

Tom Davies Square
200 Brady St

Thursday, January 26, 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 By-law 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 required.

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, Station 'A', 200 Brady Street
Sudbury ON P3A 5P3
Tel. (705) 671-2489, Ext. 4376/4345
Fax (705) 673-2200

Office Use Only
A 015912022
S.P.P. Area - No
NDCA - 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)
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED IF NECESSARY.

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

Registered Owner(s): John Shano Email: [REDACTED]
Mailing Address: 166 Lakeshore Street Home Phone: [REDACTED]
Unit 303 Business Phone: [REDACTED]
City: Sudbury, O.N. Postal Code: P3B 2H3 Fax Phone: [REDACTED]

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

Name of Agent: N/A Email: [REDACTED]
Mailing Address: [REDACTED] Home Phone: [REDACTED]
City: [REDACTED] Business Phone: [REDACTED]
Postal Code: [REDACTED] Fax Phone: [REDACTED]

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

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

Name: N/A
Mailing Address: [REDACTED]
City: [REDACTED] Postal Code: [REDACTED]

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R2-3

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

| Variance To | By-law Requirement | Proposed | Difference |
|--------------------|--------------------|----------|------------|
| Front Yard Setback | 6.0 m | 4.24 m | |
| Rear Yard Setback | 7.5 m | 1.00 m | |
| | | | |
| | | | |

- b) Is there an encroachment? ☐ Yes ☒ No If Yes, size of encroachment: _____ (m)

- c) Description of Proposal: 69 Tuddenham Avenue - garage being replaced on same spot

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: distance to back and sides of building

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

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

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

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

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

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

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

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

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, City of Greater Sudbury (please print all names), the registered owner(s) of the property described as Part of PIN 73588-0785 (LT), Tuddenham Avenue, Plan M-128,
as shown on the sketch attached as Schedule "A"
in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

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

Appointment of Authorized Agent

- appoint and authorize 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

[Signature]
(witness)

[Signature]
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Shawn Turner

*I have authority to bind the Corporation

AW159/2022

APPLICATION FOR MINOR VARIANCE

PAGE 3 OF 4

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

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

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

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

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/we, John Shane (please print or names), the registered owner(s) of the property described as 69 Tuddenham Avenue Sudbury, Ontario in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

a) acknowledge that personal information collected on this form is collected pursuant to the Planning Act, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;

b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 10.1 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 advisors;

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, online distribution to members of council and in that 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 that report, disclosure to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of this application;

Authority to Enter Land and Photograph

e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;

f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

Appointment of Authorized Agent

g) appoint and authorize 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 any hearings, fulfilling any conditions, and providing any approvals or consents and fully confirm, and accept as my/our own, the acts, representations, opinions and certificates made by the Agent on my/our behalf;

Dated this 14 day of December, 2022

John Shane
(Signature)

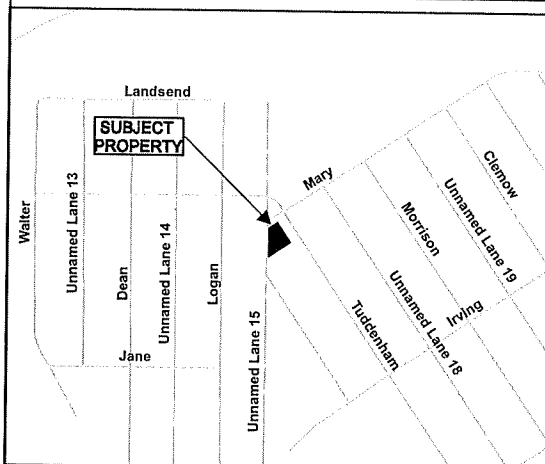
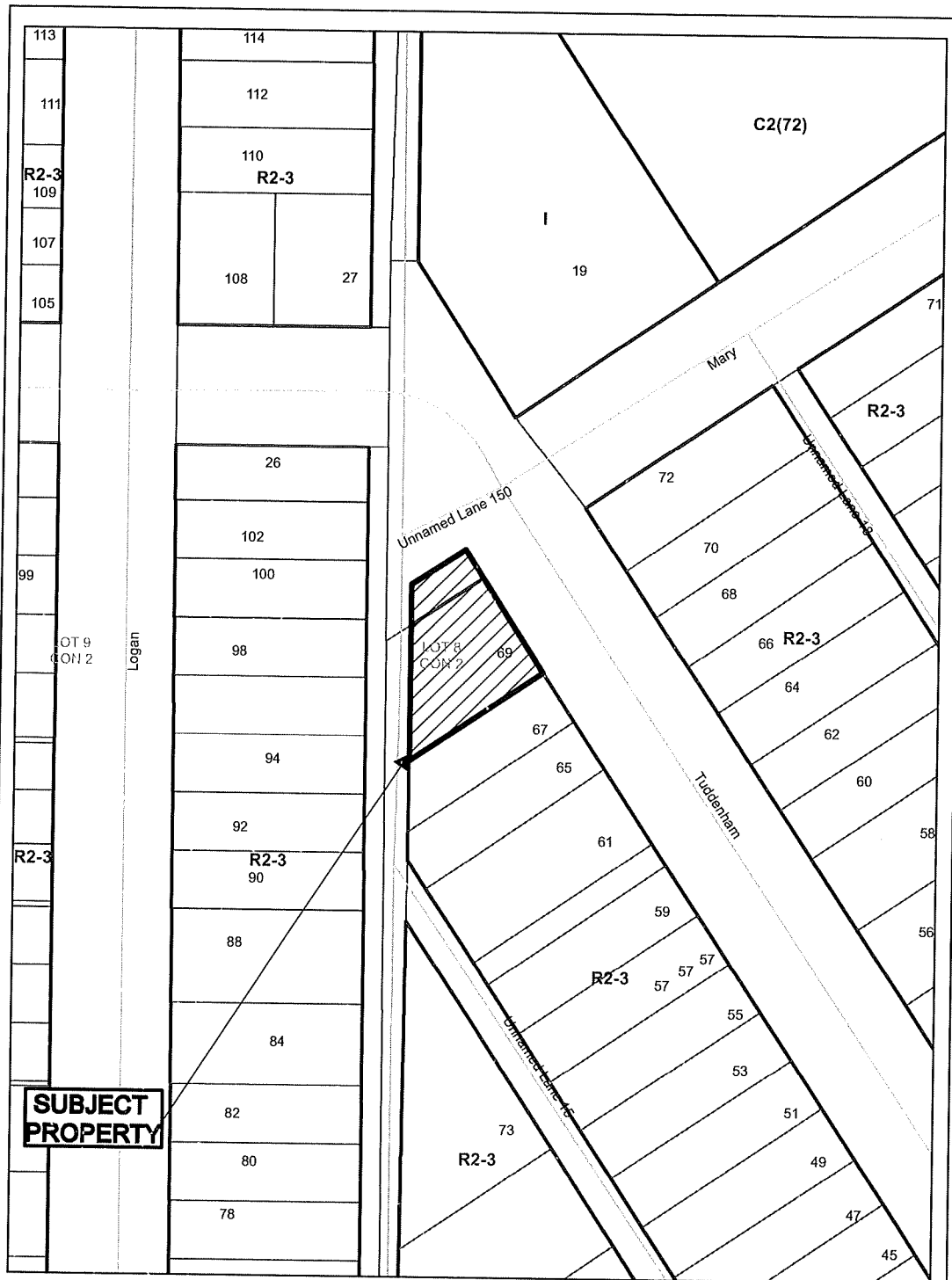
John Shane
(Signature of Owner(s) or Authorized Agent)

Print Name: John Shane

I have authority to bind the Corporation

APR 15/2022

AO159/2029



Application for Minor Variance or Permission



Subject Property being, PIN 73588-0739, Parcel 10870 SEC SES, Lot 369, Plan M-128, Part Lot 8, Concession 2, Township of McKim, 69 Tuddenham Avenue, Sudbury and, PIN 73588-0785, Parcel 6470 SEC SES, Tuddenham Avenue, Plan M-128, Township of McKim, Tuddenham Avenue, Sudbury, City of Greater Sudbury

Sketch 1, NTS
NDCA

A0159/2022
Date: 2022 11 22

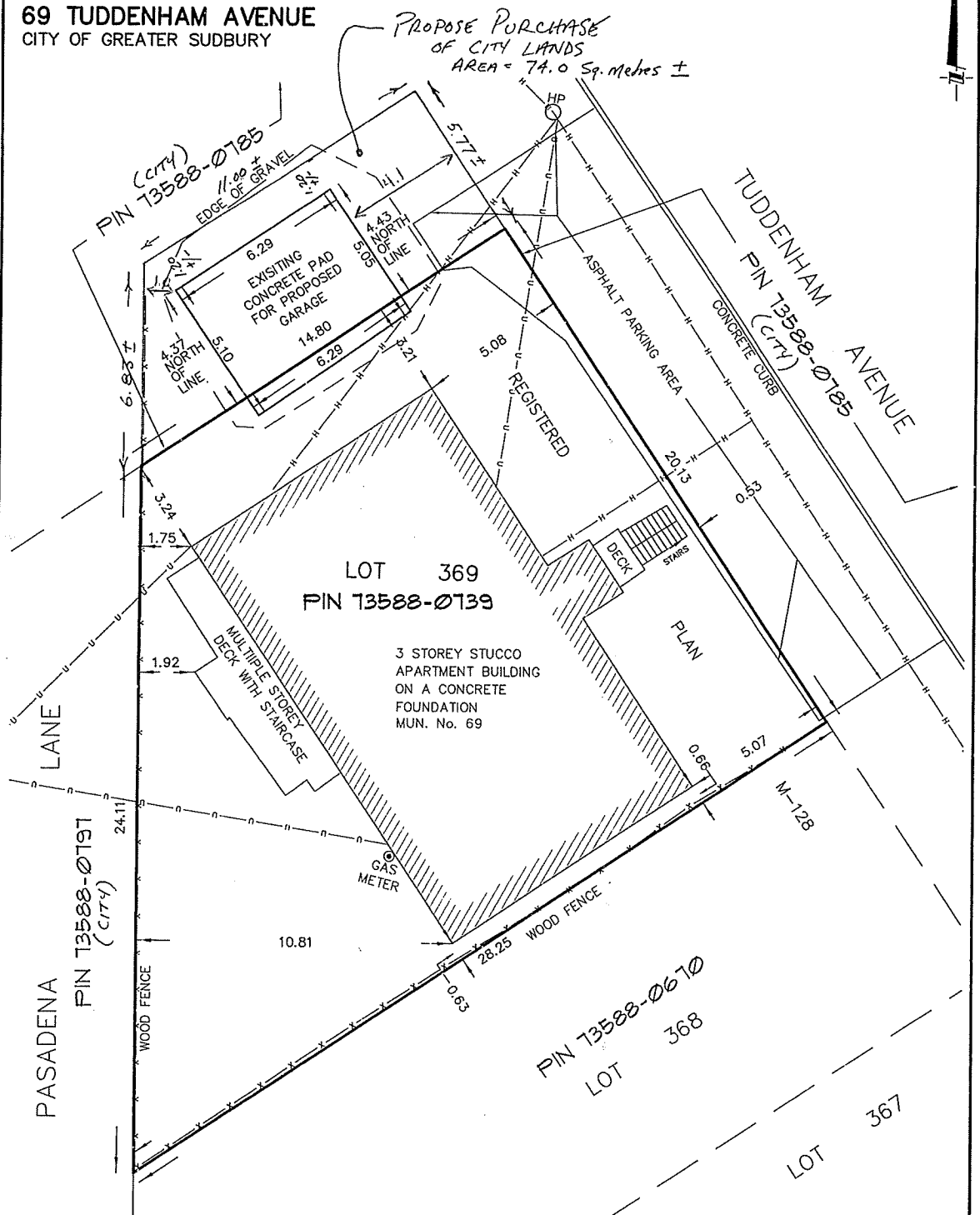
SKETCH FOR BUILDING PERMIT APPLICATION FOR
PROPOSED DETACHED GARAGE
 AT

69 TUDDENHAM AVENUE
 CITY OF GREATER SUDBURY

SCHEDULE 'B'

SCALE 1:125

0 1 2 3 4 5 METRES
 7.5



Ad 159/2022
 sketch 2

| | | | |
|--|----------------------------|---|--|
| D.S. DORLAND LIMITED | | ONTARIO LAND SURVEYORS GEOMATICS PROFESSIONALS | |
| 298 LARCH STREET SUDBURY, ONTARIO, P3B 1M1 PHONE (705) 673-2556 FAX (705) 673-1051 WWW.DSORLANDLIMITED.CA | | | |
| PREPARED BY: EB | SCALE: 1:125 METRIC | | |
| CHECKED: CRM | CAD FILE: 18450-SKETCH.dwg | | |
| DATE: DECEMBER 2, 2021 | P.S. TAB: PLOT PLAN | | |

NOTE

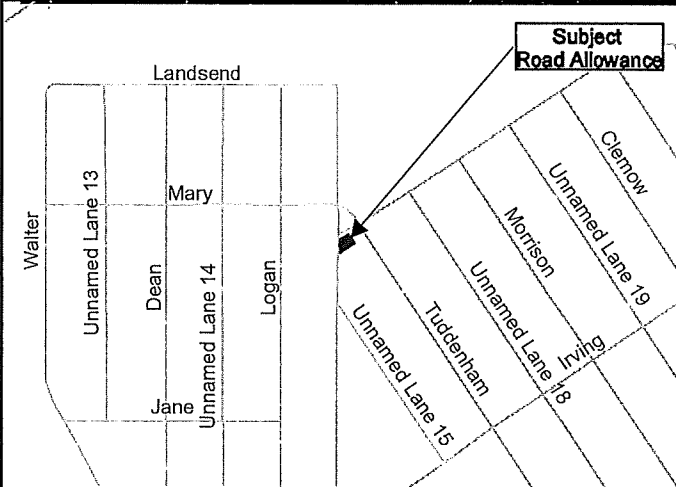
THIS IS NOT A PLAN OF SURVEY AND SHOULD ONLY BE USED FOR THE PURPOSE STATED IN THE TITLE BLOCK.

LEGAL DESCRIPTION: PIN 13588-0739 BEING ALL OF LOT 369, REGISTERED PLAN M-128, GEOGRAPHIC TOWNSHIP OF MCKIM, CITY OF GREATER SUDBURY, DISTRICT OF SUDBURY

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF D.S. DORLAND LTD.

© D.S. DORLAND LTD., 2021

SCHEDULE 'A'



Part of Tuddenham Avenue,
Sudbury



Part of PIN 73588-0785 (LT),
Tuddenham Avenue, Plan M-128,
City of Greater Sudbury

NTS

Date: 2022-02-22

AW159/2022
Sketch 3



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

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

Registered Owner(s): Dalron Construction Limited Email: _____
Mailing Address: 130 Elm Street Home Phone: _____
Sudbury, On P3C 1T6 Business Phone: _____
City: _____ Postal Code: _____ Fax Phone: _____

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

Name of Agent: _____ Email: _____
Mailing Address: _____ Home Phone: _____
Business Phone: _____
City: _____ Postal Code: _____ Fax Phone: _____

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

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

Name: _____
Mailing Address: _____
City: _____ Postal Code: _____

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R2-2

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

| Variance To | By-law Requirement | Proposed | Difference |
|-------------------|--------------------|-----------------------|----------------------|
| Minimum Lot Depth | 30m | 26m +/- | 4.0m +/- |
| Minimum Lot Area | 275 m ² | 245m ² +/- | 30m ² +/- |
| | | | |
| | | | |
| | | | |

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

- c) Description of Proposal: _____
Request relief of minimum lot depth. _____

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: _____
Lot size is deficient due to dedication of land to enlarge the cul-de-sac bulb as a condition of rezoning. _____

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

PIN(s): 02119-0131 Township: McKim
 Lot No.: Pt of Lots 50 & Concession No.: Parcel(s):
 Subdivision Plan No.: M-353 Lot: Reference Plan No.: 53R-21755 Part(s): 4, 5, 6
 Municipal Address or Street(s): 1336 Arvo Ave

- 7) Date of acquisition of subject land. 2016

- 8) Dimensions of land affected.

