			
	Name: N/A Mailing Address:	. , , , , ,		
	City:	Postal Code:		
4)	Current Official Plan designation: Living Area 1	Current	Zoning By-law desig	nation: R3.D45
5)	a) Nature and extent of relief from the Zoning I variances are being sought, a schedule be in metric.			
	Variance To	By-law Requirement	Proposed	Difference
	Privacy Yard	7.5m	6.0m	1.5m
	Rear Yard Setback	7.5m	7.0m	0.5m
	Refuse Storage	In Interior Side Yard	Front Yard	Located in Front Yard
	4.2.9(b)(ii) Front Yard	NOTREMITED	5.5m	SISM
	Serback Astaccessory	100 1111		



b)	Is there an eave encroachment?	□ Yes	■ No	If 'Yes', size of eaves:	(m)
c)	Description of Proposal:				
	Development of 14-unit row dwelling resider	itial complex.			
d)	Provide reason why the proposal ca	innot comply	with the prov	isions of the Zoning By-law:	
	Desired built form and shape of existing	lot.			

6)	Legal Description (include	any abutting property re	egistered ı	under the same	e ownership).		
	PIN(s): 735042632			Township	: HANMER		
	Lot No.: 6	Concession No.: 2		Parcel(s):			<del></del>
	Subdivision Plan No.:	Lo	t:		e Pian No.:	Part(s)	:
	Municipal Address or Str						
	Warnenpair (darece or other	001(0). 1000 20111110112	.,	,			
7)	Date of acquisition of sul	oject land. May 22, 2020	i	W			
8)	Dimensions of land affect	eted.					
	Frontage 82.2 (I	m) Depth 34.0	(m)	Area 5050	(m <sup>2</sup> )	Width of Street	<u>(m)</u>
9)	Particulars of all building Ground Floor Area:		ng —	(m²)	1800 🛰	Proposed	(m²)
	Gross Floor Area:	<u>N/A</u>		(m²)	1800		(m <sup>2</sup> )
	No. of storeys:	ti		( )	1		
	Width:			(m)	irreg (see s	ite plan)	(m)
	Length:	11		(m)	irreg (see s		(m)
	Height:	н		(m)		ite pign)	(m)
	neight.			<del>(111)</del>	1-storey	1	(,,,,
10)	Location of all buildings a lot lines).	and structures on or prop Exis		the subject lan	ids (specify d	istances from side, rea Proposed	
	Front:	N/A		(m)	6.07 5	5: / 8	(m)
	Rear:	11		(m)	7.0		(m)
	Side:	1)		(m)	1.8		(m)
	Side:	ti		(m)	5.0		(m)
	drainage are available?  Municipally owned & ope Municipally owned & ope Lake Individual Well Communal Well Individual Septic System Communal Septic System Pit Privy Municipal Sewers/Ditche	erated sanitary sewage			Mainta Right-of-wa Water If acce	Road ined Yearly ined Seasonal	
12)	Date(s) of construction o	of all buildings and struc	ctures on	the subject la	nd.		
13)	Existing use(s) of the su		•				47
	Use(s): Vacant PC	actential &	5	Length o	of time: 5/V	nce chleas	1683
14)	Proposed use(s) of the s	subject property.				a a	
	Same as #13 ☐ or,	Residential				·	
15)	What is the number of d	welling units on the pro	perty? <sub>0</sub>				
16)	If this application is appr	oved, would any existin	ng dwellir	g units be leg	alized?	□ Yes ■ No	
	If "yes", how many?		-				
17)	Existing uses of abutting	properties: Residential	and Open	Space			

A0166/2022

## 9. Particulars of all buildings:

	Row dwelling 8-unit	Semi-detached (2-unit)	Row dwelling (4-unit)
Ground Floor Area	864m2	216m2	432m2
Gross Floor Area	w	(ii)	ws .
No of storeys	1	1	1
Width	72.0m	18.0m	36.0m
Length	12.0m	12.0m	12.0m
Height	1-storey (3.0m)	1-storey (3.0m)	1-storey (3.0m)
Front Yard	8.4m	N/A	6.0m
Side Yard	5.0m	N/A	4.0m
Side Yard	N/A	1.8m	N/A
Rear Yard	7.0m	8.7m	N/A

Density: 27.7 units/ha

did	LICATION FOR MINOR VARIANCE PAGE 3 OF 4
) T v	o the best of your knowledge has the subject land ever been subject of a previous application for minor ariance/permission? □ Yes ■ No
1	"yes", indicate the application number(s):
1 (0	s the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.137   口 Yes  闡 No
1	f "yes", indicate application number(s) and status of application(s):
	s the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors?
	f 'Yes', indicate application number(s) and status of application(s):
1)	is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes   聞 No-
	If 'yes', provide details on how the property is designated in the Source Protection Plan.
	RT A: OWNER ACKNOWLEDGEMENT AND CONSENT
	, [please print all
	ios), the registered owner(s) of the property described as SRO PT LT 6 CON 2 HANMER BEING PT 4 53R14504 EXCEPT PT 2 53R14891; GREATER SUDBURY
n ti	ne City of Greater Sudbury:
	lection, Use and Disclosure of Information: acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act</i> , R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
0)	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;
At e)	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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 altend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;
	ppointment of Authorized Agent
g)	appoint and authorize TULLOCH Engineering (please print name of Agent), to act as mylour agent with regard to this application to the City of Greater Sudbury, including but m limited to receiving all correspondence, altending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as mylour own, the acts, representations, replies and commitments made by the agent on mylour behalf.
	Dated this 12. day of Would 20.
	Min Down Clar MC.
	(witness) signature of Owner(s) or Signing Officer or Authorized Agent
	Print Name: Jamie Blouin

