



## APPLICATIONS FOR MINOR VARIANCE

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Tom Davies Square  
200 Brady St

Wednesday, July 17, 2024

### PUBLIC HEARINGS

**A0058/2024**

**1558680 ONTARIO INC.**

Ward: 10

PIN 73590 0299, Parcel 27690 SEC SES SRO, Lot Part 6, Concession 2, Township of McKim, 888 Crown Street, Sudbury, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the existing dwelling to provide a north side yard setback of 0.53m, where 0.6m was granted under Minor Variance Application A0170/1988.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A170/88 (JUN 20/88) AND CONSENT APPLICATION B130/73 (MAY 28/73)

**A0060/2024**

**ALISON FERA (MILLWARD)  
TREVOR FERA**

Ward: 11

PIN 73559 0114, Parcel 44400, Surveys Plan 53R-7096 Part(s) 3, 4, 7, and 8 & Plan 53R-16903 Part(s) 1, Lot Part 9, Concession 2, Township of Neelon, 535 Moonlight Beach Road, Sudbury, [2010-100Z, R1-1(6) Low Density Residential One]

For relief from Part 4, Section 4.2, subsections 4.2.3 and 4.2.4 a) and Part 6, Section 6.3, Table 6.2 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 providing, firstly, an accessory lot coverage of 13%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, secondly, a maximum height of 7.0m, where the maximum height of any building or structure accessory to a residential dwelling shall be 5.0m, thirdly, a minimum front yard setback of 3.4m with eaves projecting 0.61m into the proposed 3.4m front yard setback, where 6.0m is required and where eaves may encroach 1.2m into the required front yard but not closer than 0.6m to the lot line, and fourthly, a maximum lot coverage of 26%, where a maximum of 25% is permitted for partially or unserviced lots.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A20/23 (APR 13/23)

**A0069/2024**

**SADIE PAQUETTE  
REGINALD AUDETTE**

Ward: 3

PIN 73350 0279, Parcel 27875A SEC SWS, Survey Plan 53R-9993 Part(s) 1, Lot Part 12, Concession 2, Township of Balfour, 1856 Pilon Crescent, Chelmsford, [2010-100Z, RU (Rural)]

For relief from Part 4, Section 4.37, subsection 4.37.2 a) 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 accessory building containing a secondary dwelling unit providing a minimum railroad setback of 6.65m, where all buildings and structures shall be setback 30.0m from any lot line abutting a railroad right-of-way.

SUBJECT TO PREVIOUS CONSENT APPLICATION B0328/1993 (OCT 4/93)

**THIS APPLICATION WAS DEFERRED PRIOR TO THE DECEMBER 20, 2023 MEETING TO AFFORD THE OWNERS THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.**

**A0125/2023**

**PAVAN KUMAR KOKA  
BELINDA KOKA**

**"REVISED"**

Ward: 9

PIN 73476 0735, Survey Plan 53R-18135 Part(s) 1, 2, 3, 4, 5, 6 and 7, Lot Part 8, Concession 3, Township of Broder, 988 Dew Drop Road, Sudbury, [2010-100Z, R1-2 (Low Density Residential One)]

For relief from Part 4, Section 4.2, Table 4.1 and Section 4.41, subsections 4.41.2, 4.41.3 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the installation of upper and lower-level patios/terraces/pool support structure, retaining walls, an inground pool, a hot tub, and accessory structure being a mechanical/utility room together with the pool and hot tub utilities contained therein, firstly, to permit the east portion of the upper retaining wall to provide a minimum interior side yard setback of 0.6m, where an accessory structure greater than 2.5m in height shall be no closer than 1.2m from the side lot line, secondly, providing a high water mark setback of 14.66m for the upper-level patio/terrace/ pool support structure, 11.82m for the lower-level patio, 17.1m for the inground pool, 22.24m for the hot tub, 14.97m for the accessory structure together with the pool and hot tub utilities contained therein, 19.05m for the upper level retaining wall and 11.51m for the lower level retaining wall, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, thirdly, to permit the upper level patio/terrace/ pool support structure to be 14.66m, the lower level patio to be 11.82m, the inground pool to be 17.1m setback, the accessory structure together with the pool and hot tub utilities contained therein to be 14.97m setback, the upper level retaining wall to be 19.05m and the lower level retaining wall to be 11.51m setback from the high water mark of a lake, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3, fourthly, to permit a maximum of 66.3% of the required shoreline buffer area to be cleared of natural vegetation, where a maximum of 25%, but in no case shall exceed a maximum of 276.0 sq.m of the required shoreline buffer area is permitted, and fifthly, to permit a 100% of the length of the shoreline at the high water mark to be cleared of natural vegetation, where the maximum length of the cleared area measured at the high water mark shall be 25% of the length of the shoreline of the lot but in no case shall the maximum length of cleared area measured at the high water exceed 25.0 metres in length.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B118/07 (19 JUN 07), B117/07 (19 JUN 07), B121/06 (6 SEP 06), B50/01 (9 JUL 01), B28/89 (13 FEB 89) AND MINOR VARIANCE APPLICATIONS A15/05 (4 APR 05), A49/01 (30 JUL 01)