Frontage 9.525 (m) Depth (m) Area (m²) Width of Street 20 (m)

- 9) Particulars of all buildings:

| | Existing | Proposed |
|--------------------|--------------------------------------|--------------------------|
| Ground Floor Area: | 60+/- (m ²) | 60+/- (m ²) |
| Gross Floor Area: | 180+/- (m ²) | 180+/- (m ²) |
| No. of storeys: | two (2) | two (2) |
| Width: | 11.7+/- (total - two semi units) (m) | 5.85+/-/semi unit (m) |
| Length: | 10.2+/- (m) | 10.2+/- (m) |
| Height: | 9.5+/- (m) | 9.5+/- (m) |

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

| | Existing | Proposed |
|--------|---------------------------|---------------------------|
| Front: | 6.71+/- (m) | 6.71+/- (m) |
| Rear: | 9.33+/- (m) | 9.33+/- (m) |
| Side: | 3.21+/- (m) | 3.21+/- (m) |
| Side: | N/A (semi party wall) (m) | N/A (semi party wall) (m) |

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

What type of access to the land?

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

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

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

New - 2022

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

Use(s): One building - two units Length of time: new

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

Same as #13 ☐ or, two semi detached units

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

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

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: residential

A0162/2022

- 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): 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. _____

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Dalron Construction Limited (please print all

names), the registered owner(s) of the property described as 1336 Arvo Ave Parts 4, 5, 6 Plan 53R-21755

in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

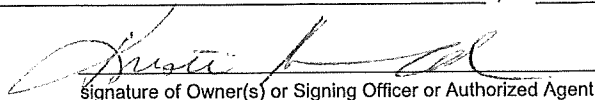
- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal,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

Appointment of Authorized Agent

- appoint and authorize 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

(witness)


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

Print Name: Kristi Arnold

*I have authority to bind the Corporation

AP 162/2022

I/We, Dalron Construction Limited (please print all names),
the registered owner(s) or authorized agent of the property described as 1336 Arvo Avenue

in the City of Greater Sudbury:

Dated this 2 day of December, 20 22

Commissioner of Oaths

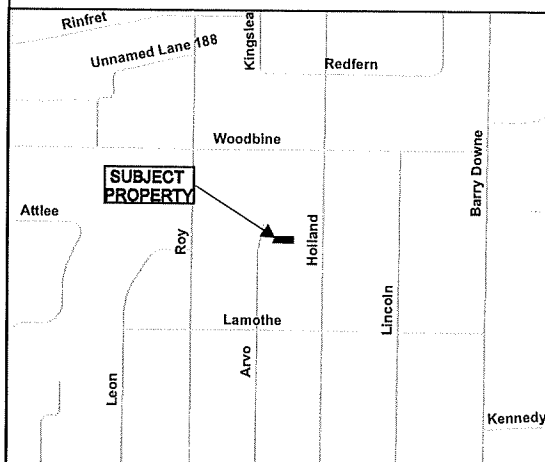
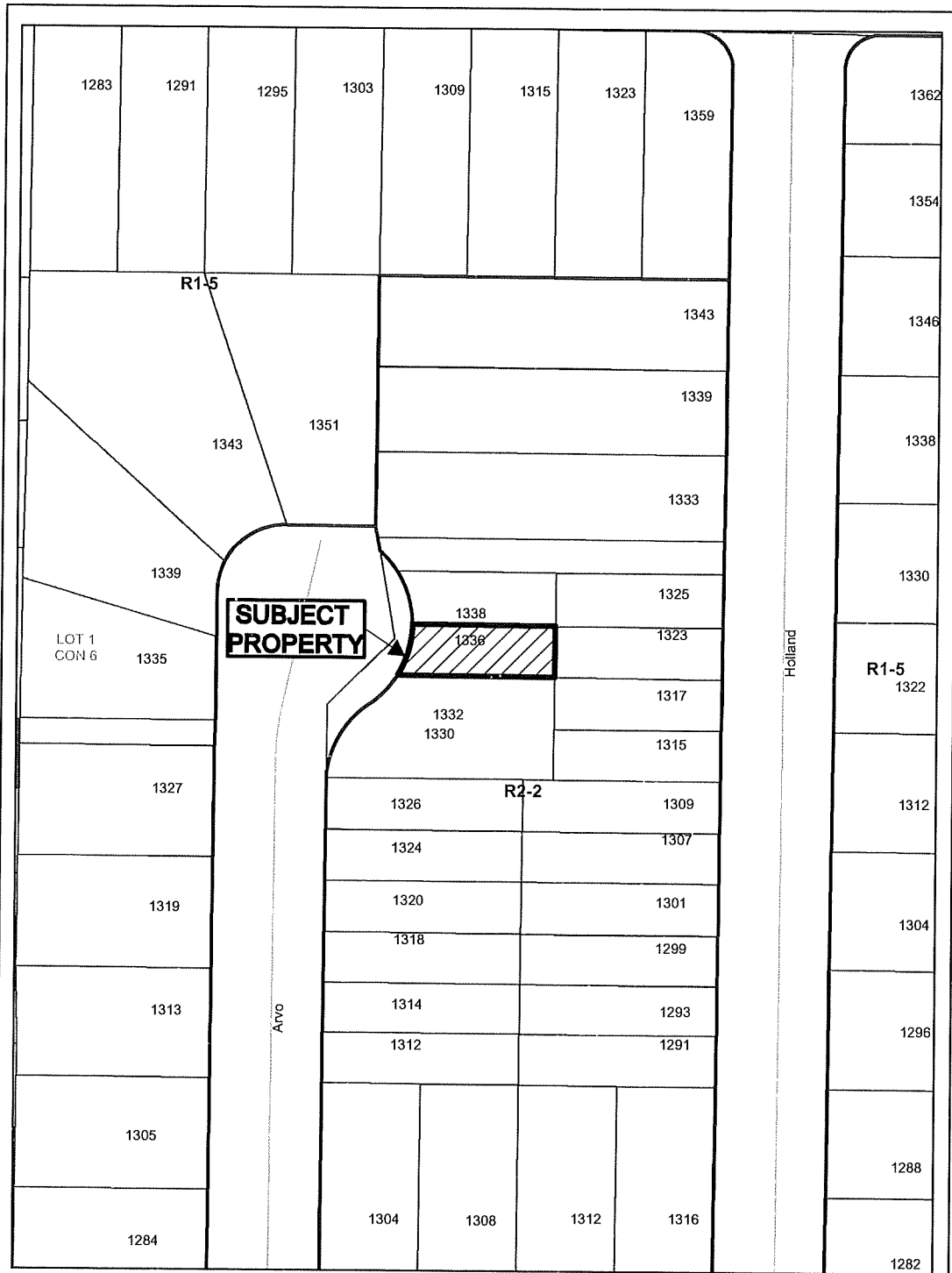
Print Name: KRISTI ARNOLD

*I have authority to bind the Corporation

- FOR OFFICE USE ONLY**

Date of Receipt: Dec 7/22 Hearing Date: Jan 18/22 Received By: S. Pinkerton
Zoning Designation: R2-2 Resubmission: ☐ Yes ☒ No
Previous File Number(s): A0019/22 + A0146/19
Previous Hearing Date: (Mar 23/22) (Jan 8/20)
Notes:

APR 16 2022



Application for Minor Variance or Permission



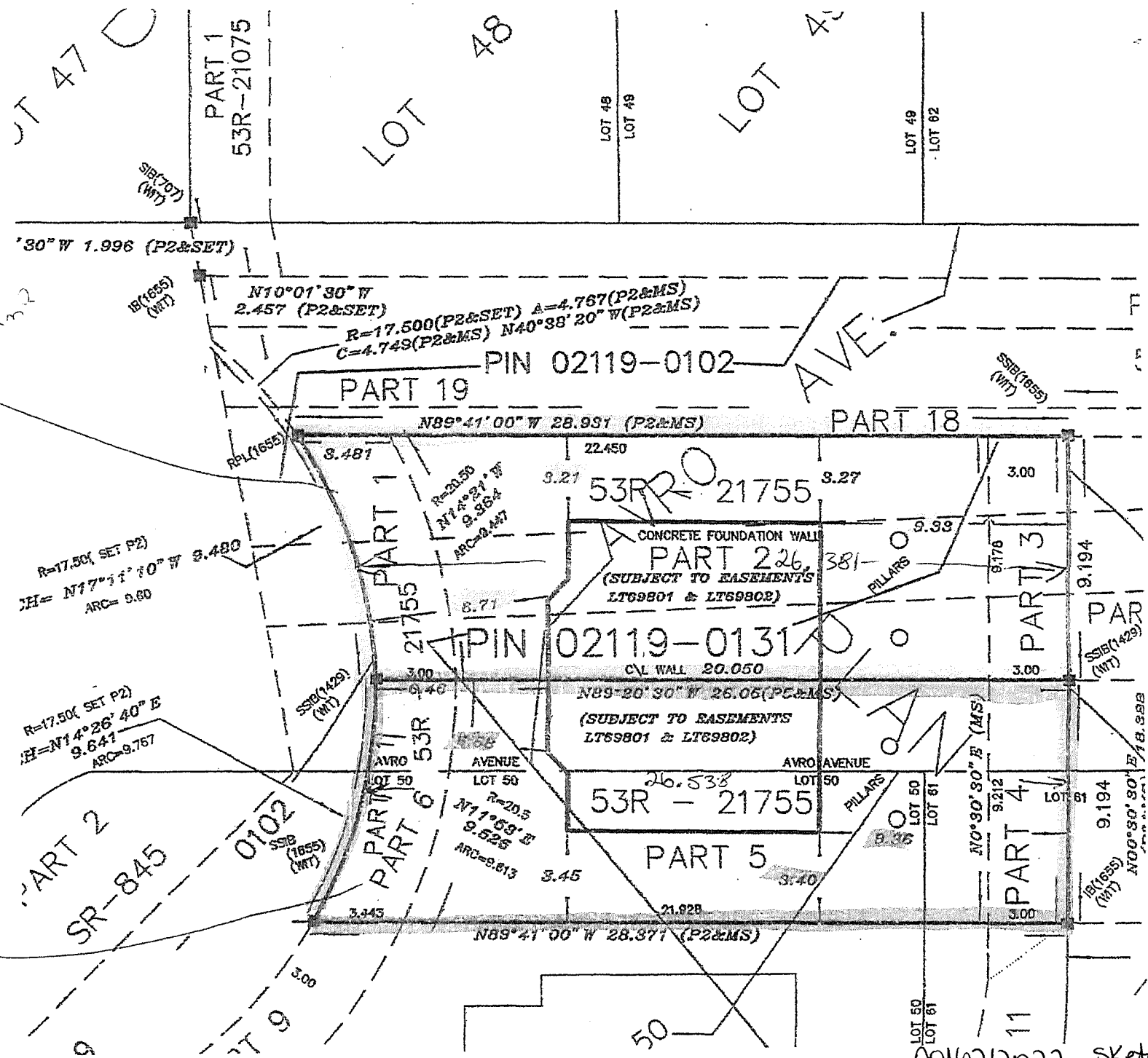
Subject Property being
PIN 02119-0143, Part Lots 50 and 61,
and Part Arvo Avenue, Plan M-353,
Parts 4, 5 and 6, Plan 53R-21755,
Part Lot 1, Concession 6,
Township of McKim,
1336 Arvo Avenue, Sudbury,
City of Greater Sudbury

Sketch 1, NTS
NDCA

A0162/2022
Date: 2022 12 19

Area = 248.272 m²

Area = 245.289 m²



A01/02/2022 Sketch 2



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

| | |
|-----------------|--|
| Office Use Only | |
| 2022.01.01 | |
| A 01/03/2022 | |
| S.P.P. AREA | |
| YES | NO <input checked="" type="checkbox"/> |
| NDCA REG. AREA | |
| YES | NO <input checked="" type="checkbox"/> |

City of Greater Sudbury APPLICATION FOR 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 questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the Planning Act, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

| | |
|--|-----------------|
| Registered Owner(s): Dalron Construction Limited | Email: |
| Mailing Address: 130 Elm Street | Home Phone: |
| Sudbury, On P3C 1T6 | Business Phone: |
| City: | Postal Code: |
| | Fax Phone: |

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

| | |
|------------------|-----------------|
| Name of Agent: | Email: |
| Mailing Address: | Home Phone: |
| 1338 Arvo Ave | Business Phone: |
| City: | Postal Code: |
| | Fax Phone: |

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

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

| |
|------------------|
| Name: |
| Mailing Address: |
| City: |
| Postal Code: |

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R2-2

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

| Variance To | By-law Requirement | Proposed | Difference |
|-------------------|--------------------|-------------------|------------|
| Minimum Lot Depth | 30m | 26m | 4.0m |
| Minimum Lot Area | 275m ² | 248m ² | 27m |
| | | | |
| | | | |
| | | | |

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

- c) Description of Proposal:

Request relief of minimum lot depth.

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

Lot size is deficient due to dedication of land to enlarge the cul-de-sac bulb as a condition of rezoning.

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

PIN(s): 02119-0131 Township: McKim
 Lot No.: Pt of Lots 50 & Concession No.: Parcel(s):
 Subdivision Plan No.: M-353 Lot: Reference Plan No.: 53R-21755 Part(s): 1, 2, 3
 Municipal Address or Street(s): 1338 Arvo Ave

- 7) Date of acquisition of subject land. 2016

- 8) Dimensions of land affected.

Frontage 9.364 (m) Depth (m) Area (m²) Width of Street 20 (m)

- 9) Particulars of all buildings:

| | Existing | Proposed |
|--------------------|--------------------------------------|--------------------------|
| Ground Floor Area: | 60+/- (m ²) | 60+/- (m ²) |
| Gross Floor Area: | 180+/- (m ²) | 180+/- (m ²) |
| No. of storeys: | two (2) | two (2) |
| Width: | 11.7+/- (total - two semi units) (m) | 5.85+/-/semi unit (m) |
| Length: | 10.2+/- (m) | 10.2+/- (m) |
| Height: | 9.5+/- (m) | 9.5+/- (m) |

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

| | Existing | Proposed |
|--------|---------------------------|---------------------------|
| Front: | 6.71+/- (m) | 6.71+/- (m) |
| Rear: | 9.33+/- (m) | 9.33+/- (m) |
| Side: | 3.21+/- (m) | 3.21+/- (m) |
| Side: | N/A (semi party wall) (m) | N/A (semi party wall) (m) |

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

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

- What type of access to the land?