\*I have authority to bind the Corporation



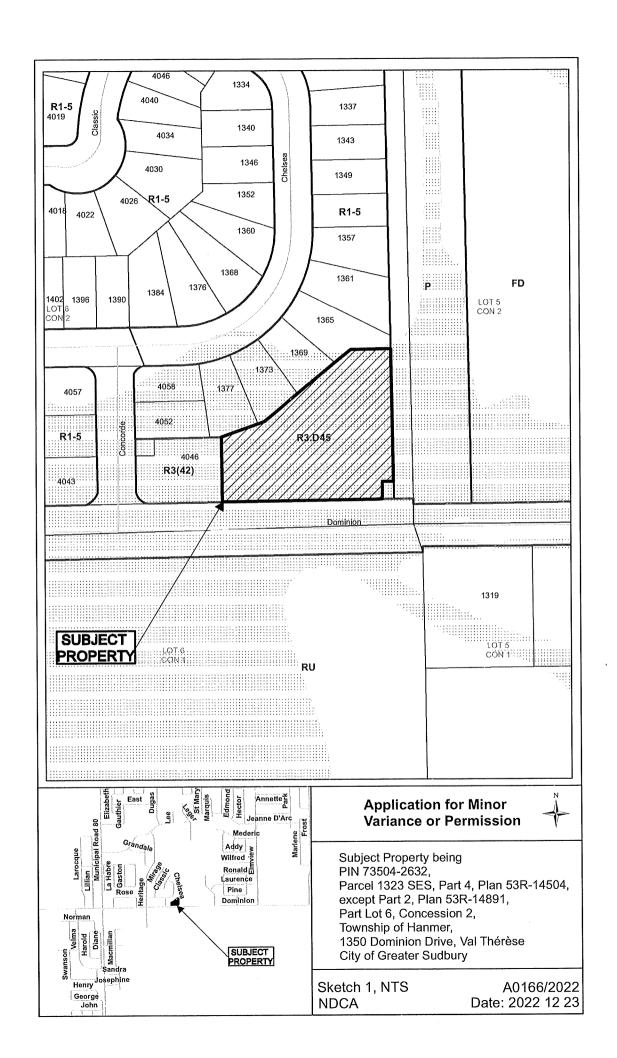
#### APPLICATION FOR MINOR VARIANCE

**PAGE 4.0F 4** 

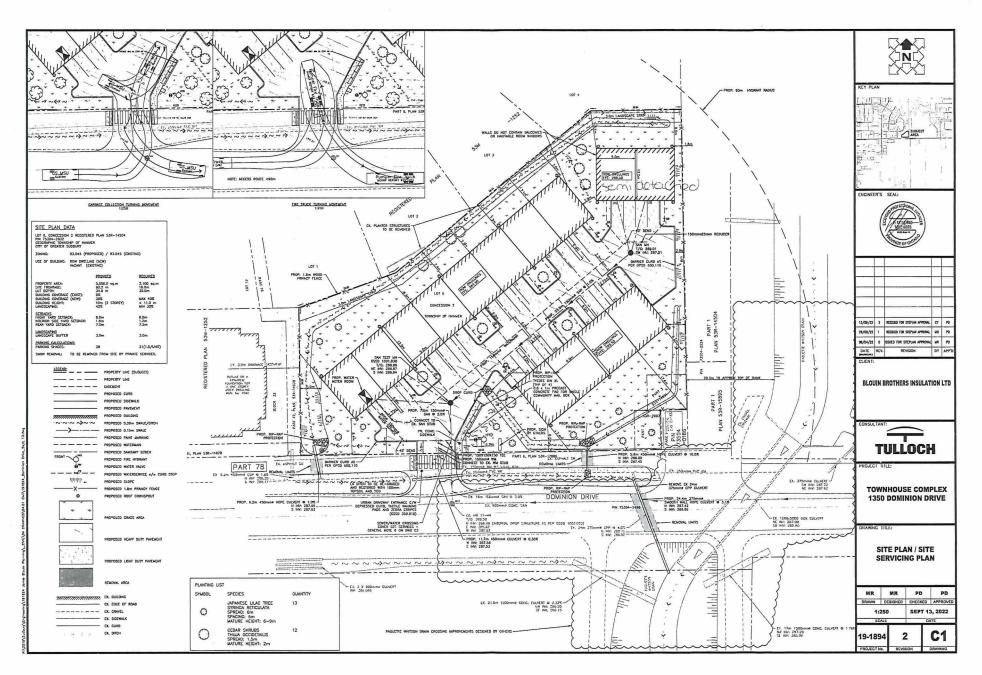
I/We, TULLOCH Engineering	(please print all names)
the registered owner(s) or authorized agent of the prop	
SRO PT LT 6 CON 2 HANMER BEING PT 4 53R14504 E.	XCEPT PT 2 53R14891; GREATER SUDBURY
in the City of Greater Sudbury:	
	ed in this application and in the Supporting Documentation are true on conscientiously believing it to be true and knowing that it is of the
Dated thisday of	December , 20 22
Dat M.	
Commissioner of Oaths	signature of Owner(s) <u>or</u> Sighing Officer <u>or</u> Authorized Agent (*where a Corporation)
David Gren Tulloch  Commissioner, etc., Province of Ontario, for TULLOCH Engineering inc. Expires Feb 20th, 2026	Print Name: VCN ISSE SYMHY
	*I have authority to bind the Corporation
* Where the owner is a firm or corporation, the person sign corporation or affix the corporate seal.	gning this instrument shall state that he/she has authority to bind the

Date of	Receipt: Dec 22/22 Hearing Date: Jan 18/23	3 Received By: S. Pinkerton
Zoning	Designation: 凡3, りょり Resubmission: ロ Yes ′ 戌	No
Previou	s File Number(s): See below	
Previou	s Hearing Date:	
Notes:	B138/93 to B140/93 (may 28	1993), Japsed
	B179193 to B180/93 (June à	(1,1993)
	B129/94 (June 13, 1994)	
	B250/94 (August 29,1994)	
		29.1994)
[	B290194 to B291/94 (Octobe	
	B169196 (September 23, 1996	,)

HON0/19095



## Aolble/2022 Sketch 2





Hanmer

Suggest an address correction



Owner Name 1866410 ONTARIO LIMITED



Last Sale

\$169,000

May 22, 2020



Lot Size

 $5,049 \text{ m}^2$ 

302 m

Perimeter

View Measurements

Legal Description

SRO PT LT 6 CON 2 HANMER BEING PT 4 53R14504 EXCEPT PT 2 53R14891; GREATER SUDBURY

A0166/2023 Scatch 3



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

	nly
07/200	2a
AREA	,
NO	<u> </u>
REG. AF	REA
✓ NO	·
	REG. AF

#### **City of Greater Sudbury APPLICATION FOR MINOR VARIANCE**

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 legal notice fee) CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any collection of this information may be directed to the Manager of Development

	ASE PRINT. SCHEDULES MAY BE IN	NCLUDED, IF NEC	ESSARY.	
7	he undersigned hereby applies to the Commit of the Planning Act R.S.O. 1990, c.P. 13 for reli	tee of Adjustment of th ief, as described in this	e City of Greater Su application, from the	dbury under Section 45 e By-Law, as amended
F	Registered Owner(s): Charter Acquistion C	orp	Email:	
	Mailing Address: 158 Dunlop Street East,		Home Phone	
_		5 110 1 141 45	Business Pho	one:
_	City: Barrie	Postal Code: L4M 1E	31 Fax Phone:	
1	f the application will be represented by someor prepared and submitted by someone other than	ne other than the regis n the registered owner(	tered owner(s) and/o	or the application is
1	Name of Agent: MHBC c/o Kory Chisholm	)	Emai	
Ī	Mailing Address: 113 Collier Street	•	Hom	
	3140 Old Highway 69, Val Caron		Busir	
	21	Postal Code: L4M 1F	12 Fax F	
i 1	City: Barrie, ON Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application).	ication will be sent to t ees, holders of charges	he agent, if any. s or other encumbrar	nces. (Give full particula e subject lands can be
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage to ensure that any individual, company, financia notified of this application). Name: BMO Malling Address: 1 First Canadian Place, 100	ication will be sent to t ees, holders of charges al institution holding a r O King Street West, 21s	he agent, if any. s or other encumbrar nortgage, etc. on the	nces. (Give full particula e subject lands can be
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application). Name: BMO Mailing Address: 1 First Canadian Place, 100 City: Toronto, ON	nication will be sent to the s	he agent, if any. s or other encumbrar nortgage, etc. on the st Floor A1	subject lands can be
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage to ensure that any individual, company, financia notified of this application). Name: BMO Malling Address: 1 First Canadian Place, 100	ees, holders of charges al institution holding a r  King Street West, 21s Postal Code: M5X 1  Commercia Current	he agent, if any. s or other encumbrar nortgage, etc. on the st Floor A1 Zoning By-law desig	e subject lands can be gradient lands can be gradient lands can be gradient lands can be gradient lands can be
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application).  Name: BMO Mailing Address: 1 First Canadian Place, 100 City: Toronto, ON Current Official Plan designation: Mixed Use a) Nature and extent of relief from the Zoning E variances are being sought, a schedule	ees, holders of charges al institution holding a r  King Street West, 21s Postal Code: M5X 1  Commercia Current	he agent, if any.  or other encumbrar nortgage, etc. on the st Floor A1  Zoning By-law design plication is being mane application form	e subject lands can be gradient lands can be gradient lands can be gradient lands can be gradient lands can be
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application).  Name: BMO Mailing Address: 1 First Canadian Place, 100 City: Toronto, ON Current Official Plan designation: Mixed Use a) Nature and extent of relief from the Zoning E variances are being sought, a schedule be in metric.	ees, holders of charges al institution holding a resident to the control of the c	he agent, if any.  or other encumbrar nortgage, etc. on the st Floor A1  Zoning By-law design plication is being mane application form	nation: C5  de. (If more than five
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application).  Name: BMO Mailing Address: 1 First Canadian Place, 100 City: Toronto, ON Current Official Plan designation: Mixed Use a) Nature and extent of relief from the Zoning E variances are being sought, a schedule be in metric.  Variance To	ees, holders of charges al institution holding a resident with the set of charges al institution holding a resident with the set of	he agent, if any.  s or other encumbrar nortgage, etc. on the st Floor A1  Zoning By-law desig plication is being mane application form  Proposed 4	nation: C5 de. (If more than five
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application).  Name: BMO Mailing Address: 1 First Canadian Place, 100 City: Toronto, ON Current Official Plan designation: Mixed Use a) Nature and extent of relief from the Zoning E variances are being sought, a schedule be in metric.  Variance To  Section 4.2.1 e) Number of Drive-through service facilities	ees, holders of charges al institution holding a resident with the set of charges al institution holding a resident with the set of	he agent, if any.  s or other encumbrar nortgage, etc. on the st Floor A1  Zoning By-law desig plication is being mane application form  Proposed 4	mation: C5  Ide. (If more than five  ). Measurements mus  Difference
	Note: Unless otherwise requested, all commun Names and mailing addresses of any mortgage o ensure that any individual, company, financia notified of this application).  Name: BMO Mailing Address: 1 First Canadian Place, 100 City: Toronto, ON Current Official Plan designation: Mixed Use a) Nature and extent of relief from the Zoning E variances are being sought, a schedule be in metric.  Variance To  Section 4.2.1 e) Number of Drive-through service facilities It is noted the site currently has 3 drive-through facilities and the 3rd existing	ees, holders of charges al institution holding a resident with the set of charges al institution holding a resident with the set of	he agent, if any.  s or other encumbrar nortgage, etc. on the st Floor A1  Zoning By-law desig plication is being mane application form  Proposed 4	nation: C5  Ide. (If more than five). Measurements more than five).

To permit one additional drive-through facility. Please see Planning Justification Letter for further details.

Please see attached Planning Justification Letter.