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

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

New - 2022

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

Use(s): One building - two units Length of time: new

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

Same as #13 ☐ or, two semi detached units

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

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

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: residential

April 3/2022

- 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): 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. _____

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Dalron Construction Limited (please print all names), the registered owner(s) of the property described as 1338 Arvo Ave Parts 1, 2, 3 Plan 53R-21755
in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

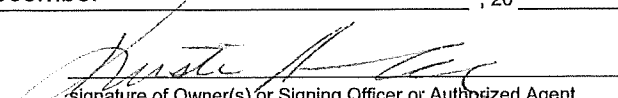
- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal,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

Appointment of Authorized Agent

- appoint and authorize 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, 202022

(witness)


Signature of Owner(s) or Signing Officer or Authorized Agent
Print Name: Kristi Arnold


*I have authority to bind the Corporation


A0163/2022

I/We, Dalron Construction Limited (please print all names),
the registered owner(s) or authorized agent of the property described as 1338 Arvo Avenue

in the City of Greater Sudbury:

Dated this 2 day of December, 20 22


Commissioner of Oaths

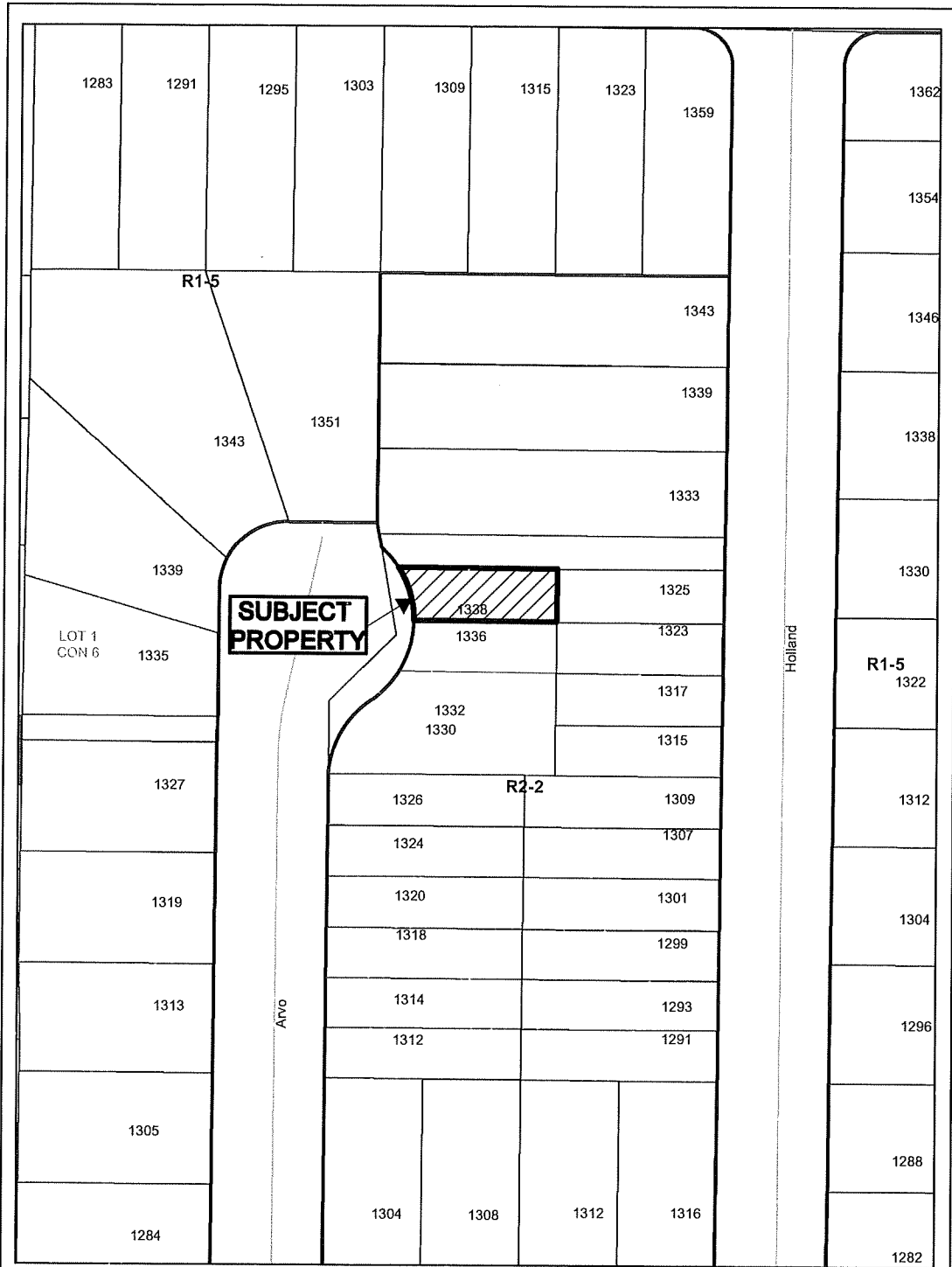

signature of Owner(s) or Signing Officer or Authorized Agent
(*where a Corporation)

Print Name: Christy Ann / d
 *I have authority to bind the Corporation

FOR OFFICE USE ONLY

Date of Receipt: Dec 7/22 Hearing Date: Jan 18/22 Received By: S. Pinkerton
Zoning Designation: R2-2 Resubmission: ☐ Yes ☒ No
Previous File Number(s): See below
Previous Hearing Date:
Notes: A0019/22 (Mar 23/22)
A0146/19 (Jan 8/20)

AO163/2022



| | |
|--|---|
| | <p align="center">Application for Minor Variance or Permission</p> <p align="right"></p> <p>Subject Property being PIN 02119-0143, Part Lots 50 and 61, and Part Arvo Avenue, Plan M-353, Parts 1, 2 and 3, Plan 53R-21755, Part Lot 1, Concession 6, Township of McKim, 1338 Arvo Avenue, Sudbury, City of Greater Sudbury</p> <p>Sketch 1, NTS NDCA</p> <p align="right">A0163/2022 Date: 2022 12 19</p> |
|--|---|



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MUSIC NOTES

DISTANCES SHOWN ON THIS PLAN ARE IN METERS
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

PLAN OF SURVEY OF

PART OF LOTS 50 & 61
AND
PART OF AVRO AVENUE
REGISTERED PLAN M-353

GEOGRAPHIC TOWNSHIP OF McKIM
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY

SCALE 1:200

JAMES E. KIRKLAND C.L.S.

DESCRIPTION OF LAND

FD-302 (Rev. 11-27-70)

REGISTERED PATENTS AND/OR RIGHT-OF-WAYS

EASIMENTS L'ESPOIR & L'ESPERANCE

ENCROACHMENTS

SEX PLAN

COMPLIANCE WITH MUNICIPAL ZONING BY-LAW

NOT CERTIFIED BY THIS REPORT

| |
|--------------------|
| ADDITIONAL REMARKS |
|--------------------|

KEY TO ABBREVIATIONS

10/10/2014

THIS REPORT WAS PREPARED FOR DAIRDM
AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY
OTHER PARTIES

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED IN THIS REPORT WAS COMPLETED

ON FILE _____ DAY OF _____ 1964

JAMES E. KIRKLAND ONTARIO LAND SURVEYOR

NOTE
THIS REPORT CAN BE UPDATED BY THIS OFFICE, HOWEVER

ADDITIONAL PAGES
ENCLOSED SUBSEQUENT

| FIELD SURVEY | PLAN | REFERENCE |
|--------------|------|-----------|
| | | |

155

HEARING NOTE
BEARINGS ARE GIVEN AND ARE REFERRED TO THE NORTH LIMIT
OF PART 2 AS SHOWN ON PLAN KSR-2176
AND HAVING A BEARING OF N88°41'00"W

[illegible]

| | | | |
|--------|------------|--------------------------|--|
| 140000 | | | |
| 401 | derivative | PLANTED SURVEY MOUNTAIN | |
| 402 | derivative | PUNCH SURVEY MOUNTAIN | |
| 403 | derivative | KNOW BAR | |
| 404 | derivative | STANDARD KNOW BAR | |
| 405 | derivative | STREET STANDARD KNOW BAR | |
| 406 | derivative | NOT TO SCALE | |
| 407 | derivative | WITNESS | |
| 408 | derivative | J. S. KENDALL D.L.S. | |
| 409 | derivative | RECEIVED OFFICE | |
| 410 | derivative | FOUNDATION | |
| 411 | derivative | SOCK PLUG | |
| 412 | derivative | 62R-21256 | |
| 413 | derivative | 62R-21150 | |
| 414 | derivative | 62R-20970 | |
| 415 | derivative | 62R-21688 | |
| 416 | derivative | 62R-21756 | |
| 14060 | derivative | T.F. DEL. 62R500 D.L.S. | |

JAMES E. MCKELAND LTD.

ONTARIO LAND SURVEYOR
CIVIL ENGINEER
3557 DELSIGLEY ROAD
CUDDAHAY, ONT. M9G 1C6
(708) 622-1900 FAX (708) 622-1900

TEL (708) 632-1900 FAX (708) 632-1900

AVRO AVENUE REGISTERED PLAN M-353

PIN 02119-0095

PIN 02119-0096
HOLLAND ROAD
FORMERLY HAROLD STREET)
REGISTERED PLAN M-353

AD163/2022
Sketch 3



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

City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

| | |
|--------------------------------|--|
| Office Use Only. 2022.01.01 | |
| A 0165/2022 | |
| S.P.P. AREA | |
| YES | NO <input checked="" type="checkbox"/> |
| NDCA REG. AREA | |
| YES | NO <input checked="" type="checkbox"/> |

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

| | |
|--|----------------------------|
| Registered Owner(s): 1876292 Ontario LTD | Email: [REDACTED] |
| Mailing Address: PO box 5075 | Home Phone: [REDACTED] |
| | Business Phone: [REDACTED] |
| City: Chelmsford, ON | Fax Phone: [REDACTED] |
| Postal Code: P0M 1L0 | |

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

| | |
|------------------|----------------------------|
| Name of Agent: | Email: [REDACTED] |
| Mailing Address: | Home Phone: [REDACTED] |
| 0 Main street | Business Phone: [REDACTED] |
| City: | Fax Phone: [REDACTED] |
| Postal Code: | |

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

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

| | |
|------------------|--------------|
| Name: NA | |
| Mailing Address: | |
| City: | Postal Code: |

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

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

| Variance To | By-law Requirement | Proposed | Difference |
|-----------------|--------------------|----------|------------|
| 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 eaves: _____ (m)

- c) Description of Proposal:

Detached garage with secondary unit

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

Building cost 1 for secondary unit on second level

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

PIN(s): 73349 (see attached description) Township: Chelmsford *Rail Cor.*
 Lot No.: 1 Concession No.: 3 Parcel(s): 11437
 Subdivision Plan No.: Lot: Reference Plan No.: 53R15111 Part(s):
 Municipal Address or Street(s): 0 Main street

- 7) Date of acquisition of subject land. June 28, 2022

- 8) Dimensions of land affected.

Frontage 35.6 (m) Depth 163.2 (m) Area 7650 (irreg.) (m²) Width of Street (m)

- 9) Particulars of all buildings:

| | Existing | Garage | Proposed | House |
|--------------------|-------------------|--------|----------|-------------------|
| Ground Floor Area: | (m ²) | 66.8 | 350 | (m ²) |
| Gross Floor Area: | (m ²) | 133.6 | 350 | (m ²) |
| No. of storeys: | | 2 | 1 | |
| Width: | (m) | 9.1 | 16 | (m) |
| Length: | (m) | 7.3 | 21.5 | (m) |
| Height: | (m) | 6.9 | 5.5 | (m) |

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

| | Existing | Garage | Proposed | House |
|--------|----------|--------|----------|-------|
| Front: | (m) | 53.6 | 12.2 | (m) |
| Rear: | (m) | 81.3 | 80 | (m) |
| Side: | (m) | 3.4 | 14.8 | (m) |
| Side: | (m) | 23.2 | 5.5 | (m) |

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

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

What type of access to the land?

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

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

April 2023

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

Use(s): Residential

Length of time:

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

Same as #13 ☐ or, Residential

- 15) What is the number of dwelling units on the property? 3

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

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: Residential

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? ☐ Yes ☒ No

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

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

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

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

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

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, 1876292 Ontario LTD Steve Hessard (please print all names), the registered owner(s) of the property described as _____

in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

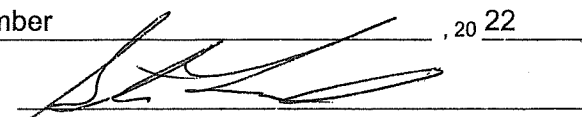
- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal,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

Appointment of Authorized Agent

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

Dated this 8 day of December, 2022


(witness)


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

Print Name: Steve Hessard

*I have authority to bind the Corporation

A0165/2022

I/we, 1876292 Ontario LTD Steve Rossard (please print all names),
the registered owner(s) or authorized agent of the property described as 0 Main Street

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 8 day of December, 2022

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

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

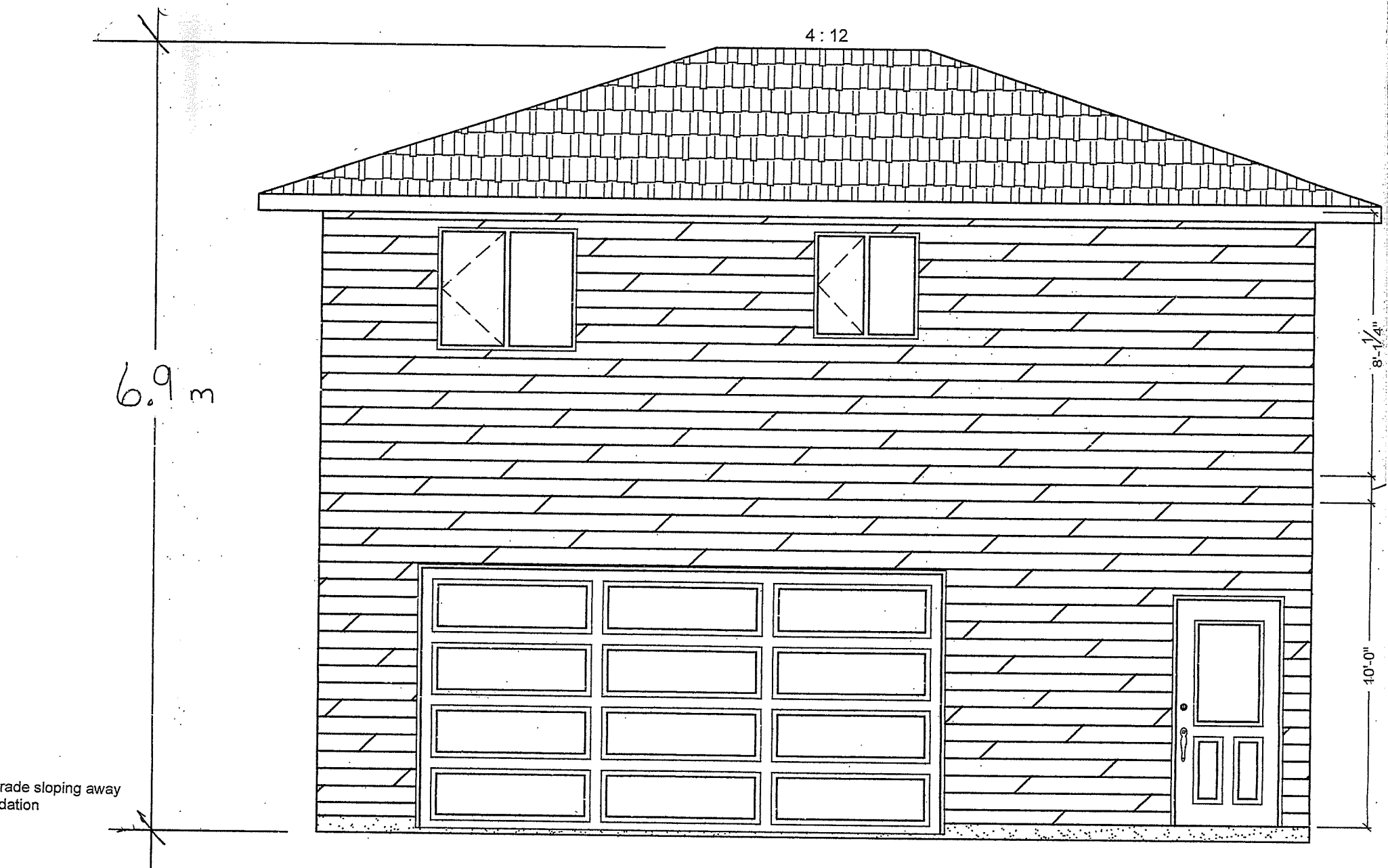
Print Name: Steve Lessard
 *I have authority to bind the Corporation

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

FOR OFFICE USE ONLY

| | | |
|-------------------------------------|---|----------------------------------|
| Date of Receipt: <u>Dec 13/22</u> | Hearing Date: <u>Jan 18/23</u> | Received By: <u>S. Pinkerton</u> |
| Zoning Designation: <u>R1-5</u> | Resubmission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Previous File Number(s): <u>N/A</u> | | |
| Previous Hearing Date: | | |
| Notes: | | |