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

#### APPLICATION FOR MINOR VARIANCE

6)	Legal Description (include any	abutting property registered u	under the same	ownership).	*	
	PIN(s): 735020055		Township:	Val Caror	า	
		oncession No.: 6	Parcel(s):			
	Subdivision Plan No.:	Lot:	Reference	Plan No.:	Parl	:(s):
	Municipal Address or Street	(s): 3140 Old Highway 6	9, Val Caron			
7)	Date of acquisition of subject	t land. 2007				<u>.</u>
8)	Dimensions of land affected					
			A 47 7F0	(m <sup>2</sup> )	Width of Street	(m)
	Frontage +/- 254 (m)	Depth +/- 180 (m)	Area 47,753	(1117)	Vidin or Street	(111)
9)	Particulars of all buildings:	Existing	2		Proposed	. 2
	Ground Floor Area:		(m <sup>2</sup> )	N/A		(m²)
	Gross Floor Area:		(m²)	<u>N/A</u>		(m²)
	No. of storeys:					(m)
	Width:	*	(m)			(m)
	Length:		(m) (m)			(m)
	Height:					(111)
		** See attached site p	lans. No additi	ional floor a	rea proposed.	
10)	Location of all buildings and lot lines).	structures on or proposed for Existing	the subject land	ds (specify d	istances from side, Proposed	rear and front
	Front:		(m)			(m)
	Rear:		(m)			(m)
	Side:		(m)			(m)
	Side:		(m)			(m)
		** See attached site	olans. No new	buildings p	proposed.	
11)	) What types of water supply, drainage are available?	sewage disposal and storm		What type	of access to the lar	nd?
	Municipally owned & operate	ed pined water system	B	Provincial	Highway	
	Municipally owned & operate			Municipal		
	Lake	led samlary sowage system	ō		ained Yearly	
	Individual Well			150000000000000000000000000000000000000	ained Seasonal	
	Communal Well			Right-of-w	ay	ㅁ
	Individual Septic System			Water	ess is by water only,	provide parking
	Communal Septic System				ocking facilities to b	
	Pit Privy Municipal Sewers/Ditches/S	Swales		. and a	sching radinates to b	o 4004.
	Walliopal Cowolor Dicercon					
12	) Date(s) of construction of a	II buildings and structures or	the subject lan	nd.		
	N/A					
					. 8	
13	) Existing use(s) of the subje	ct property and length of tim	e it / they have	continued.		
		Ω.	Longth of	f time: e:		
	Use(s): Commercial		Lenguro	Sinc	e at least 1983	
14	) Proposed use(s) of the sub	ject property.				
	Same as #13 📮 or,					
15	s) What is the number of dwe	lling units on the property?				
			-26.			
16	6) If this application is approve	ed, would any existing dwelli	ng units be lega	alized?	□ Yes 📮	No
	• • • • • • • • • • • • • • • • • • • •		_		_	
	If "yes", how many?					
	-					
17	7) Existing uses of abutting p	roperties: Commercial / Residential				



18)	To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☐ No
	If "yes", indicate the application number(s):
19)	is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☐ No
	If "yes", indicate application number(s) and status of application(s):
20)	Is the property the subject of a current application for a Pian of Subdivision under Section 51 of the Pianning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☐ No
	If 'Yes', Indicate application number(s) and status of application(s):
21)	ls this property located wilthin 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
PA	RT A: OWNER ACKNOWLEDGEMENT AND CONSENT
IW	Ron McCowan (please print all
nan	nes), the registered owner(s) of the property described as 3140 Old Highway 69, Val Caron
in t	ne City of Greater Sudbury:
_	the three the control of the control
Co a)	llection, Use and Disclosure of Information: acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act</i> , 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;
	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;
Au e)	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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;
	pointment of Authorized Agent
g)	appoint and authorize MHBC Planning c/o Kory Chisholm (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 railfy, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.
	Dated this 30 day of Nou ,20 22
	apples South
	(witness) signature of Oyner(s) or Signing Officer or Authorized Agent
	Print Namo: RON McCowon

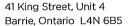
\*I have authority to bind the Corporation

APPLICATION FOR MINOR VARIANCE

A016712082

PAGE 3 OF 4

We, MHBC Planning c/o Kory Chisholm	(please print all names),
ne registered owner(s) or authorized agent of the prop	perty described as 3140 Old Highway 69
n the City of Greater Sudbury:	
olemnly declare that all of the statements containe nd complete, and I/we make this solemn declaratio ame force and effect as if made under oath.	ed in this application and in the Supporting Documentation are true on conscientiously believing it to be true and knowing that it is of the
SWORN remotely by Kory Chisholm, stated as Barrie, this 1st day of December, 2022, in accordancely.	being located in the City of Barrie, before me at the City of ordance with O. Reg. 431/20, Administering Oath or Declaration
·	<i>1</i> _ <i>1</i> .
Q-	Kry Miller
Commissioner of Oaths Solvelg Katrin Elfsabet Estevee, a Commissioner, etc., Province of Ontario, for MacNaughton Hermsen Brition Clarkson Planning Limited. Expires December 22, 2023.	signature of Owner(s) <u>or</u> Signing Officer <u>or</u> Authorized Agent (*where a Corporation)
<b>24.</b> 100 <b>2</b> 000 1100 1 <b>2</b> , 1000 1	Print Name:
	*I have authority to bind the Corporation
Where the owner is a firm or corporation, the person si	igning this instrument shall state that he/she has authority to bind the
Corporation or affix the corporate seal.  FOR OFFICE USE ONLY  Date of Receipt: DC 22 23 Hearing Date: Zoning Designation: C5 Resubmission:  Previous File Number(s): See below	
corporation or affix the corporate seal.  FOR OFFICE USE ONLY  Date of Receipt: DC 22 23 Hearing Date: Zoning Designation: C5 Resubmission:	igning this instrument shall state that he/she has authority to bind the
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Corporation or affix the corporate seal.  FOR OFFICE USE ONLY  Date of Receipt: Dec 22 22 Hearing Date: Zoning Designation: C5 Resubmission:  Previous File Number(s): See below  Previous Hearing Date:  Notes: Bo137 /1983 (Oct 17/83)  BO150 /1983 (Oct 17/83)	igning this instrument shall state that he/she has authority to bind the
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Date of Receipt: DC 22 22 Hearing Date: Zoning Designation: C5 Resubmission: Previous File Number(s): See below Previous Hearing Date:  Notes: D0137   1983 (Oct 17/83) B0150   1983 (Oct 17/83) A0123   1983 (Oct 17/83) A0192   1984 (Oct 15/84) A018   1990 (Jul 16/90) A0300   1990 (Sep 10/90) A0058   2006 (Jun 26/06)	igning this instrument shall state that he/she has authority to bind the  Jan 18 / 23 Received By: S, Pmkerfon  □ Yes 10 No
Corporation or affix the corporate seal.  FOR OFFICE USE ONLY  Date of Receipt: Dec 22 22 Hearing Date: Zoning Designation: C5 Resubmission:  Previous File Number(s): See below  Previous Hearing Date:  Notes: Bo137   1983 (Oct17/83)  Bo150   1983 (Oct17/83)  A0123   1983 (Oct17/83)  A0123   1984 (Oct15/84)  A0118   1990 (Jul 16/90)  A03co/1990 (Sep 10/90)	Igning this instrument shall state that he/she has authority to bind the    San 18/23   Received By: S. Ankerfon     Yes   No     Boisi/1983(oct 17/83) → Boisa/1983 (oct



T 705-733-9037
E info@tathameng.com
tathameng.com



File 422510

November 24, 2022

Seb Baptista
Director of Construction
McCowan & Associates
158 Dunlop Street East, Suite 201
Barrie, Ontario L4M 1B1

Re:

3140 Old Highway 69 North, City of Greater Sudbury

Traffic Opinion Letter - Drive-thru

Dear Seb:

The following traffic opinion letter has been prepared in support of the proposed drive-thru facility to be located at 3140 Old Highway 69 in the community of Van Caron, City of Greater Sudbury. The intent of this letter is to review the proposed drive-thru in context of the City's requirements for such facilities, and to illustrate that the provision of the drive-thru will not have any material impact on the existing internal operations/circulation of the overall site.

#### SITE LOCATION & LAND-USE

As previously noted, the site is located at 3140 Old Highway 69. The site, also known as the Val Est Shopping Centre, consists of a large multi-unit strip plaza with three standalone commercial retail buildings with drive-thru facilities and a gas bar. A site plan of the existing development is illustrated in Figure 1.

#### PROPOSED RE-DEVELOPMENT

While there are several small revisions proposed to the overall site plan (none of which include additional gross floor area), this review focuses on the dividing of Unit 17 into two smaller commercial units (Units 17A and 17B) and the construction of a new drive-thru to serve Unit 17A. It is understood that the existing tenant in Unit 32 (a health food and supplement store) will be relocating to Unit 17A. It is noted that Unit 32, a standalone building with drive-thru, will be maintained with drive-thru service for a new food partner. In this respect, the number of drive-thru facilities on the site will increase to four (3 existing + the proposed drive-thru to serve Unit 17A).

A site plan of the proposed re-development is provided in Figure 2.





#### **ZONING REQUIREMENTS**

As it relates to the subject site, the *City of Greater Sudbury Zoning By-Law 2010-100Z* states the following with respect to drive-thru facilities:

- a drive-thru facility serving a use other than a bank, restaurant or car wash shall have a minimum of 4 queueing spaces; and
- the number of drive-thru facilities on a lot shall be limited to two.

#### TRAFFIC IMPACTS

#### **Drive-thru Operations**

As per the site plan, the proposed drive-thru will have queueing storage for 4 vehicles, thus satisfying the City's by-law requirements. As a health food and supplement store, the drive-thru demand is much less when compared to other drive-thru uses. Drive-thru data supplied by One Stop Naturals indicates peak drive-thru usage between 12:00pm and 2:00pm, with an average service time of 1 minute per vehicle and a maximum service time of 3 minutes per vehicle. Queue lengths during peak operations are typically less than 4 vehicles.

#### **On-Site Circulation**

As indicated on the site plan, the proposed drive-thru will be located near the northeast corner of the site, adjacent to Unit 17A. Queuing will occur to the rear of the plaza and will not encroach on any of the existing drive aisles serving the site. As noted above, queue lengths are not expected to exceed the 4-vehicle storage provided. It is noted that an additional 3 vehicles could be accommodated before the queue length would potentially encroach on the loading area to the rear of the plaza; however, such queue lengths would be uncharacteristic and unlikely to occur based on the nature of the tenant and the observed drive-thru operations at its existing location.

While it is recognized that the City's zoning by-law restricts the number of drive-thru facilities on a lot to two, the subject site is very large and, based on the proposed location and limited drive-thru demand associated with the subject tenant, can readily accommodate the additional facility without any measurable impact to the site's current on-site circulation patterns.

#### **SUMMARY**

Based on the findings of the above assessment, the proposed drive-thru facility is not expected to have any material impact on the circulation of vehicles within the site. The drive-thru operations are not expected to interfere with the existing drive aisles and loading areas serving the site, nor will they interfere with the operations of any of the other existing drive-thru facilities.



#### CLOSING

We trust that this assessment has adequately addressed any concerns regarding the transportation impacts of the proposed drive-thru facility. Should you have any questions, please do not hesitate to contact us.

Yours truly,

**Tatham Engineering Limited** 

Matthew Buttrum B.Eng., EIT

M Bulbum

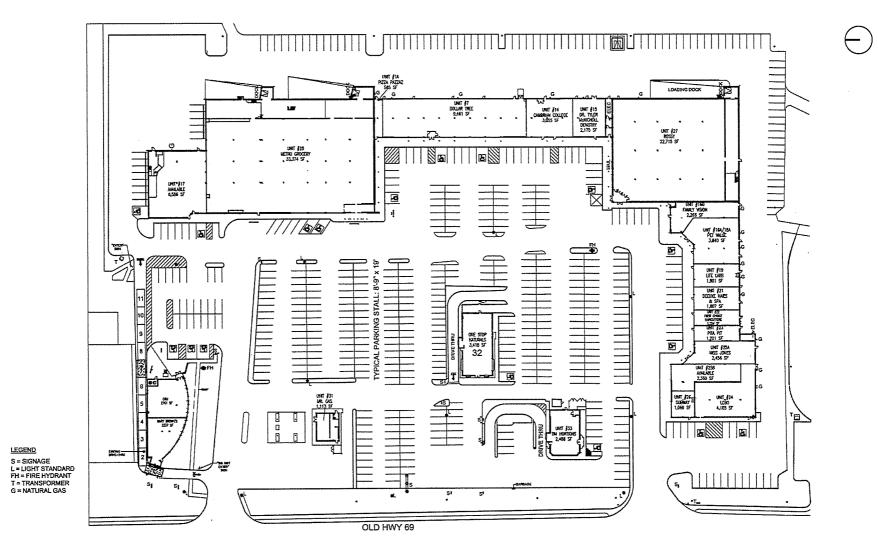
Engineering Intern

MJB/DP: mjb

David Perks M.Sc., PTP

Transportation Planner, Project Manager

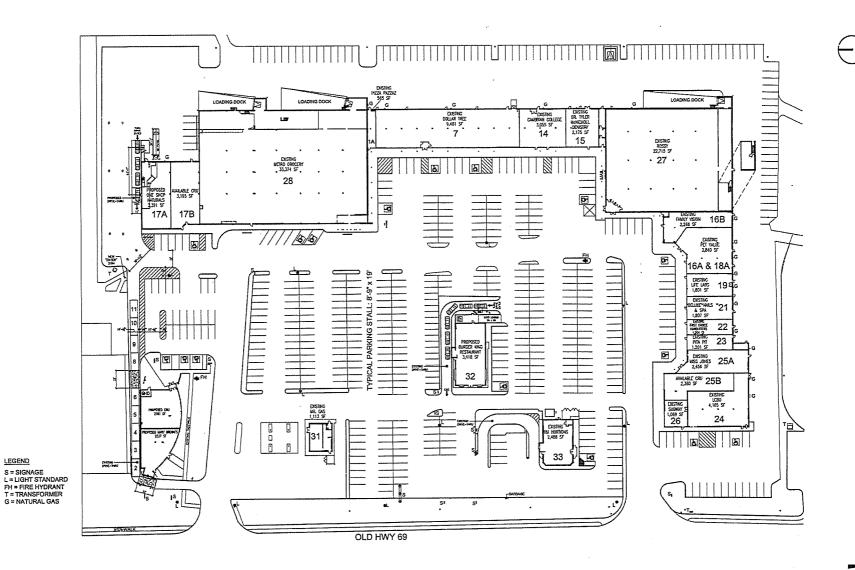
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#### 3140 OLD HIGHWAY 69

Figure 1: Existing Development





3140 OLD HIGHWAY 69

LEGEND

Figure 2: Proposed Development





KITCHENER WOODBRIDGE LONDON KINGSTON BARRIE BURLINGTON

November 28, 2022

Glen Ferguson, MCIP, RPP Senior Planner, Development Approvals Section Planning Services Division, Growth and Infrastructure City of Greater Sudbury PO Box 5000 Stn. A, 200 Brady Street, Sudbury, ON, P3A 5P3

Dear Mr. Ferguson,

RE:

3140 Old Highway 69, Val Caron (Sudbury), ON, P3N 1G3

Minor Variance Application Planning Justification Letter

**OUR FILE: 0778AU** 

MacNaughton Hermson Britton Clarkson Planning Limited ("MHBC") have been retained by McCowan & Associates (the "Applicant"), to review the planning merits of the proposed Minor Variance on the property municipally addressed as 3140 Old Highway 69 (the "Site"), see *Figure 1* below. The proposed Minor Variance is to facilitate the construction of a fourth drive-through on the Site, known legally as Part of Lot 6, Concession 6, in the Geographic Township of Blezard, within the Val Caron neighbourhood of the City of Greater Sudbury.

The Owner (Charter Acquisition Corp. is a nominee company under the Applicant, which holds the property.

The scope of this Planning Justification Letter is to provide a brief overview of the Site, the proposed development, as well as respond directly to the planning merits of the proposed development.

#### Overview of Site

Approximately 4.78 hectares (11.8 acres) in size, the Site is a large commercial lot situated to the north of Main Street (in Val Caron), south of Yorkshire Drive, and to the east of Old Highway 69, which is also referred to as Municipal Road 80, or as Desmarais Road as well as Greater Sudbury Regional Road 80. The western boundary of the Site abuts this arterial road. The northern boundary of the Site abuts residential properties off Old Highway 69 and Romeo Drive, while the eastern boundary abuts vacant lands designated Living Area I. The southern boundary abuts other commercial lots, including an A&W restaurant. To the western side of Old Highway 69 are a number of general commercial properties. An aerial image of the Site is shown in *Figure 2*.

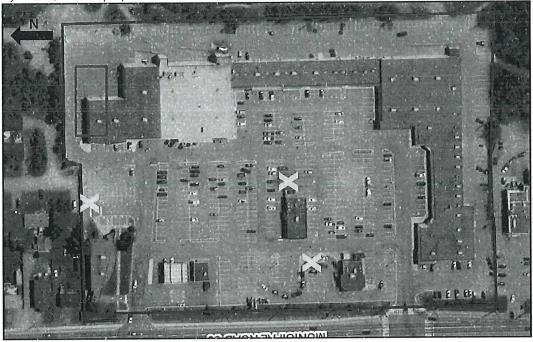
The Site is zoned Shopping Centre Commercial (C5).

Figure 1: Site Location, with the Site roughly outlined in red.

Yell Caron

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**Figure 2**: Google aerial image with the Site roughly outlined in red. The existing drive-through are marked with a yellow X, and the proposed location of the fourth drive-through indicated with a blue box.



The Site currently hosts three (3) drive-through facilities as shown in *Figure 2 above (see also Appendix 1)*. These are located as follows: First (A) is to the north-west corner, previously serving RBC Bank, which is now a Mary Brown's restaurant (Unit 30A); the second (B) is to the south-west corner serving Tim Hortons (Unit 33); and the third (C) is south-west of the centre of the site, which until 2021 served the previous tenants (Harvey's until 2013 and One Stop Naturals) and which is soon to be another restaurant (Unit 32). It is understood that these drive-through facilities were approved alongside the main buildings which they

serve through a Site Plan Agreement in 1983 and subsequent amendments to this agreement, in 1990 for Royal Bank, in 1991 for Harvey's and in 1997 for Tim Hortons.

The intent of the proposed Minor Variance is to regularise (from a Zoning perspective) the long standing presence of a third drive-through and to allow for a fourth drive-through, specifically to the north-east of the site, to serve Unit 17A. The section below further details the requested Minor Variance.

#### **Proposed Minor Variances**

A Minor Variance is required to facilitate the construction of the additional drive-through. Relief is being requested from the following provision in the City of Greater Sudbury Zoning By-law:

1. Part 4, Section 4.2.1 e) i.) notes that the number of drive-though service facilities located on a lot shall not exceed a total of two. Relief is requested to allow a total of four drive-through service facilities on this lot.