AO165/2022

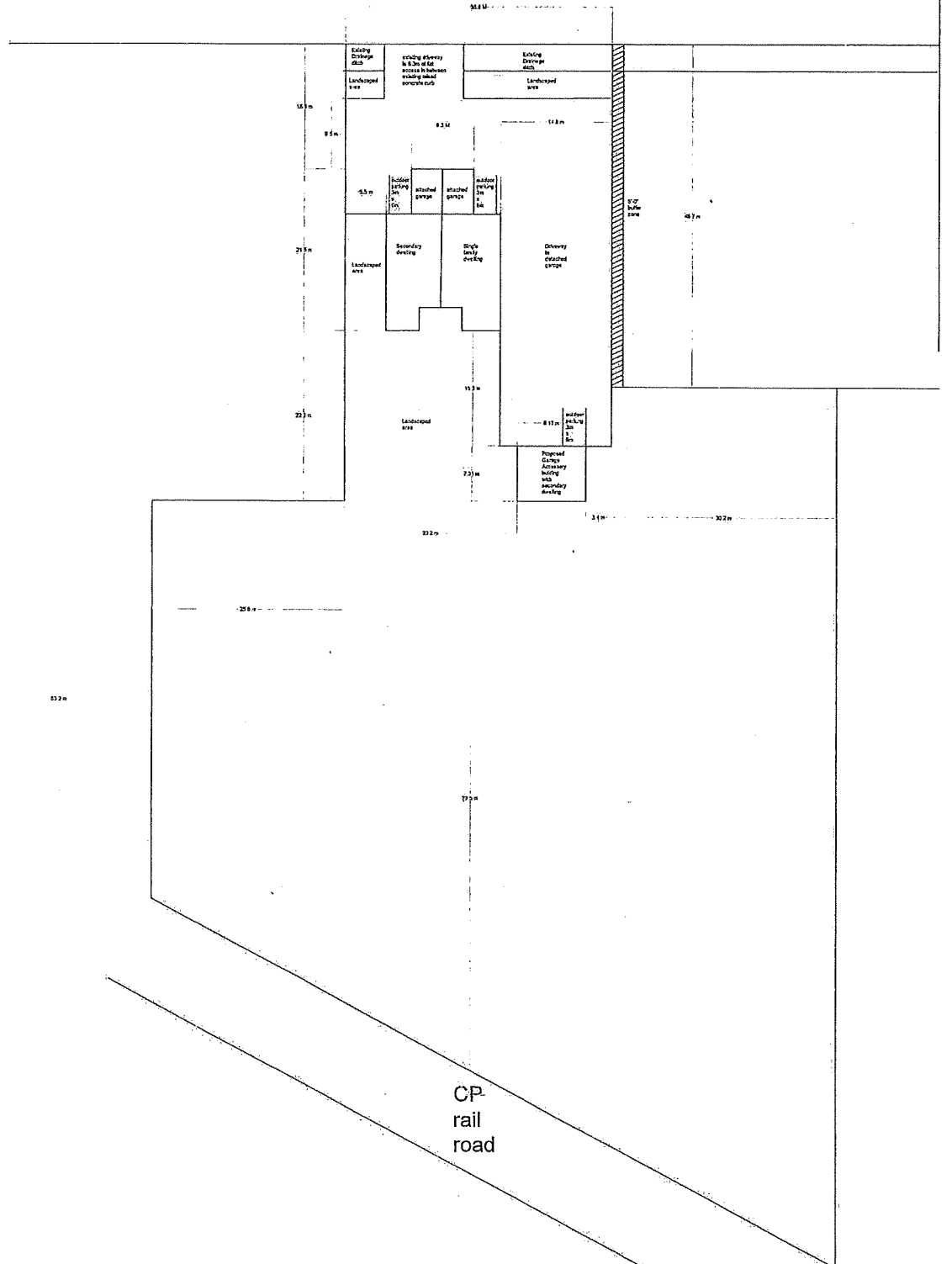


FRONT ELEVATION

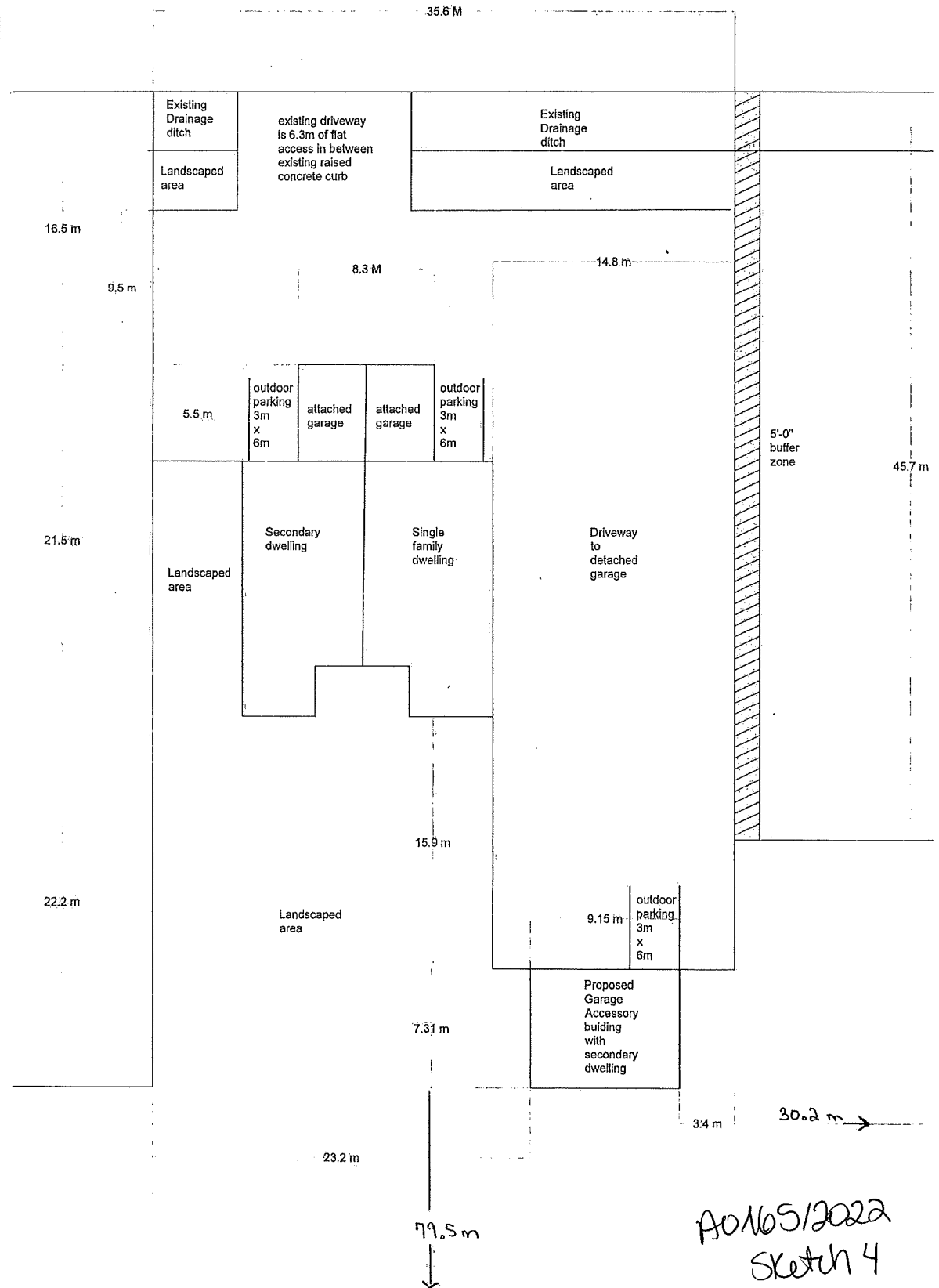
Nov 05/2022
Sketch 2

NORTH

Main
Street



APR 16/2022
Sketch 3



A0165/2022
Sketch 4



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 01/06/2022 | |
| S.P.P. AREA | |
| YES | NO <input checked="" type="checkbox"/> |
| NDCA REG. AREA | |
| YES <input checked="" type="checkbox"/> | NO |

City of Greater Sudbury APPLICATION FOR 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 questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

| | | |
|--|----------------------|------------|
| Registered Owner(s): 1866410 ONTARIO LIMITED | Email: | |
| Mailing Address: 6794 Hwy 17 East | Home: | |
| | Busin: | |
| City: Coniston | Postal Code: P0M 1M0 | Fax Phone: |

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

| | | |
|--|----------------------|---------|
| Name of Agent: TULLOCH Engineering | Email: | |
| Mailing Address: 1942 Regent Street Unit L | Home: | |
| | Busine: | |
| City: Sudbury | Postal Code: P3E 5V5 | Fax Ph: |

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

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

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

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R3.D45

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

| Variance To | By-law Requirement | Proposed | Difference |
|---------------------------------|-----------------------|------------|-----------------------|
| 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(6)(ii) Front Yard | Not Permitted | 5.5m | 5.5m |
| Setback for accessory structure | | | |

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

- c) Description of Proposal:
Development of 14-unit row dwelling residential complex.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:
Desired built form and shape of existing lot.

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

| | | |
|---|-------------------|------------------------------|
| PIN(s): 735042632 | | Township: HANMER |
| Lot No.: 6 | Concession No.: 2 | Parcel(s): |
| Subdivision Plan No.: | Lot: | Reference Plan No.: Part(s): |
| Municipal Address or Street(s): 1350 Dominion Dr, Val Therese, ON P3P 1Z4 | | |

- 7) Date of acquisition of subject land. May 22, 2020

- 8) Dimensions of land affected.

| | | | | | | | |
|---------------|-----|------------|-----|-----------|-------------------|-----------------|-----|
| Frontage 82.2 | (m) | Depth 34.0 | (m) | Area 5050 | (m ²) | Width of Street | (m) |
|---------------|-----|------------|-----|-----------|-------------------|-----------------|-----|

- 9) Particulars of all buildings:

| | Existing | | Proposed | |
|--------------------|----------|-------------------|-----------------------|-------------------|
| Ground Floor Area: | N/A | (m ²) | 1800 | (m ²) |
| Gross Floor Area: | " | (m ²) | 1800 | (m ²) |
| No. of storeys: | " | | 1 | |
| Width: | " | (m) | irreg (see site plan) | (m) |
| Length: | " | (m) | irreg (see site plan) | (m) |
| Height: | " | (m) | 1-storey | (m) |

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

| | Existing | | Proposed | |
|--------|----------|-----|----------|-----|
| Front: | N/A | (m) | 6.0 | (m) |
| Rear: | " | (m) | 7.0 | (m) |
| Side: | " | (m) | 1.8 | (m) |
| Side: | " | (m) | 5.0 | (m) |

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

What type of access to the land?

| | | | |
|---|-------------------------------------|--|-------------------------------------|
| Municipally owned & operated piped water system | <input checked="" type="checkbox"/> | Provincial Highway | <input type="checkbox"/> |
| Municipally owned & operated sanitary sewage system | <input checked="" type="checkbox"/> | Municipal Road | <input type="checkbox"/> |
| Lake | <input type="checkbox"/> | Maintained Yearly | <input checked="" type="checkbox"/> |
| Individual Well | <input type="checkbox"/> | Maintained Seasonal | <input type="checkbox"/> |
| Communal Well | <input type="checkbox"/> | Right-of-way | <input type="checkbox"/> |
| Individual Septic System | <input type="checkbox"/> | Water | <input type="checkbox"/> |
| Communal Septic System | <input type="checkbox"/> | If access is by water only, provide parking and docking facilities to be used. | |
| Pit Privy | <input type="checkbox"/> | | |
| Municipal Sewers/Ditches/Swales | <input type="checkbox"/> | | |

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

N/A

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

| | |
|----------------------------|-------------------------------------|
| Use(s): Vacant Residential | Length of time: Since at least 1983 |
|----------------------------|-------------------------------------|

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

Same as #13 ☐ or, Residential

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

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

☐ Yes ☒ No

If "yes", how many? 0

- 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 | 864m ² | 216m ² | 432m ² |
| Gross Floor Area | "" | "" | "" |
| 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

AD/10/12022

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

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

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

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

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

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

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

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

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, 1866410 ONTARIO LIMITED (please print all names), the registered owner(s) of the property described as
SRO PT LT 6 CON 2 HAMMER BEING PT 4 53R14504 EXCEPT PT 2 53R14501; GREATER SUDBURY
in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

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

Appointment of Authorized Agent

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

Dated this 22 day of November, 2022.

Amin Bawa
(witness)

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

Print Name: Janie Blawin

*I have authority to bind the Corporation

A016612022

I/We, TULLOCH Engineering (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 9th day of December, 2022

David Glen Tulloch
Commissioner, etc., Province of Ontario,
for **TULLOCH Engineering Inc.**
Expires Feb 20th, 2024

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

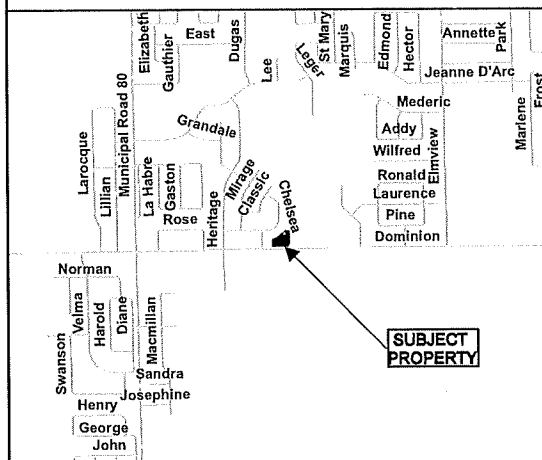
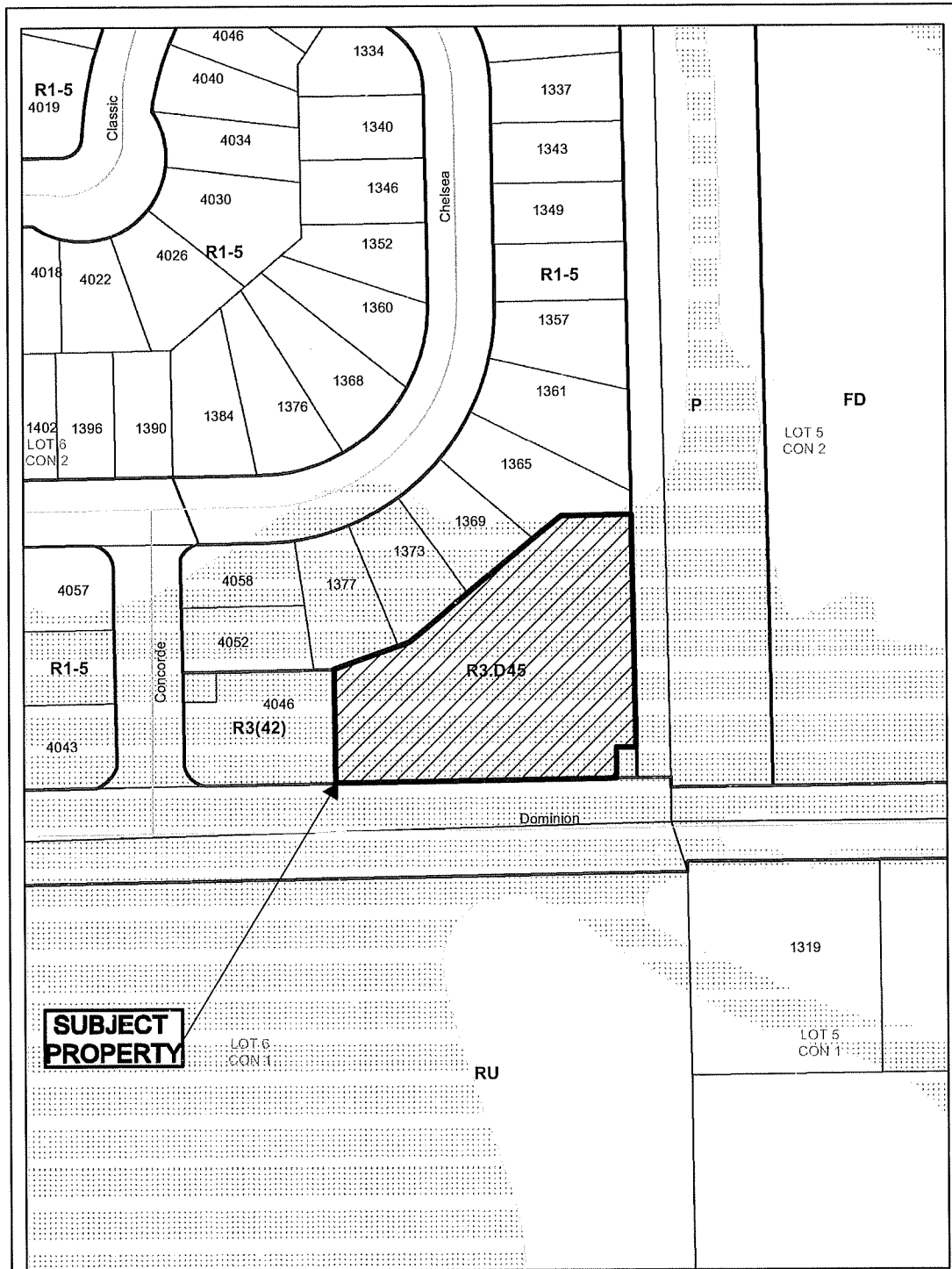
Print Name: Vanesse Smith
 *I have authority to bind the Corporation

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

FOR OFFICE USE ONLY

Date of Receipt: Dec 22/22 Hearing Date: Jan 18/23 Received By: S. Pinkerton
Zoning Designation: R3. D45 Resubmission: ☐ Yes ☒ No
Previous File Number(s): See below
Previous Hearing Date:
Notes:
B138/93 to B140/93 (May 25, 1993), lapsed
B179/93 to B180/93 (June 21, 1993)
B129/94 (June 13, 1994)
B250/94 (August 29, 1994)
B268/94 to B270/94 (August 29, 1994)
B290/94 to B291/94 (October 31, 1994)
B169/96 (September 23, 1996)

April 6/2022



Application for Minor Variance or Permission

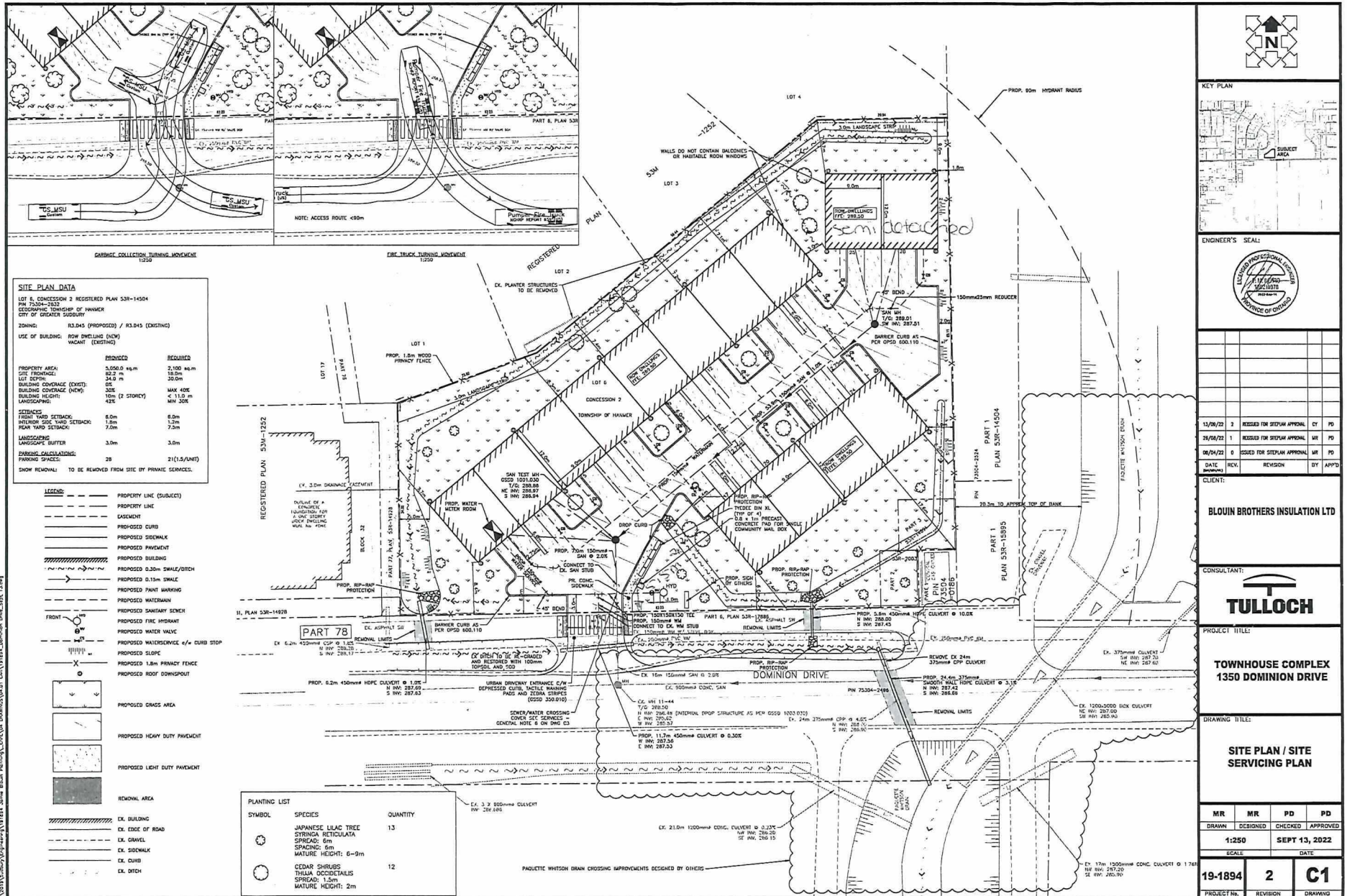


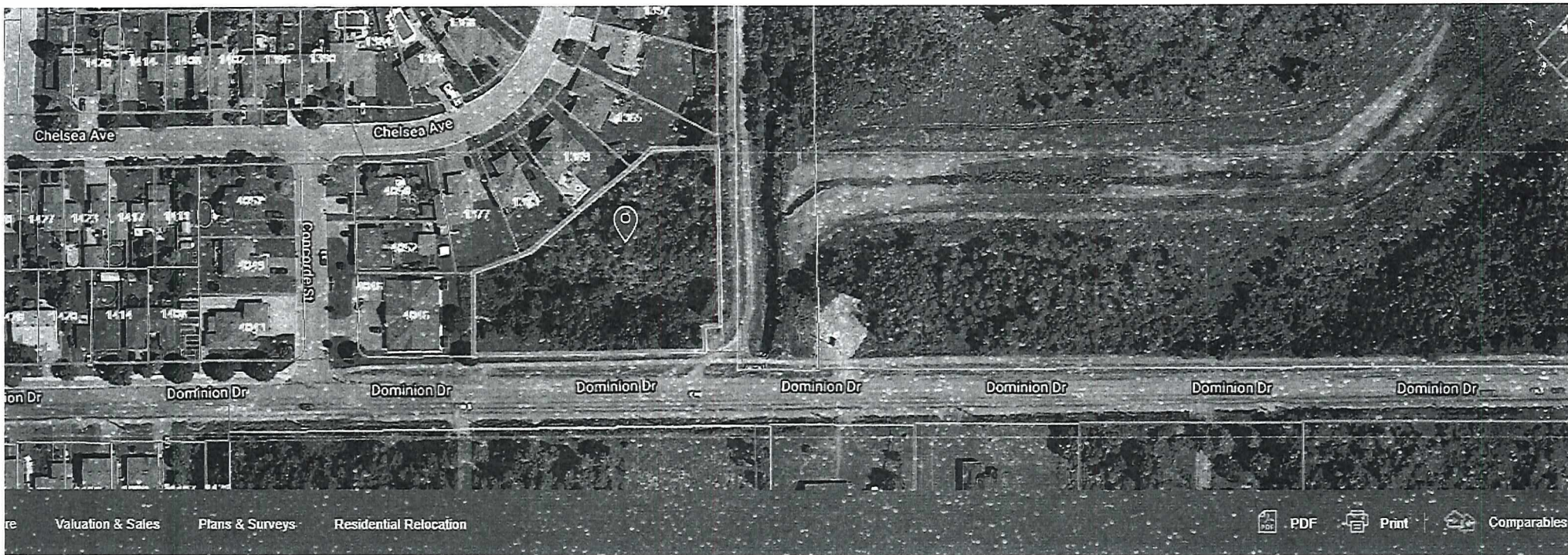
Subject Property being
PIN 73504-2632,
Parcel 1323 SES, Part 4, Plan 53R-14504,
except Part 2, Plan 53R-14891,
Part Lot 6, Concession 2,
Township of Hanmer,
1350 Dominion Drive, Val Thérèse
City of Greater Sudbury

Sketch 1, NTS
NDCA

A0166/2022
Date: 2022 12 23

AO166/2022
Sketch 2





Hanmer [Suggest an address correction](#)



Owner Name
1866410 ONTARIO LIMITED



Last Sale
\$169,000
May 22, 2020



Lot Size
5,049 m²
Area
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
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 01/07/2022 |
| S.P.P. AREA YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| NDCA REG. AREA YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |

City of Greater Sudbury
APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,025.00 (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 questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

✓ Registered Owner(s): Charter Acquisition Corp Email: _____
Mailing Address: 158 Dunlop Street East, Unit 201 Home Phone: _____
Business Phone: _____
City: Barrie Postal Code: L4M 1B1 Fax Phone: _____

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

Name of Agent: MHBC c/o Kory Chisholm Email: [REDACTED]
Mailing Address: 113 Collier Street Home Phone: [REDACTED]
✓ 3140 Old Highway 69, Val Caron Business Phone: [REDACTED]
City: Barrie, ON Postal Code: L4M 1H2 Fax Phone: [REDACTED]
Note: Unless otherwise requested, all communication will be sent to the agent, if any.

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

Name: BMO
✓ Mailing Address: 1 First Canadian Place, 100 King Street West, 21st Floor
City: Toronto, ON Postal Code: M5X 1A1

- ✓ 4) Current Official Plan designation: Mixed Use Commercial Current Zoning By-law designation: C5

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

| Variance To | By-law Requirement | Proposed | Difference |
|---|-----------------------------------|---|------------|
| Section 4.2.1 e) Number of Drive-through service facilities | 2 | 4 | 2 |
| It is noted the site currently has 3 drive-through facilities and the 3rd existing drive-through would be considered for a total of 4, with a difference of 1 physically yet to be built. | drive-through would be considered | legal non-complying. One additional drive-through is now proposed | |
| | | | |
| | | | |

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

- c) Description of Proposal:

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

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

Please see attached Planning Justification Letter.

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

PIN(s): 735020055 Township: Val Caron
 Lot No.: Part of Lot 6 Concession No.: 6 Parcel(s):
 Subdivision Plan No.: Lot: Reference Plan No.: Part(s):
 Municipal Address or Street(s): 3140 Old Highway 69, Val Caron

- 7) Date of acquisition of subject land. 2007

- 8) Dimensions of land affected.

Frontage +/- 254 (m) Depth +/- 180 (m) Area 47,753 (m²) Width of Street (m)

- 9) Particulars of all buildings:

| | Existing | Proposed |
|--------------------|-------------------|-------------------|
| Ground Floor Area: | (m ²) | (m ²) |
| Gross Floor Area: | (m ²) | (m ²) |
| No. of storeys: | | |
| Width: | (m) | (m) |
| Length: | (m) | (m) |
| Height: | (m) | (m) |

**** See attached site plans. No additional floor area proposed.**

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

| | Existing | Proposed |
|--------|----------|----------|
| Front: | (m) | (m) |
| Rear: | (m) | (m) |
| Side: | (m) | (m) |
| Side: | (m) | (m) |

**** See attached site plans. No new buildings proposed.**

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

What type of access to the land?

| | | | |
|---|-------------------------------------|--|-------------------------------------|
| Municipally owned & operated piped water system | <input checked="" type="checkbox"/> | Provincial Highway | <input type="checkbox"/> |
| Municipally owned & operated sanitary sewage system | <input checked="" type="checkbox"/> | Municipal Road | <input type="checkbox"/> |
| Lake | <input type="checkbox"/> | Maintained Yearly | <input checked="" type="checkbox"/> |
| Individual Well | <input type="checkbox"/> | Maintained Seasonal | <input type="checkbox"/> |
| Communal Well | <input type="checkbox"/> | Right-of-way | <input type="checkbox"/> |
| Individual Septic System | <input type="checkbox"/> | Water | <input type="checkbox"/> |
| Communal Septic System | <input type="checkbox"/> | If access is by water only, provide parking and docking facilities to be used. | |
| Pit Privy | <input type="checkbox"/> | | |
| Municipal Sewers/Ditches/Swales | <input type="checkbox"/> | | |

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

N/A

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

Use(s): Commercial

Length of time: Since at least 1983

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

Same as #13 ☐ or, _____

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

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

☐ Yes ☒ No

If "yes", how many? _____

- 17) Existing uses of abutting properties: Commercial / Residential

AO.167/2022

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? ☐ 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. _____
Nickel District Source Protection Area

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Ron McCowan (please print all names), the registered owner(s) of the property described as 3140 Old Highway 69, Val Caron

in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

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

Appointment of Authorized Agent

- appoint and authorize 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 ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 30 day of Nov, 2022

Ashley Smith
(witness)

[Signature]
signature of Owner(s) or Signing Officer or Authorized Agent


Print Name: Ron McCowan


*I have authority to bind the Corporation

AP 16712022

I/We, MHBC Planning c/o Kory Chisholm (please print all names),
the registered owner(s) or authorized agent of the property described as 3140 Old Highway 69

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.


Commissioner of Oaths
Solweig Katrin Eliaabet Esteves, a
Commissioner, etc., Province of Ontario,
for MacNaughton Hermes
Britton Clarkson Planning Limited.
Expires December 22, 2023.


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

Print Name: _____
 *I have authority to bind the Corporation

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

FOR OFFICE USE ONLY

Date of Receipt: Dec 22/22 Hearing Date: Jan 18/23 Received By: S. Pinkerton
Zoning Designation: C5 Resubmission: ☐ Yes ☒ No
Previous File Number(s): See below
Previous Hearing Date: _____
Notes: B0137/1983 (Oct 17/83)
B0150/1983 (Oct 17/83) + B0151/1983 (Oct 17/83) + B0152/1983 (Oct 17/83)
A0123/1983 (Oct 17/83)
A0192/1984 (Oct 15/84)
A0118/1990 (Jul 16/90)
A0300/1990 (Sep 10/90)
A0058/2006 (Jun 26/06)
B0030/2007 (Mar 19/07)
B0252/2007 (Dec 3/07) + B0253/2007 (Dec 3/07)
A0169/2007 (Jan 7/08)

A016712022

File 422510

November 24, 2022

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

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
Engineering Intern
MJB/DP: mjb