The proposed Minor Variance is demonstrated within the accompanying proposed plan ref: S01 (dated: October 13, 2022), an extract of which is seen in *Figure 3* (and further detailed in *Appendix 2*) below.

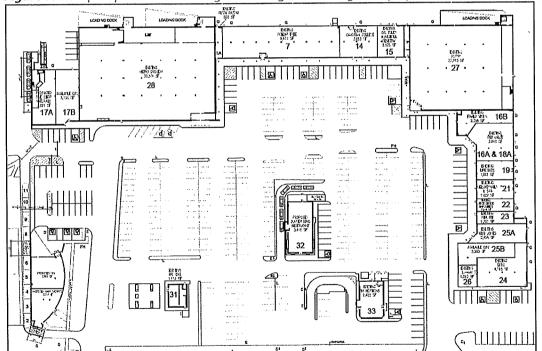


Figure 3: Excerpt of plan demonstrating the existing drive-through and proposed fourth drive-through.

#### **Planning Analysis**

The following evaluates the proposed Minor Variance for the Site, against Provincial and City planning policies, and the City Zoning By-law No. 2010-100Z, and other material considerations, and provides the justification for the proposal.

#### Provincial Policy Statement (PPS) 2020

All land use planning decisions are required to be consistent with the PPS.

**Section 1.1.3.1** of the PPS states that "settlement areas shall be the focus of growth and development." **Section 1.1.3.4** of the PPS states that "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."

The Site is located within the identified Settlement Area in the City of Greater Sudbury, where the large site hosts a number of commercial units. The proposed Minor Variance would not infringe on the ability of these or any other general policies within the PPS to be satisfied. It represents an appropriate development of the land, which is consistent with the settlement area policies of the PPS.

It is therefore the opinion of the undersigned, that the proposed Minor Variance is consistent with the policies of the PPS as a whole.

#### City of Greater Sudbury Official Plan

The City OP was adopted in June 2006, and has been amended a number of times since. The most recent consolidation includes all amendments in effect up to March 2022. The policies most relevant to the proposed Minor Variance are set out below.

The schedules which support the City OP identifies the Site as follows: **Schedule 1a** (Land Use Overview) and **Schedule 1c** (Land Use – Community Insets) designate the Site as 'Mixed Use Commercial' and as 'Living Area I' (see **Figure 4** below). **Schedule 3** (Settlement and Built Boundary) confirms that the site is within the built boundary and the settlement area. **Schedule 5** (Natural Heritage) confirms that there are no natural features identified in or adjacent to the Site and **Schedule 6** (Hazard Lands) confirms that the Site is within the floodplain.

**Section 2.3.2** sets out policies specific to settlement areas. The policies in this section focus growth and development in settlement areas and encourage intensification and development within the built boundary.

As per **Section 19.9**, boundary designations on maps are to be considered general guidelines "except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features". With respect to the Site, it is considered that only 'Mixed Use Commercial' applies for the entirety of the Site based on the current build out of the Site and the implementing Zoning By-law which confirms it as a Commercial site. Therefore, the designation 'Living Area I' does not apply to this site.

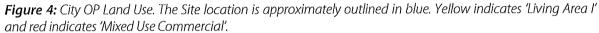
**Section 4.3** sets out the policies specific to the 'Mixed Use Commercial' designation. **Policy 4** notes that new development may be permitted provided that, among other requirements, the traffic carrying capacity of the Arterial Road is not significantly affected and that buffering between non-residential and residential uses will be provided. Policy 4 additionally requires that proposals meet Sections 11.3.2, 11.8 and 14.0 of City OP.

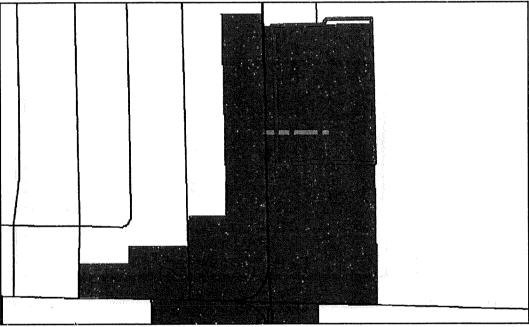
**Section 11.3.2** sets out policies which support transit needs and **Section 11.8** sets out that accessibility is a key consideration. **Section 14** sets out general urban design policies.

The proposed Minor Variance allows for the construction of a drive-through in an existing paved area of the Site. Both the existing commercial floor area and area of paving is not proposed to increase. The existing buffer between the commercial site and the abutting residential properties will not be altered. The intensification of the existing commercial use is permitted within the defined Built Boundary area.

It is noted no additional commercial GFA is proposed, the proposed 4<sup>th</sup> drive-through is associated with a re-demise of an existing commercial unit on the Site.

It is therefore the opinion of the undersigned that the proposed Minor Variance conforms to the policies of the City of Greater Sudbury Official Plan.





#### Phase 2 Official Plan Review

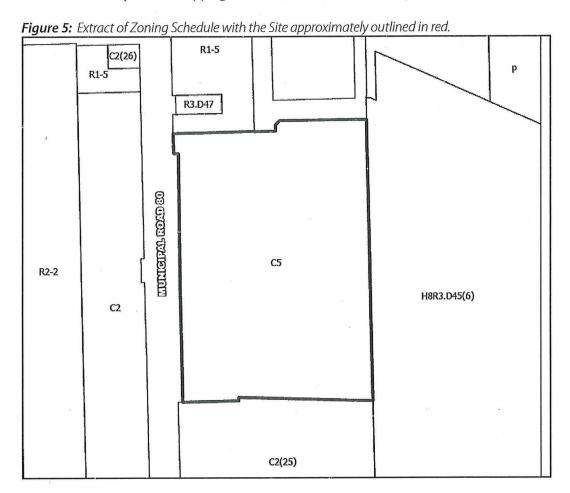
It is noted that the City is currently undertaking Phase 2 of the Official Plan review, which will result in a number of recommended land use policy changes following a Transportation Background Study update and a Water/Wastewater Master Plan. Phase 2 will additionally address any changes which have resulted from new provincial legislation.

At the time of writing, the Phase 2 Official Plan Review is still in draft and has not been adopted. Notwithstanding this, the amendments proposed in the Review do not pertain to the proposed Minor Variance. Phase 1 amendments have already been incorporated into the current Official Plan and have been considered as part of the review above.

#### City of Greater Sudbury's Zoning By-law 2010-100Z

The City's Zoning By-law (ZBL) came into effect September 2010 and has been modified a number of times since. The most recent consolidation was passed November 17 2022.

The Site is currently zoned Shopping Centre Commercial (C5) (see *Figure 5*).



**Part 3** (definitions) **Term 91** defines a Drive-Through Service Facility as follows: "A building or structure or part thereof where goods and/or services are offered to the public within a parked or stationery vehicle that is in a designated queueing space by way of a service window, kiosk, or automated machine where goods, money or materials are exchanged. Kiosks within a parking structure or associated with a surface parking area are not considered to be drive-through service uses."

**Part 4** sets out general provisions, and **Section 4.2.1 e**) notes that except in the case of a C6 Zone, "a drive-through service facility shall be permitted as an accessory use to a permitted restaurant, financial institution, retail store, automotive service station, gas bar and automated car wash use, subject to: i) The number of drive-through service facilities accessory to restaurants, financial institutions, retail stores and automated car washes located on a lot shall not exceed a total of two. Drive-through service facilities accessory to gas bars or service stations shall not be included in the calculation of the maximum number of drive-through service facilities permitted on a lot [and] ii) The requirements of Section 5.7 of this By-law shall be satisfied."

**Part 5** sets out provisions related to parking and loading. **Section 5.7** sets out provisions specific to queuing lanes. Among other provisions, it sets out the minimum queuing space requirements within a queuing lane for various uses and notes that a queuing lane cannot be located closer than 10 metres from any Residential Zone.

**Part 7** sets out the provisions for Commercial Zones. The Site is zoned C5. At **Table 7.3** it sets out the standard provisions for each zone. The standard provisions are not affected by the proposed Minor Variance.

As noted above, the proposal is to allow for the construction of a drive-through to serve a new retail-commercial tenant on the Site. Contrary to the current ZBL, the Site, being over 7000sqm in size, currently hosts 3 drive-through facilities. The proposal is to accommodate a fourth drive-through and regularise (from a zoning perspective) the 3<sup>rd</sup> existing drive-through. Accordingly a minor variance is required to facilitate the development and *Table 1* below provides a summary of the variances requested.

**Table 1:** Proposed Minor Variance against Existing ZBL provisions

Section 4.2.1	Provision	Proposed in Development	Minor Variance Requested	Difference
e) i)	The number of drive- through service facilities located on a lot shall not exceed a total of two	Regularisation of existing drive-through. Construction of an additional drive-through	The number of drive-through service facilities located on the Site shall not exceed a total of four	2

The evaluation below will set out how the proposal, while not in keeping with the standard provisions, is in keeping with the intent of the Zoning By-law.