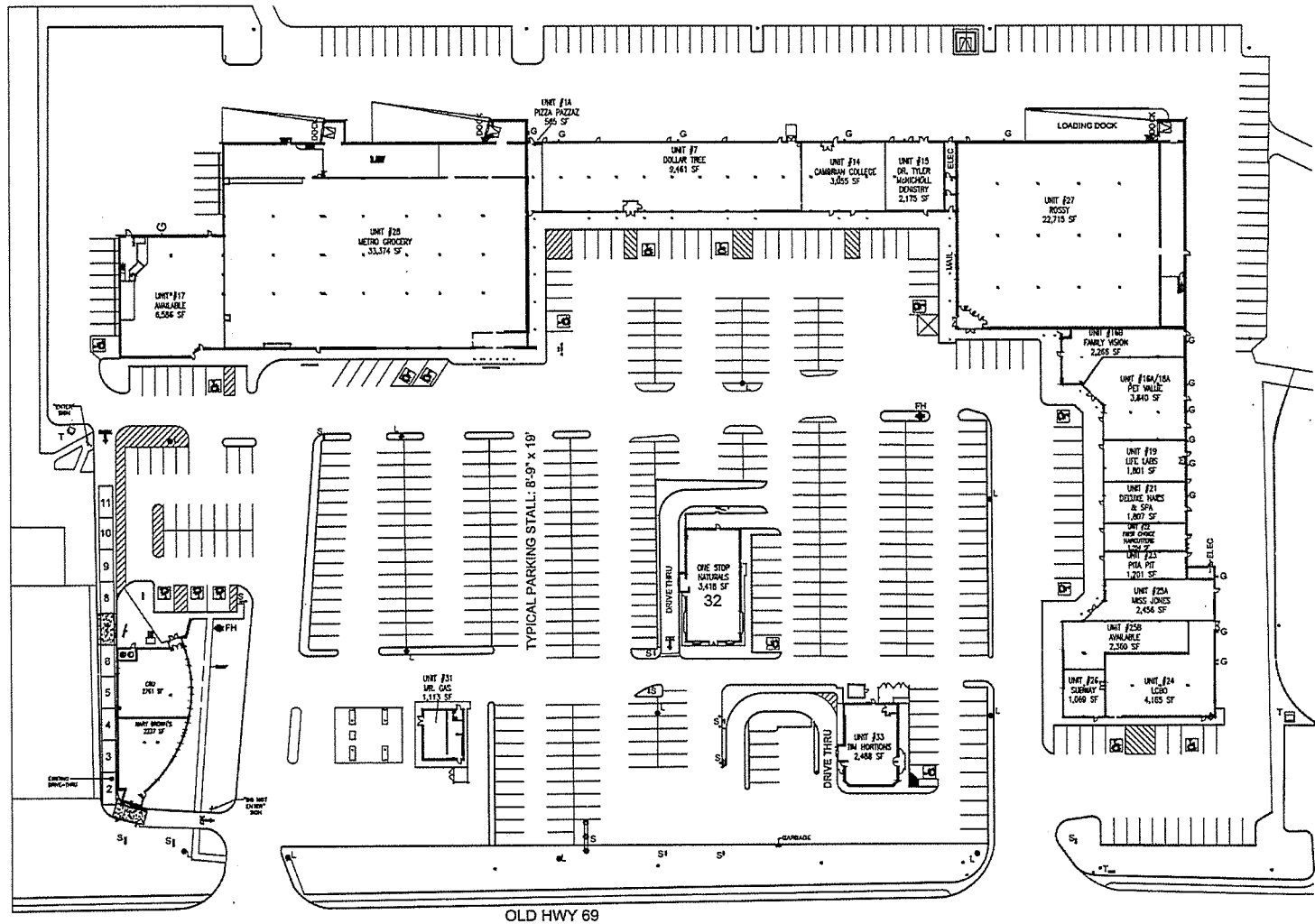


David Perks M.Sc., PTP
Transportation Planner, Project Manager

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AC167/2022



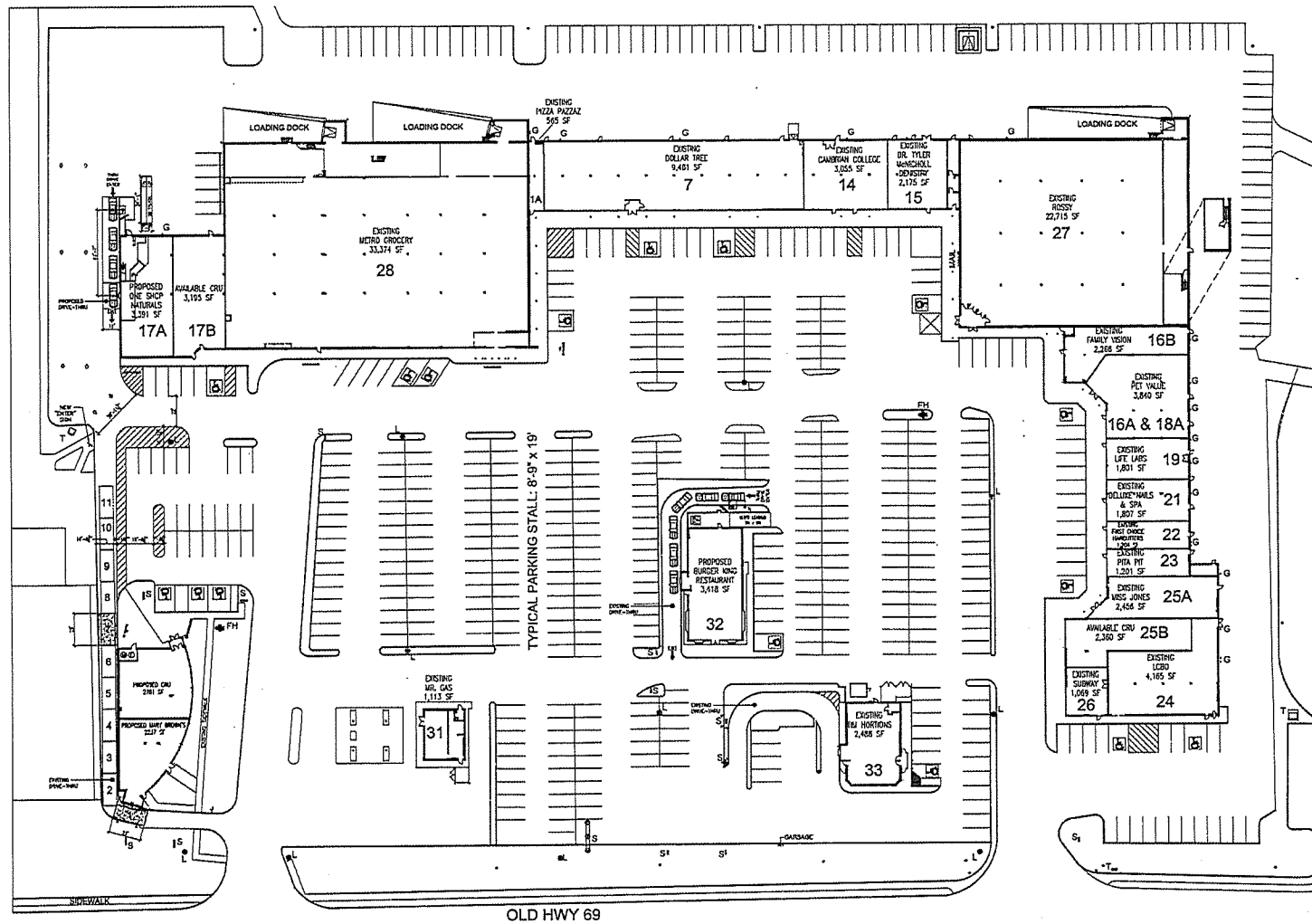


1



3140 OLD HIGHWAY 69
Figure 1: Existing Development

2016/10/02



3140 OLD HIGHWAY 69

AO16712022

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.

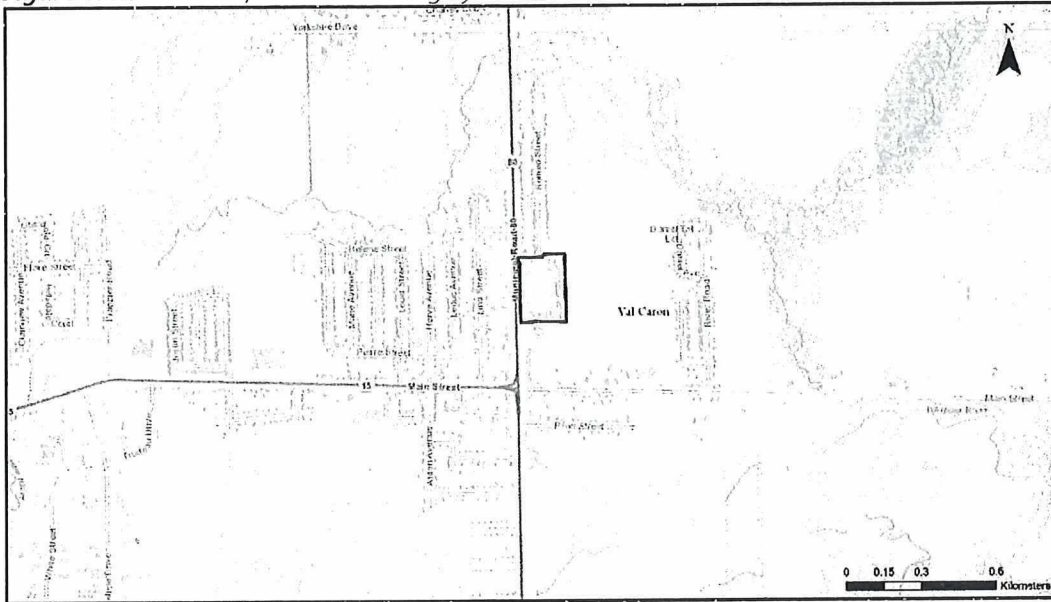
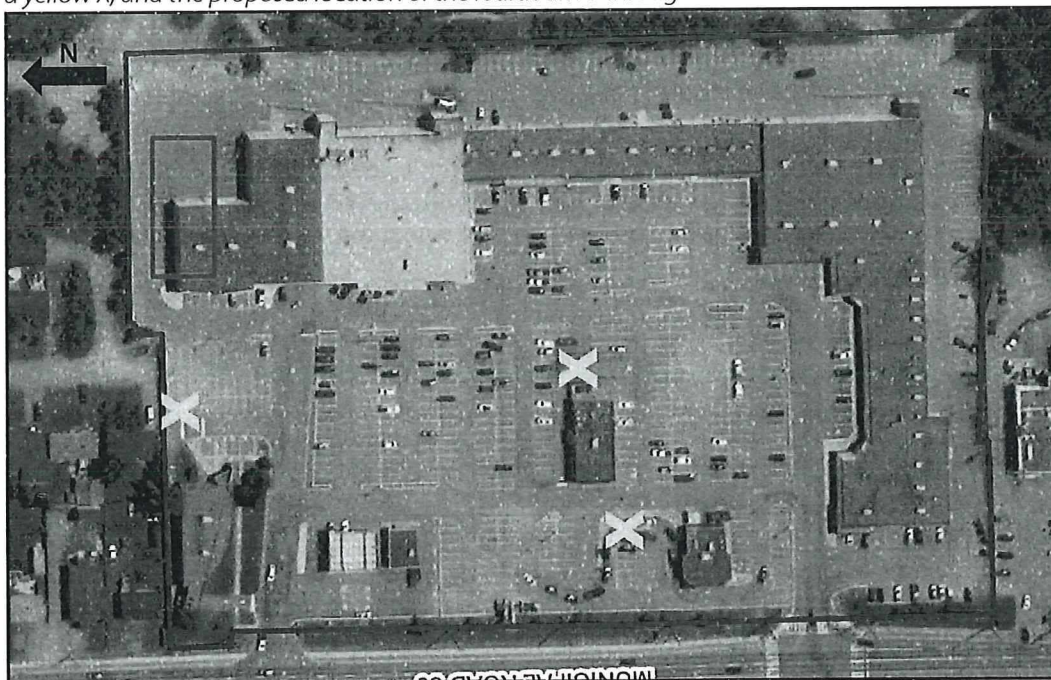


Figure 2: Google aerial image with the Site roughly outlined in red. The existing drive-through are marked with a yellow X, and the proposed location of the fourth drive-through indicated with a blue box.



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.

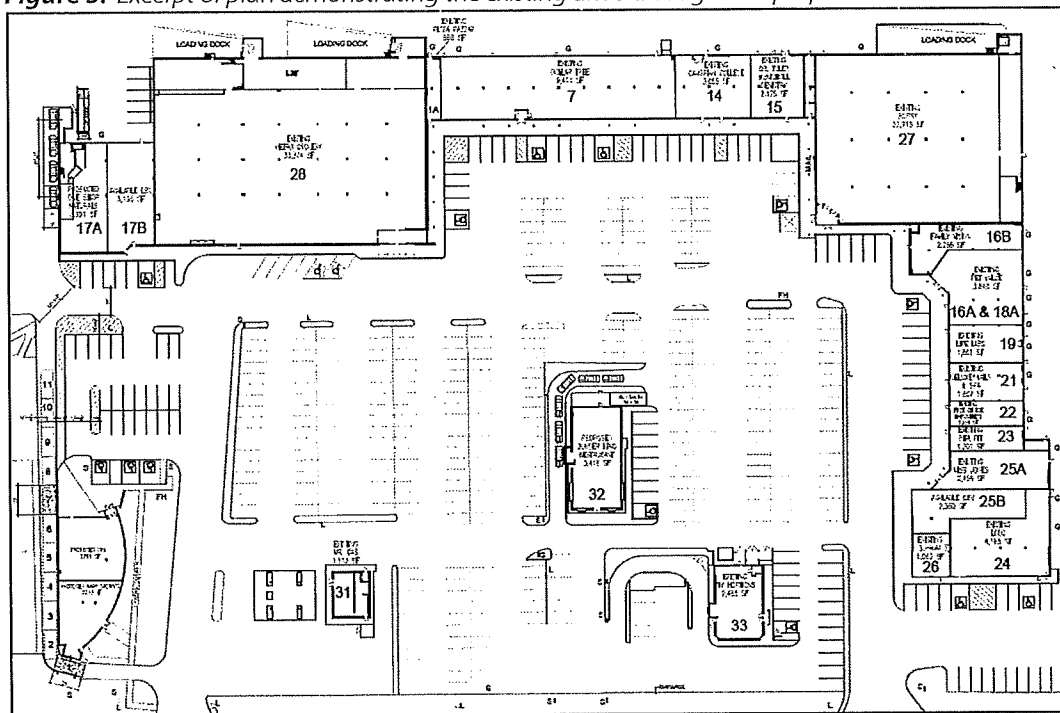
Proposed Minor Variances

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-through 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: 501 (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.

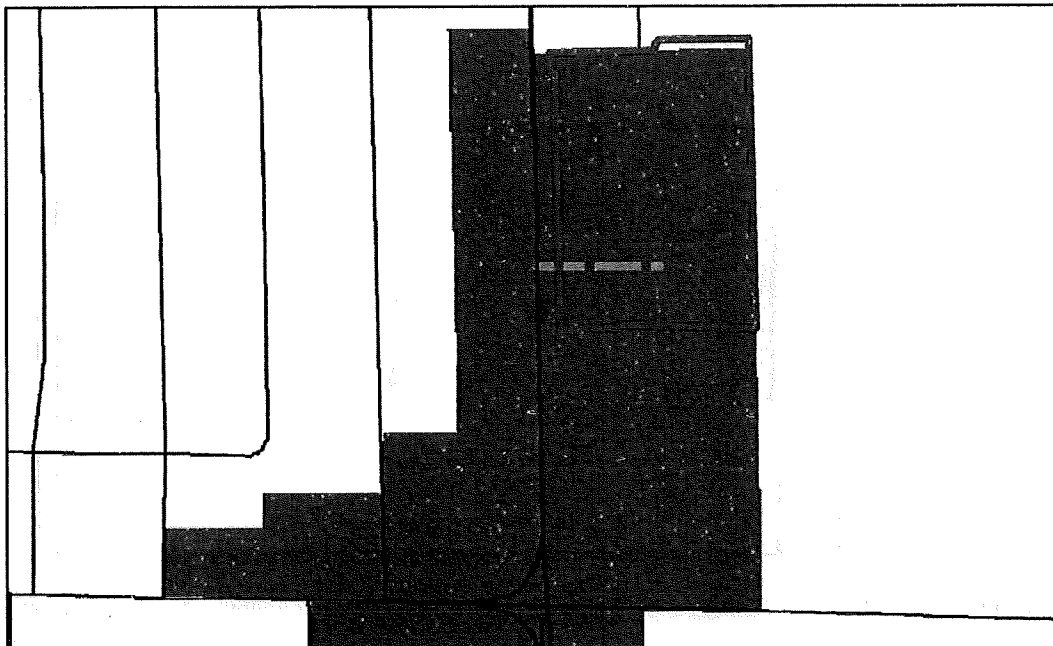
Section 11.3.2 sets out policies which support transit needs and **Section 11.8** sets out that accessibility is a key consideration. **Section 14** sets out general urban design policies.

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 4th 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.

Figure 4: City OP Land Use. The Site location is approximately outlined in blue. Yellow indicates 'Living Area' and red indicates 'Mixed Use Commercial'.



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.