#### Proposed Minor Variance – Four Tests Evaluation

When considering the proposed development as outlined above, the Committee of Adjustment needs to be satisfied that the proposal satisfies the "four tests" of a minor variance, as established in **Section 45(1)** of the *Planning Act*. The purpose of this section of the Planning Justification Letter is to provide a review of how the requested Minor Variance satisfies each of the following four tests:

- 1. The Minor Variance maintains the intent of the Official Plan;
- 2. The Minor Variance maintains the intent of the Zoning By-law;
- 3. The Minor Variance is desirable for the appropriate development or use of the land; and
- 4. It is minor.

As stated, the Minor Variance being requested is to accommodate the construction of a fourth drivethrough which will serve the unit to be occupied by One Stop Naturals (a food store). The variance is as follows:

• An increase in the maximum number of drive-through service facilities permitted on a lot from 2 to 4.

#### 1. Maintains the General Intent and Purpose of the Official Plan

The Site is designated 'Mixed Use Commercial' in the City OP. It is located within the Settlement Area and Built Boundary. The OP focuses and encourages growth, intensification and development in these areas. The proposed development is a permitted use on the Site and, as confirmed by the letter from Tatham Engineering, is not expected to have any material impact on the circulation of vehicles within the site. Accordingly, it is the opinion of the undersigned that the requested Minor Variance maintains the general intent and purpose of the Town OP.

#### 2. Maintains the General Intent and Purpose of the Zoning By-law

The Site is zoned 'Shopping Centre Commercial' (C5). The zone permits the existing use on-site and the standard provisions of the zone are not proposed to be varied. The general provisions, set out in Part 4 of the City's ZBL, stipulates at Section 4.2.1, that a maximum of two (2) drive-through service facilities can be located on a lot. The proposal is for four (4) such facilities on the Site.

A maximum number of drive-through service facilities is typically established to ensure that vehicular traffic operations onsite are appropriate and not negatively impacted.

The established maximum of two (2) drive-through facilities is also imposed so as to prevent too many facilities being located on any given site. However, this is a broad provision that is applied regardless of whether a site is 1 acre or 8 acres and accordingly does not scape up appropriately in concert with the size of the Site. It is noted that if the Site were to be severed in half, two drive-through facilities would be permitted on either side of the new lot line for a total of four (4).

The Site is a large commercial lot of over 11 acres. The three existing drive-through service facilities are not adjacent to one another and the queuing lanes serving each unit do not coincide. The drive-through entrances have been laid out in a way that if, on the odd occasion, the queue were to spill out of the drive-through lane, the traffic does not overflow off-site. The fourth drive-through proposed is to be located to the north-east of the Site, and similar to the existing drive-through facilities on-site, is not located in proximity to another queuing lane nor will vehicles spill out onto the arterial road (Old Highway 69). The new drive-through is additionally designed in a way that it will not impede pedestrian traffic on-site.

It is thus the opinion of the undersigned that the requested Minor Variance maintains the general intent and purpose of the City's ZBL.

#### 3. Desirable for the Appropriate Development or Use of the Land

The Site is a large commercial shopping plaza which accommodates a number of commercial units. It is located within the Built Boundary and Settlement Area where commercial uses are directed. The proposed additional drive-through is an appropriate ancillary use of the land and supports the local business (One Stop Shop) to remain on-site in Val Caron and supports the continued economic viability of the existing shopping plaza.

For this reason, it is the opinion of the undersigned that the requested Minor Variance is desirable in the context of the Site.

#### 4. Minor in Nature

In the context of the existing drive-through facilities on the large Site, the request is modest and will facilitate the local business (One Stop Shop) to remain on-site. Though the proposed increase is from two (2) to four (4) drive-through service facilities, a third drive-through already exists on-site. The modest increase of one (1) additional drive-through, situated to the north-east corner of the lot will not be

perceptible across the large Site. As noted earlier if the Site would be severed in half, four drive-through facilities in total would be permitted as-of-right (two on each property). The Owner does not wish to sever the existing commercial shopping plaza and is therefore seeking permission for the 4th drive-through, through the proposed minor variance.

It is the opinion of the undersigned that the proposed minor variance to increase the number of drivethrough service facilities is minor in nature.

#### Traffic Opinion Letter - Tatham Engineering

In support of the Minor Variance, Tatham Engineering have confirmed, in a traffic opinion letter dated November 24th, 2022, that the proposed drive-through facility is not expected to have any material impact on the circulation of vehicles within the Site.

#### **Summary & Conclusions**

The Minor Variance requested seeks relief from the maximum number of drive-through service facilities permitted for the Site at 3140 Old Highway 69, Val Caron, which is zoned Shopping Centre Commercial (C5).

The proposed Minor Variance will facilitate the creation of a fourth drive-through which will support a local business to remain on-site.

It is the opinion of the undersigned that the proposed Minor Variance meets the four tests as set out in the Planning Act, maintaining the intent of the City of Greater Sudbury Official Plan and Zoning By-law, both which confirm the acceptability of the type of development proposed on the Site. The Minor Variance is desirable and is minor in nature in the context of the existing built form and the size of the large site and it will facilitate the retention of a local business on-site and the continued economic viability of the existing shopping plaza.

It is also the opinion of the undersigned that the requested Minor Variance is consistent with the policies set out within the Provincial Policy Statement, the City of Greater Sudbury Official Plan and is in keeping with the overall aims and intent of the City of Greater Sudbury Zoning By-law.

Should you require any additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

**MHBC** 

Kory Chisholm, BES, M.Sc., MCIP, RPP

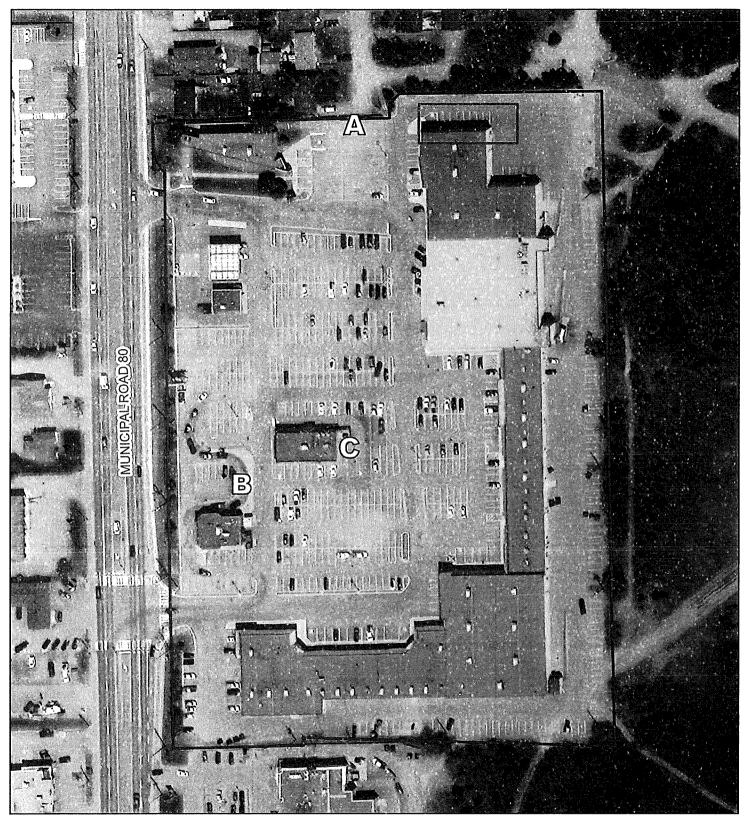
Partner

Opani Mudalige, Hon.BA, M.Sc. MRTPI

Intermediate Planner

## Appendices

# Appendix 1



Appendix 1

## DRIVE-THORUGH LOCATION

#### 3140 Old Highway 69 Minor Variance

Part of Lot 6, Concession 6 Geographic Township of Blezard City of Greater Sudbury

#### **LEGEND**

Subject Site

Previously RBC; Now Mary-Brown's; Unit 30A

B Tim Hortons; Unit 33

G Historically Harvey's; Recently One Stop Naturals; Now Burger King; Unit 32

Proposed New Drive Though

DATE Oct. 20, 2022 sources

0 5 10 20 30 40 50

0778AU - Minor Variance Figures



## Appendix 2

#### **EXCERPT OF SITE PLAN**

3140 Old Highway 69 Minor Variance

Part of Lot 6, Concession 6 Geographic Township of Blezard City of Greater Sudbury