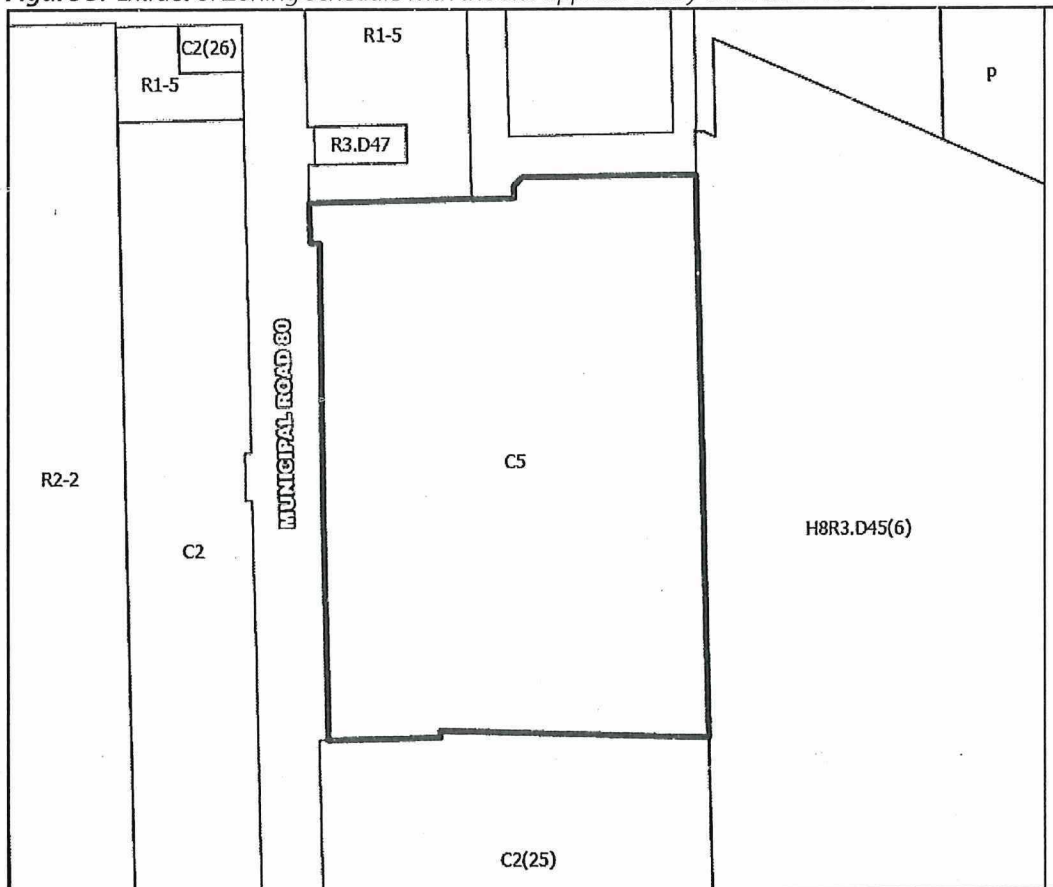
At the time of writing, the Phase 2 Official Plan Review is still in draft and has not been adopted. Notwithstanding this, the amendments proposed in the Review do not pertain to the proposed Minor Variance. Phase 1 amendments have already been incorporated into the current Official Plan and have been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

Figure 5: Extract of Zoning Schedule with the Site approximately outlined in red.



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 stationary 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 3rd 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 drive-through 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 drive-through 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.

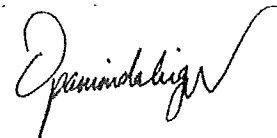
Should you require any additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

MHBC



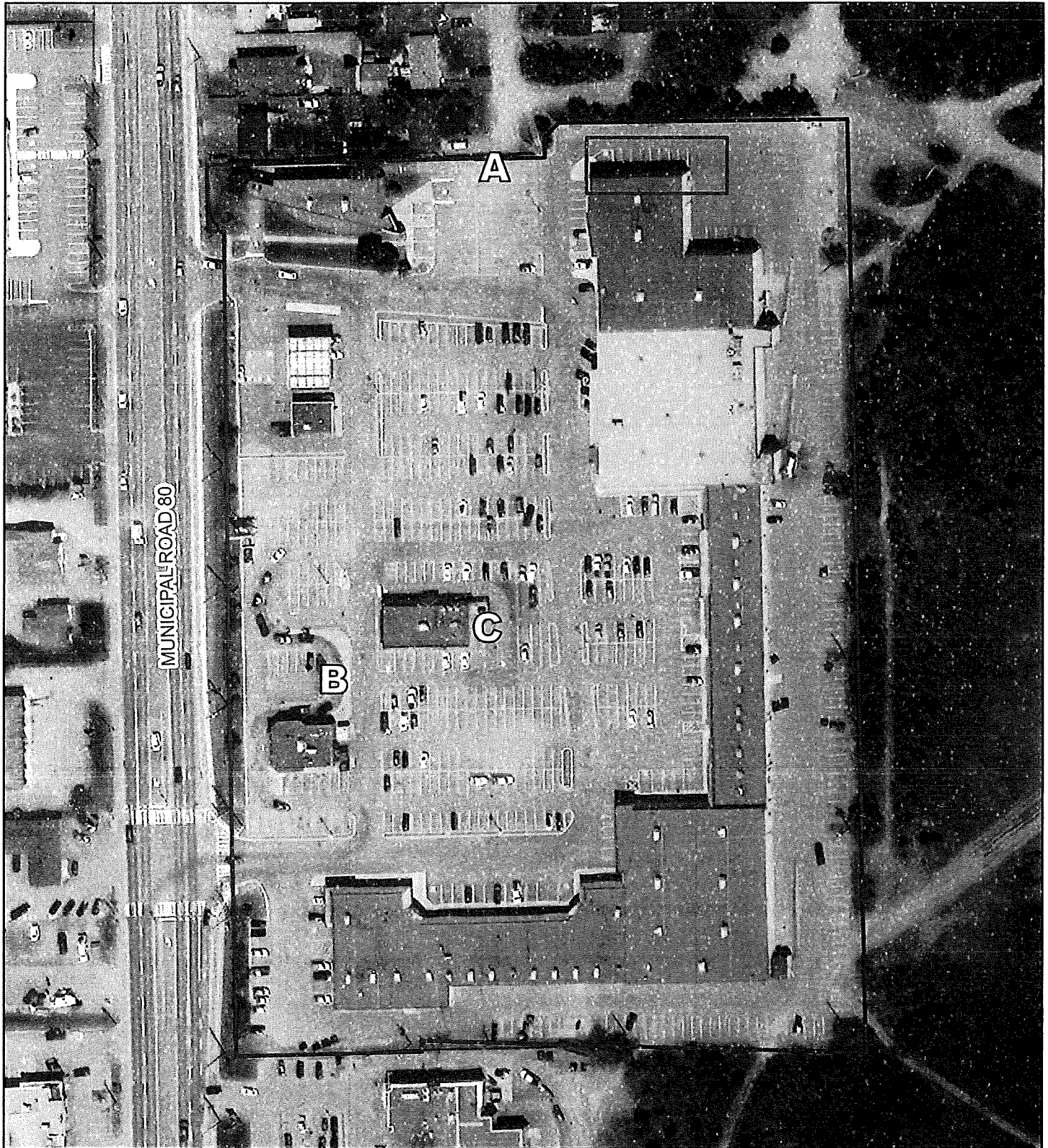
Kory Chisholm, BES, M.Sc., MCIP, RPP
Partner



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

Appendices

Appendix **1**




Appendix 1 **DRIVE-THROUGH LOCATION**

**3140 Old Highway 69
 Minor Variance**

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


LEGEND

 Subject Site

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

B Tim Hortons; Unit 33

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

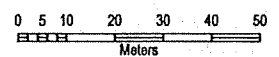
 Proposed New Drive Thru

DATE

Oct. 20, 2022

SOURCES

ESRI

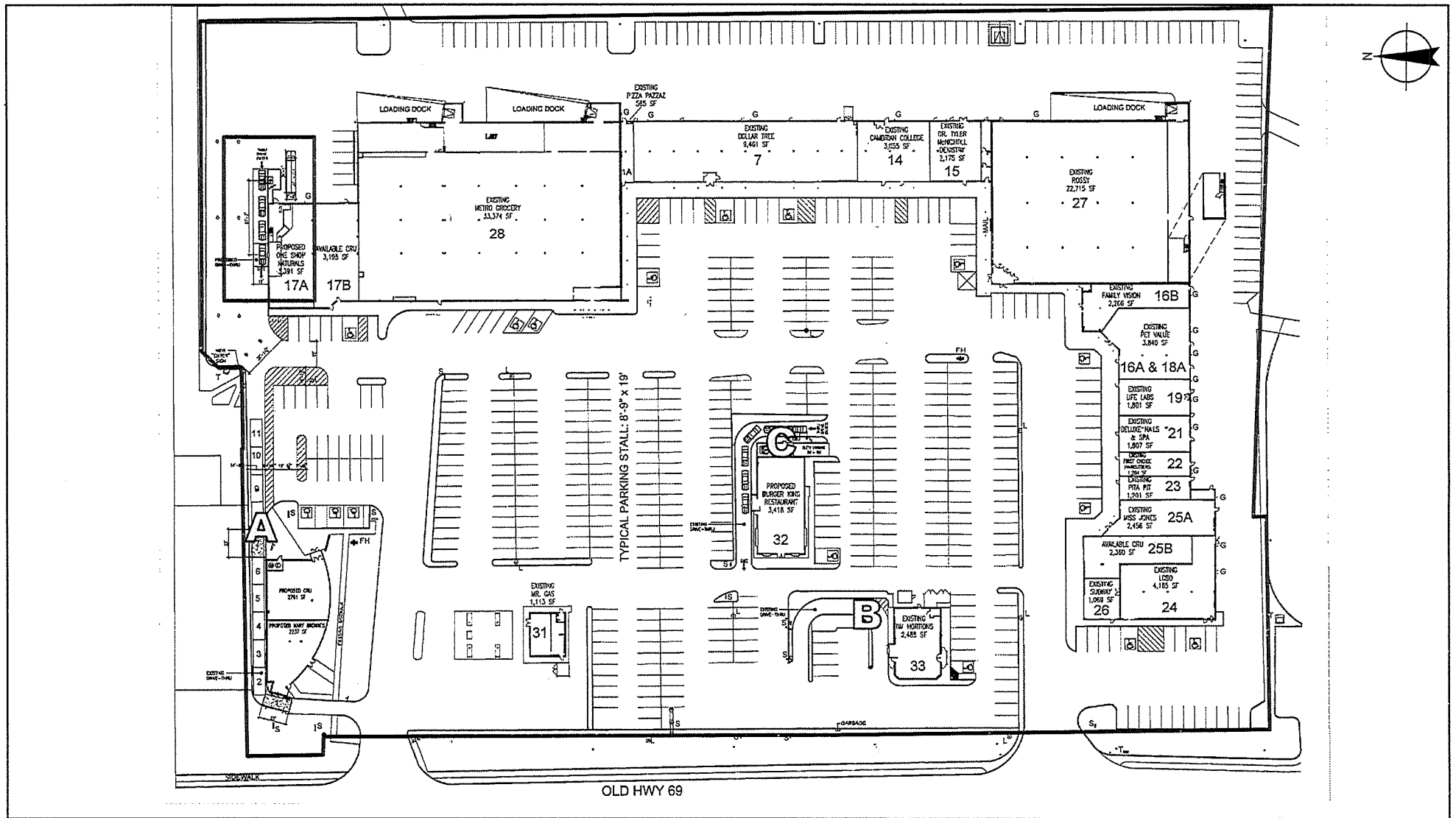


0778AU - Minor Variance Figures



2016712022

Appendix **2**



APPENDIX 2 EXCERPT OF SITE PLAN

LEGEND

- Subject Site
- A** Previously RBC; Now Mary-Brown's; Unit 30A
- B** Tim Hortons; Unit 33
- C** Historically Harvey's; Recently One Stop Naturals; Now Burger King; Unit 32
- Proposed New Drive Though

3140 Old Highway 69

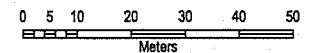
Minor Variance

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

DATE Oct. 20, 2022

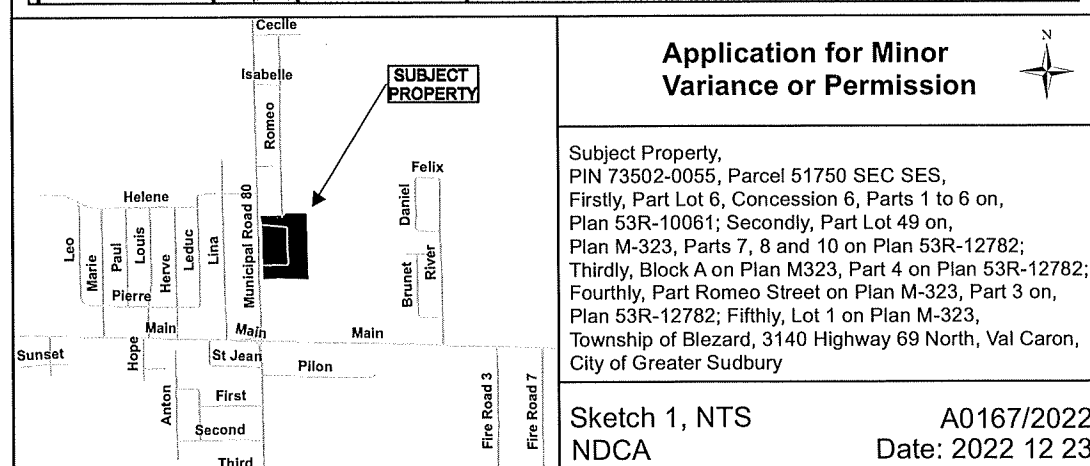
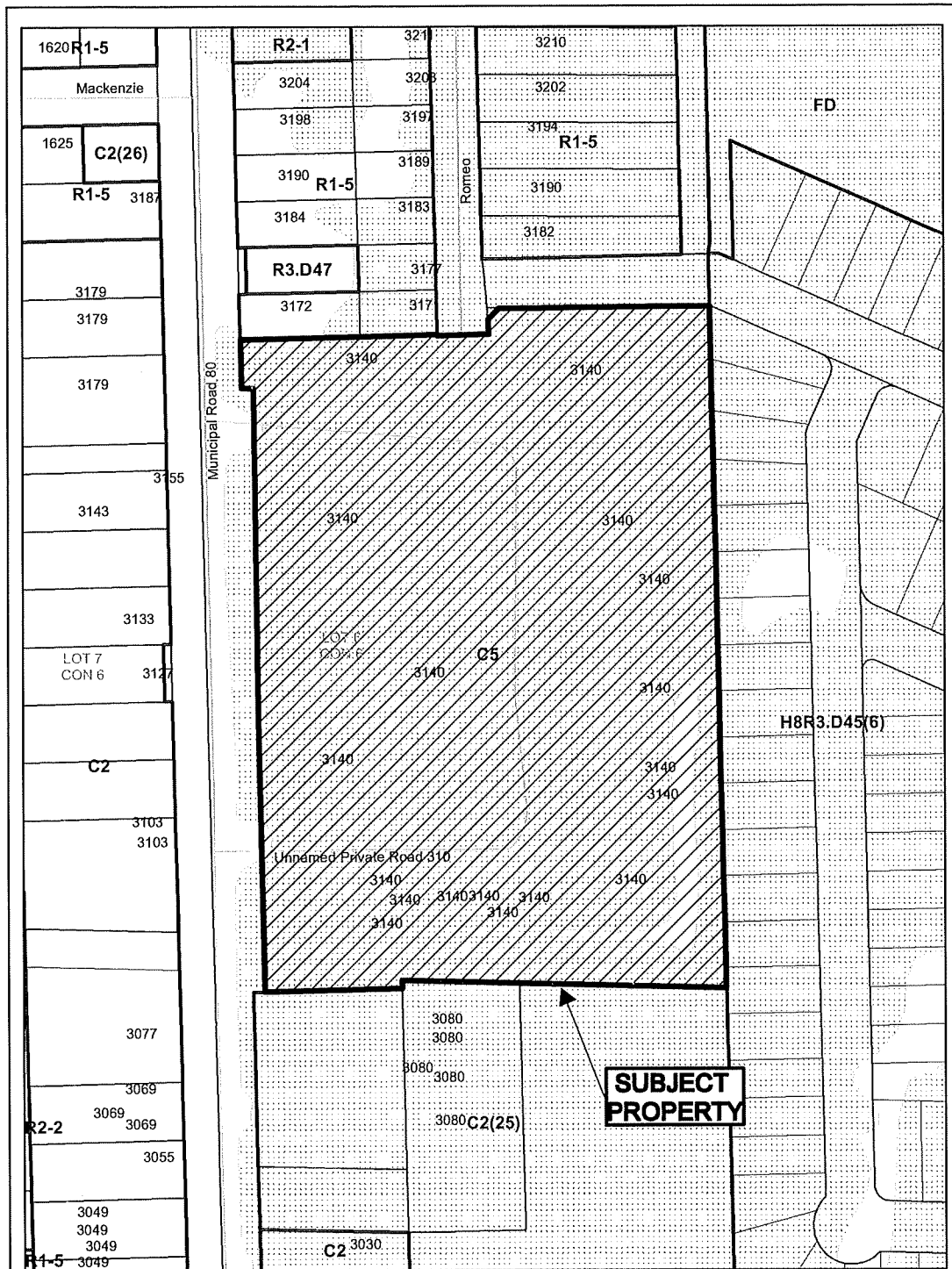
SOURCES

McCowan & Associates



0778AU - Minor Variance Figures





LEGEND
S = SIGNAGE
L = LIGHT STANDARD
FH = FIRE HYDRANT
T = TRANSFORMER
G = NATURAL GAS



| | | |
|-------|-------------|-----|
| SCALE | AS NOTED | SA1 |
| DATE | DEC 15 2022 | |

LEGEND
S = SIGNAGE
L = LIGHT STANDARD
FH = FIRE HYDRANT
T = TRANSFORMER
C = NATURAL GAS



OVERALL SITE PLAN

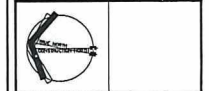
| REV | BY | DESCRIPTION | DATE |
|------------------|----|-------------|------|
| REVISIONS | | | |

CONTRACTOR SHALL CHECK AND VERIFY
ALL DIMENSIONS ON SITE
DO NOT SCALE DRAWINGS

LLA
ARCHITECTURE

ANTHONY ZACARIA
ARCHITECT

1054 - 706 LAWRENCE AVENUE WEST
TORONTO, ONTARIO M6A3B6
V/(416)781-9878 E/STAFF@LLA.NE.CA
WWW.LLARCH.CA



PROJECT VAL EST MALL
EXISTING SITE PLAN
EXISTING UNITS

OVERALL SITE PLAN

| | | | |
|---------|-------|-------------|-------|
| DRUM BY | AX/RS | COMM. NO. | 22-63 |
| CHCO-62 | AZ | BRAMING NO. | |
| SCALE | | | |



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

| | |
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| Office Use Only | |
| 2022.01.01 | |
| A 01/16/2022 | |
| S.P.P. AREA | |
| YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| NDCA REG. AREA | |
| YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> |

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

Registered Owner(s): A3 Construction Inc. Email: [REDACTED]
Mailing Address: 157 Silpaa Street Home Phone: [REDACTED]
Business Address: [REDACTED] Business Phone: [REDACTED]
City: Sudbury Postal Code: P3B 3E5 Fax Phone: [REDACTED]

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

Name of Agent: Michael Yallowega (Co-Owner) Email: [REDACTED]
Mailing Address: 72 Durham Street Home Phone: [REDACTED]
157 Silpaa Street Business Address: [REDACTED] Business Phone: [REDACTED]
City: Sudbury Postal Code: ON Fax Phone: [REDACTED]

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

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

Name: RBC
Mailing Address: 72 Durham Street
City: Sudbury, ON Postal Code: P3E 3M6

- 4) Current Official Plan designation: Mixed commercial use Current Zoning By-law designation: C2

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

| Variance To | By-law Requirement | Proposed | Difference |
|----------------------------------|--------------------|----------|------------|
| Reduction of rear yard set back. | 7.5 | 1.2 | 6.3 |
| | | | |
| | | | |
| | | | |
| | | | |

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: _____ (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 any abutting property registered under the same ownership).

| | | |
|---|-------------------|---|
| PIN(s): 73580-0295 | | Township: McKim |
| Lot No.: 2 | Concession No.: 4 | Parcel(s): |
| Subdivision Plan No.: | Lot: | Reference Plan No.: 53R- 53RI 54 Part(s): 1 |
| Municipal Address or Street(s): 157 Silpaa Street | | |

- 7) Date of acquisition of subject land. August 30, 2019

- 8) Dimensions of land affected.

Frontage 23.75 (m) Depth 15.29 (m) Area 363.14 (m²) Width of Street 8? (m)

- 9) Particulars of all buildings:

| | Existing | Proposed |
|--------------------|--------------------------|--------------------------|
| Ground Floor Area: | 78.31 (m ²) | 101.43 (m ²) |
| Gross Floor Area: | 156.63 (m ²) | 179.75 (m ²) |
| No. of storeys: | 1 + basement | 1 no basement |
| Width: | 10.04 (m) | 11.54 (m) |
| Length: | 7.63 (m) | 11.29 (m) |
| Height: | 6 (m) | 6 (m) |

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

| | Existing | Proposed |
|--------|----------|----------|
| Front: | 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) What types of water supply, sewage disposal and storm drainage are available?

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

- What type of access to the land?

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

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

Unsure.

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

Use(s): Commercial office Length of time: August 30, 2019

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

Same as #13 ☒ or,

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

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

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: Commercial

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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? ☐ Yes ☒ No

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

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

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

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

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

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, A3 Construction Inc. (please print all names), the registered owner(s) of the property described as Michael Yallowega and Rick Yallowega
in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

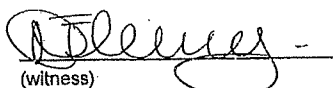
Authority to Enter Land and Photograph

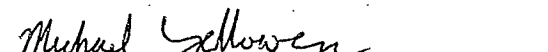
- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal,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

Appointment of Authorized Agent

- appoint and authorize 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, 2022


(witness)


signature of Owner(s) or Signing Officer or Authorized Agent
Print Name: Michael Yallowega

*I have authority to bind the Corporation

April 6/2022

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

INWe, A3 Construction Inc. - Michael Yellowoga + Rick Yellowoga (please print all names),
the registered owner(s) or authorized agent of the property described as A3 Construction Inc.

Michael Yallowega and Rick Yallowega
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 1st day of December, 20 22.

Blaney
Commissioner of Oaths

Heather Ann Fleury, a Commissioner, etc.,
Province of Ontario, for Moutsatsos Laakso
Alexander LLP, Barristers and Solicitors.
Expires October 28th, 2025.

Michael Galloway
signature of Owner(s) or Signing Officer or Authorized Agent
(*where a Corporation).

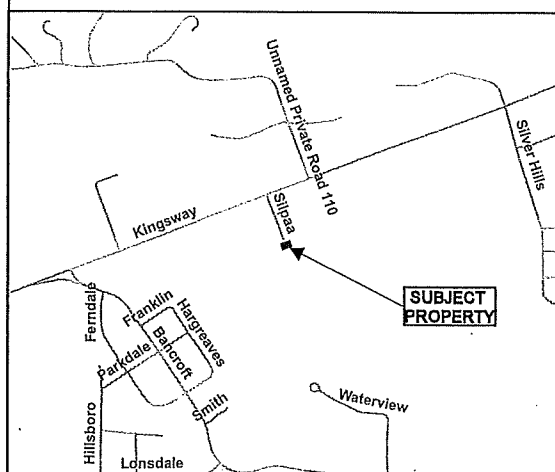
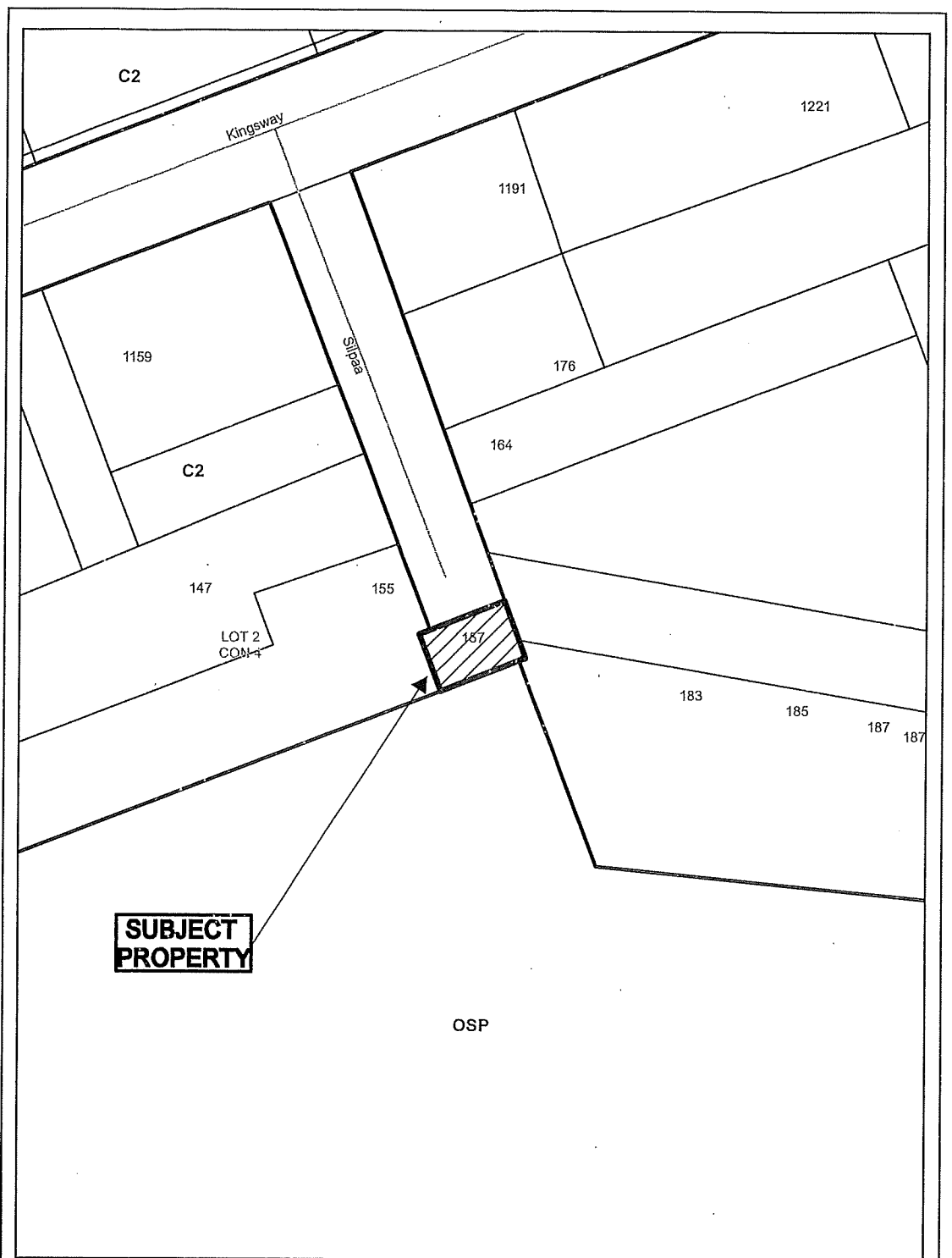
Print Name: Michael Yallowego
 *I have authority to bind the Corporation

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

FOR OFFICE USE ONLY

Date of Receipt: Dec 6/22 Hearing Date: Jan 18/23 Received By: N. Lewis
Zoning Designation: C2 Resubmission: ☒ Yes ☐ No
Previous File Number(s): B24/96 (April/96)
Previous Hearing Date: A38/96 (April/96)
Notes:

April 6/2022



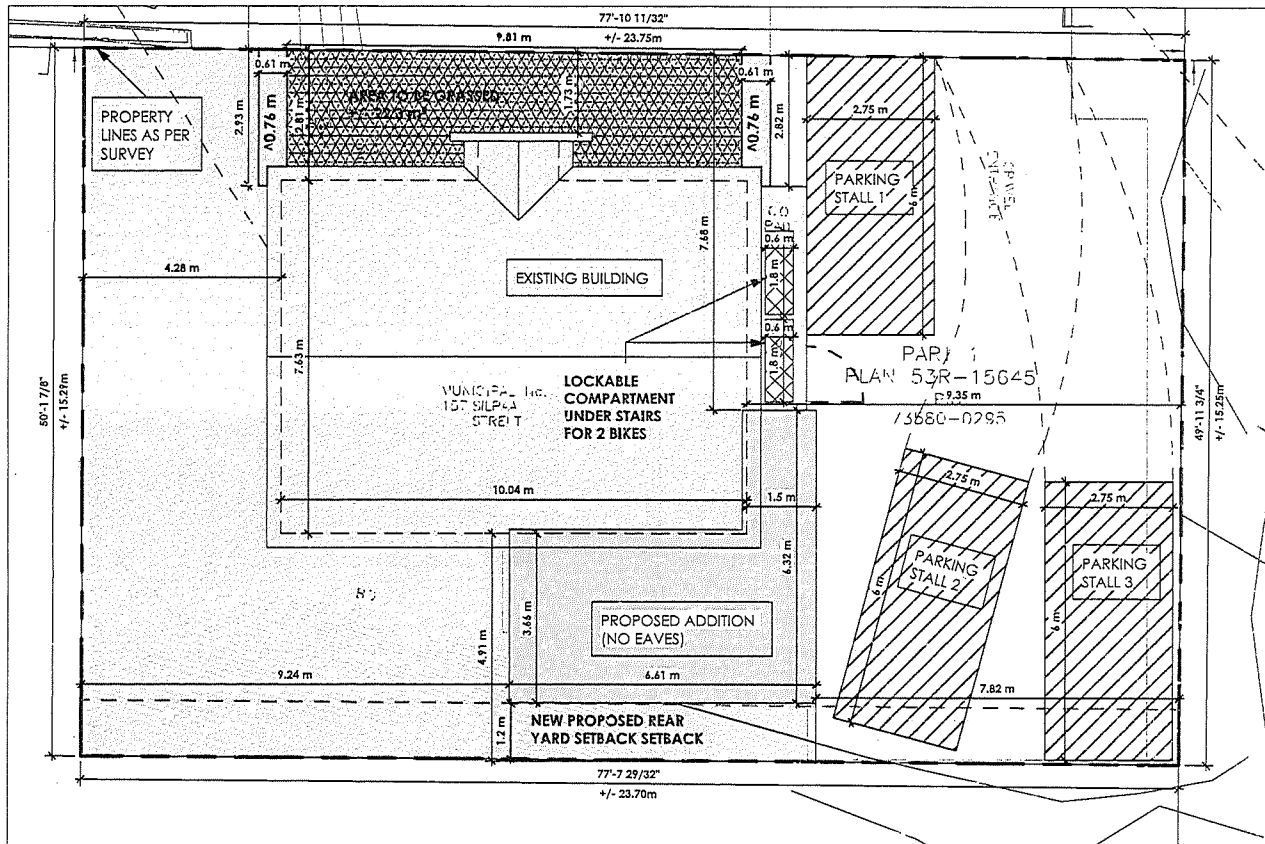
Application for Minor Variance or Permission



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



EXISTING 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 ft²

GRAND TOTAL = 756.92 ft² > 70.32 m²

PARKING PROVISIONS AS PER C2 GENERAL COMMERCIAL

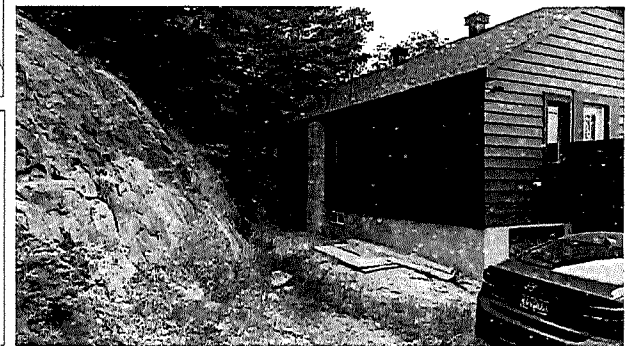
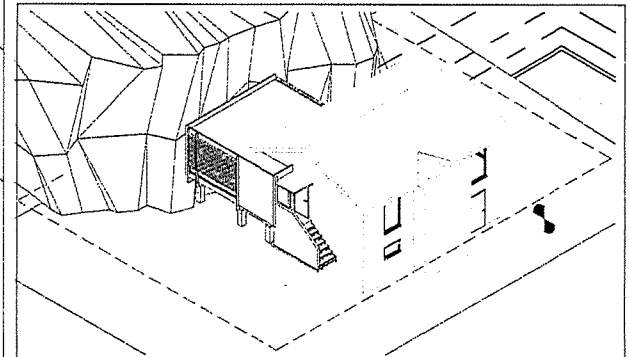
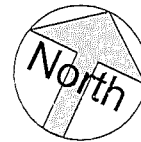
PARKING REQUIRED AS DEFINED PER "BUSINESS OFFICE" : 1/30m²

REQUIRED = 2.344

PROPOSED = 3

BICYCLE PARKING REQUIREMENTS AS PER TABLE 5.10 (OFFICE)

REQUIRED = 2 PROPOSED = 2



Site Plan & Site Information

Office Addition

157 Silpa St, Sudbury ON P3B 3E5

Scale

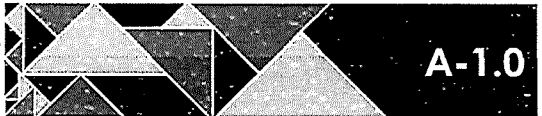
1/8" = 1'-0"

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



Revisions

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A0116/2022
Sketch 2
REVISED