#### **LEGEND**

Subject Site

Previously RBC; Now Mary-Brown's; Unit 30A

Tim Hortons; Unit 33

Historically Harvey's; Recently One Stop Naturals; Now Burger King; Unit 32

Proposed New Drive Though

DATE

Oct. 20, 2022

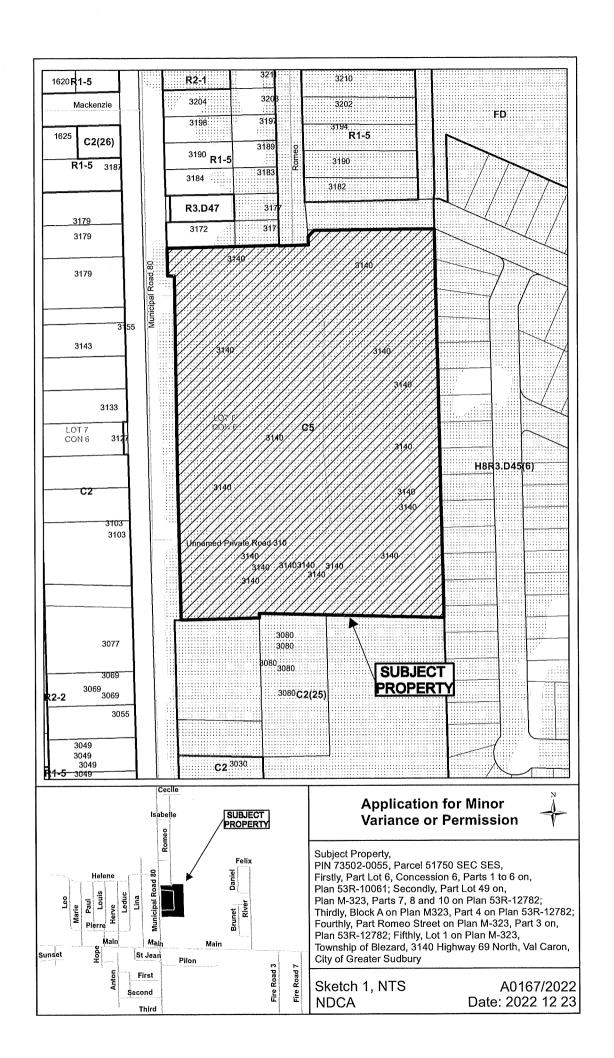
SOURCES

McCowan & Associates

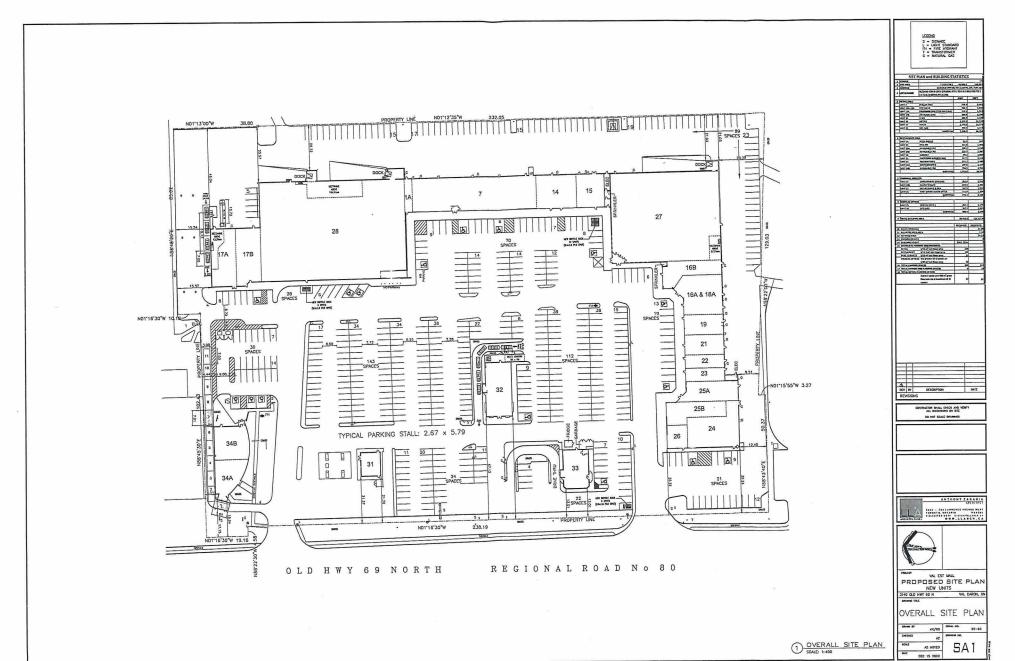


0778AU - Minor Variance Figures

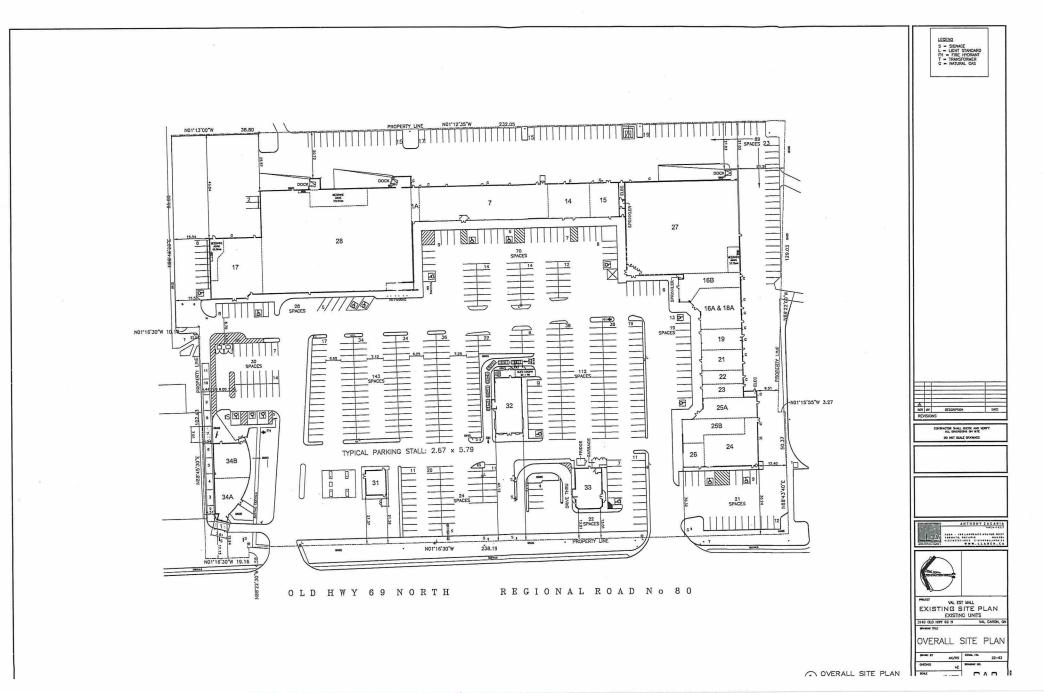




### April 2022 Sketch 2









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

#### YES / NO **City of Greater Sudbury** NDCA REG. AREA **APPLICATION FOR MINOR VARIANCE**

Office Use Only

NO L

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee)	
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 legal notice fee	(؛
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY	

AP	PLICATION FEE: \$1,025.00 (includes \$2 PLICATION FEE FOR HEDGEROWS: \$3 SH, DEBIT OR CHEQUE MADE PAYABLI	12.00 (includes \$245	5.00 legal notice fo	ee)				
que Ap rec	sonal information on this form is collections regarding the collection of this is provals. In accordance with Section 1.0. uired to be provided to a municipality ous idered public information and shall be	nformation may be on the following Action of the <i>Planning Ac</i> rapproval authority	directed to the Ma ct, R.S.O. 1990 int as part of this ap	anager of Developm formation and mate	nent			
PL	EASE PRINT. SCHEDULES MAY BE I	NCLUDED; IF NEC	ESSARY.	7.5	• • •			
1)	The undersigned hereby applies to the Common of the Planning Act R.S.O. 1990, c.P. 13 for re							
	Registered Owner(s): A3 Construction Inc.		Email:					
	Mailing Address: 157 Silpaa Street		Home I Busine:					
	City: Sudbury	Postal Code: P3B 3E						
	Oily: Gadbary	, ottor octor, ob oc						
2)	If the application will be represented by someon prepared and submitted by someone other that			or the application is				
	Name of Agent: Michael Yallowega (Co-C	Owner)	Email:					
	Mailing Address: 72 Durham Street		Home					
	157 Silpaa Street	Postal Code: ON	Busine Fax Ph					
	City: Sudbury Note: Unless otherwise requested, all commu							
3)	Names and mailing addresses of any mortgag to ensure that any individual, company, financi notified of this application).  Name: RBC  Mailing Address: 72 Durham Street							
	City: Sudbury, ON	Postal Code: P3E 3	M6					
4)	Current Official Plan designation: Mixed con	,		nation: C2				
5)	<ul> <li>a) Nature and extent of relief from the Zoning variances are being sought, a schedule be in metric.</li> </ul>							
	Variance To	By-law Requirement	Proposed	Difference				
	Reduction of rear yard set back.	7.5	1.2	6.3				
					1			
					1			
					1			
					┨			
					_			
	b) Is there an eave encroachment?	Yes ☐ No	If 'Yes', size of ea	ves:	(m)			
	c) Description of Proposal:							
	Construct new boardroom/ lunch room addition.							

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

Existing building rear yard setback doesn't meet the bylaw. We need to expand to add a board room and lunch room.

6)	Legal Description (include a	ny abutting property registered	under the same	ownership).		
	PIN(s): 73580-0295		Township:	McKim		
		Concession No.: 4	Parcel(s):			
	Subdivision Plan No.:	Lot:		Plan No.: 5	3R- 53RI 56 Part	t(s): 1
		et(s): 157 Silpaa Street				
71	Data of acquisition of subi	ect land. August 30, 2019				
7)	Date of acquisition of subj	ect land. August 50, 2019				
8)	Dimensions of land affects	ed				
U)				. 2.		
	Frontage 23.75 (m	Depth 15.29 (m)	Area 363.14	(m <sup>2</sup> )	Width of Street 8	3? (m)
9)	Particulars of all buildings:	Existing			Proposed	
Ť	Ground Floor Area:	78.31	(m <sup>2</sup> )	101.43		(m <sup>2</sup> )
	Gross Floor Area:	156.63	(m <sup>2</sup> )	179.75		(m <sup>2</sup> )
	No. of storeys:	1 + basement		1 no basemen	t	· · · · · · · · · · · · · · · · · · ·
	Width:	10.04	(m)	11.54		(m)
	Length:	7.63	(m)	11.29		(m)
	Height:	6	(m)	6		(m)
	rioigii	0		<u>U</u>		
10)	Location of all buildings an lot lines).	d structures on or proposed fo Existing	r the subject land	ds (specify d	istances from side, I	rear and front
	Front:	1,73	(m)	1.73		(m)
	Rear:	4.91	(m)	1.2		(m)
	Side:	9.35	(m)	7.82		(m)
	Side:	4.28	(m)	4.28		(m)
11)	drainage are available?  Municipally owned & oper	y, sewage disposal and storm ated piped water system ated sanitary sewage system	٦	Provincial Municipal		nd? □ □
	Individual Well			Mainta	ined Seasonal	
	Communal Well			Right-of-wa	ay	
	Individual Septic System			Water		
	Communal Septic System	1			ss is by water only,	
	Pit Privy	/P.walea		and do	ocking facilities to be	e usea.
	Municipal Sewers/Ditches	Jowales	ليوا			
12)	Date(s) of construction of	all buildings and structures o	n the subject lan	d.	de total de la	
13)	) Existing use(s) of the sub	ject property and length of tim	ne it / they have o	continued.		
	Use(s): Commercial of	ffice	Length of	time: Augı	ust 30, 2019	
14)	) Proposed use(s) of the su	bject property.				
	Same as #13 📮 or,			***************************************		
15)	) What is the number of dw	relling units on the property?				
16	) If this application is appro	ved, would any existing dwell	ing units be lega	lized?	□ Yes □ I	No
	,		_		_	
	If "yes", how many?	22////				
17	\ Evieting uses of abutting	nronerties' .				

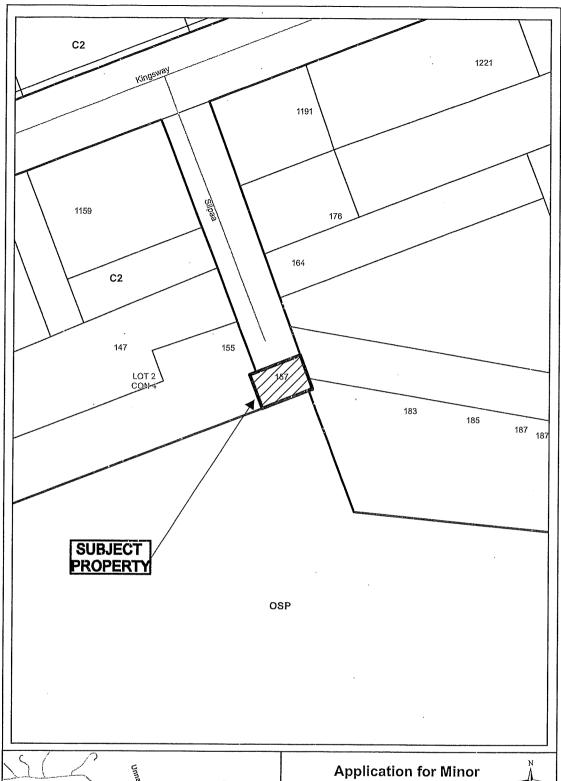
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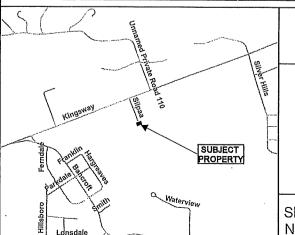
18)	To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☐ No
	If "yes", indicate the application number(s):
	or, describe briefly,
19)	Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13?
	If "yes", indicate application number(s) and status of application(s):
20)	Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☐ No
	If 'Yes', indicate application number(s) and status of application(s):
21)	Is this property located within an area subject to the Greater Sudbury Source Protection Plan?  ■ Yes □ No
	If "yes", provide details on how the property is designated in the Source Protection Plan.
PA	ART A: OWNER ACKNOWLEDGEMENT AND CONSENT
IM	e, A3 Construction Inc. (please print all
nar	mes), the registered owner(s) of the property described as Michael Yallowega and Rick Yallowega
in t	he City of Greater Sudbury:
Co a)	<b>Ilection, Use and Disclosure of Information:</b> acknowledge that personal information collected on this form is collected pursuant to the <i>Planning Act,</i> 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 <i>Planning Act</i> , 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 <i>Municipal Freedom of Information and Protection of Privacy Act</i> , 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;
Au e)	thority to Enter Land and Photograph grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
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;
Αŗ	pointment of Authorized Agent
g)	appoint and authorize Michael Yallowega and Rick Yallowega (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 Wednesday day of November 30 , 20 22
	(NTDOOLLES - Muhad Sellowen -
	(witness) signature of Owner(s) or Signing Officer or Authorized Agent
	Print Name: Michael Yallowega

\*I have authority to bind the Corporation

APPLICATION FOR MINOR VARIA	NCE :		111		PAGE 4 OF 4
		•	••		
PART B: OWNER OR AUTHORIZED A	GENT DECLA	RATION		•	•
IWe, A3 Construction Inc M	lichael Yal	lowerg + R	ick Yellow	ન્ટલ (please	print all names),
the registered owner(s) or authorized agent of	of the property des	scribed as	3 Construct	Your line	
			2 (0.1391004	KON INC.	<del></del>
Michael Yallowega and in the City of Greater Sudbury:	KICK Yallo	wega	:	•	
in the City of Greater Sudbury:	•				
solemnly declare that all of the statements and complete, and I/we make this solemn c same force and effect as if made under oath	leclaration consc	s application a ientiously belie	nd in the Suppo ving it to be true	orting Documer e and knowing	ntation are true that it is of the
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	· ("WI	here a Corporat	ion) <sup>.</sup>		
Heather Ann Fleury, a Commissioner, etc.,	· · · .		·		•
Province of Ontario, for Moutsatsus Laakso Alexander LLP, Bamsters and Solicitors.	Prir	nt Name: Mi	chael Ya	llowegg	
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* Where the owner is a firm or corporation, the	nareon signing this	e inetrument cha	Il state that he/she	has authority to	hind the
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Previous File Number(s): 324/9 Previous Hearing Date: 338/9	6 (17pr1	196)			
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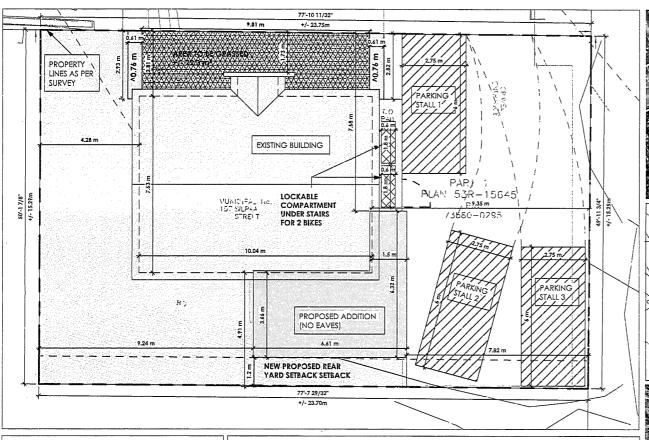
### Variance or Permission



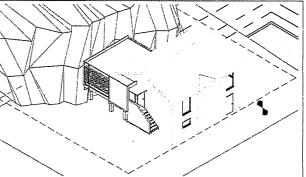
Subject Property being PIN 73580-0295, Parcel 13801 SEC SES, Part Lot 2, Concession 4, Part 1 on Plan 53R-15645, Township of McKim, 157 Silpaa Street, Sudbury, City of Greater Sudbury

Sketch 1, NTS **NDCA** 

A0116/2022 Date: 2022 08 08









#### EXISITING BUILDING NET FLOOR AREAS:

GENERAL OFFICES = 376.125 ft2 ARCHITECTS OFFICE = 131.292 ft2

TOTAL NET FLOOR AREA = 507.42 ft2

#### **NEW ADDITION NET FLOOR AREAS:**

BOARDROOM/LUNCHROOM NET FLOOR AREA = 249.507 ft 2

GRAND TOTAL = 756.92 ft2 > 70.32 m2

#### PARKING PROVISIONS AS PER C2 GENERAL COMMERCIAL

PARKING REQUIRED AS DEFINED PER "BUSINESS OFFICE": 1/30m²

REQUIRED = 2.344

PROPOSED = 3

BICYCLE PARKING REQUIREMENTS AS PER TABLE 5.10 (OFFICE)

Revisions

REQUIRED = 2 PROPOSED = 2



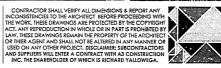
Office Addition

Scale

157 Silpaa St, Sudbury ON P3B 3E5

Drawn By: Mike S | Checked By: Rick Y | Date: December 6th 2022







ACULO /2022 Skutch 2 REVISEO