**THIS APPLICATION WAS DEFERRED FROM THE MEETING OF JUNE 20, 2024 TO AFFORD THE OWNERS THE OPPORTUNITY TO ADDRESS THE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.**

**A0056/2024**

**LUCIANA SIMEONI  
DENNIS SIMEONI**

**"REVISED"**

Ward: 2

PIN 73366 0008, Parcel 10787 SEC SWS, Lot Part Broken 11, Concession 1, Township of Fairbank, 1878 Fairbank East Road, Whitefish, [2010-100Z, SLS(4)(Seasonal Limited Service)]

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, to facilitate the construction of a detached garage providing a maximum height of 8.5m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

**A REMINDER... THE NEXT SCHEDULED MEETING IS  
WEDNESDAY, JULY 31, 2024 (VIRTUAL MEETING ONLY)**



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 2024.01.01	
A0068/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES	NO <input checked="" type="checkbox"/>

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

**APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)**  
**APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)**  
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

**PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.**

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

Registered Owner(s): 1558680 Ontario Inc.	Email:
Mailing Address: 255 Larch St	Home Phone:
	Business Phone:
City: Sudbury, Ontario	Postal Code: P3B 1M2
	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: Marissa Sarrazin	Email:
Mailing Address: 233 Brady Street, Suite 400	Home Phone:
888 Crown Street, Sudbury, Ontario	Business Phone:
City: Sudbury	Postal Code: P3B 4H5
	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: 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
the allowable 0.6 Meter setback	62-192	0.06985 meters at the west corner and 0.079375	0.53975 at the west corner and 0.530225 at the east corner

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

- c) Description of Proposal:  
 the garage is encroaching into the allowable setback by 0.06985 meters at the west corner and 0.079375 meters at the east corner

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
 The proposal cannot comply with the provisions of the Zoning By-law as the garage was built with building permit 88-2049 and with the completion date of March 21, 2000.  
 The violation was recently found during the sale of the property to new owners when a new survey was completed.

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

PIN(s): 73590-0299		Township: MCKIM	
Lot No.: PT LT 6	Concession No.: 2	Parcel(s): PCL 27690	
Subdivision Plan No.:	Lot:	Reference Plan No.:	Part(s):
Municipal Address or Street(s): 888 Crown Street, Sudbury, Ontario			

7) Date of acquisition of subject land. June 29, 1987

8) Dimensions of land affected.

Frontage 57.83	(m)	Depth 83.74	(m)	Area 3,931.48	(m <sup>2</sup> )	Width of Street n/a	(m)
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9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	Not identified	(m <sup>2</sup> )	n/a	(m <sup>2</sup> )
Gross Floor Area:	Not identified	(m <sup>2</sup> )	n/a	(m <sup>2</sup> )
No. of storeys:	2		n/a	
Width:	n/a	(m)	n/a	(m)
Length:	n/a	(m)	n/a	(m)
Height:	n/a	(m)	n/a	(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:	0.54/0.53	(m)	0.54/0.53	(m)
Rear:	65.40/65.42	(m)	n/a	(m)
Side:	11.96/11.95	(m)	n/a	(m)
Side:	65.40/65.42 (east)	11.55 (west)	n/a	(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.

1962 and 1988. See attached Building control search

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

Use(s): Garage Length of time: Since 1988

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

Same as #13  or, \_\_\_\_\_

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

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 use

A0058/2024

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): A0170/1988  
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, 1558680 Ontario Limited (please print all names), the registered owner(s) of the property described as 888 Crown Street

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

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

**Authority to Enter Land and Photograph**

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

**Appointment of Authorized Agent**

g) appoint and authorize Marissa Sarrazin (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 10 day of June, 2024

[Signature]  
(witness)

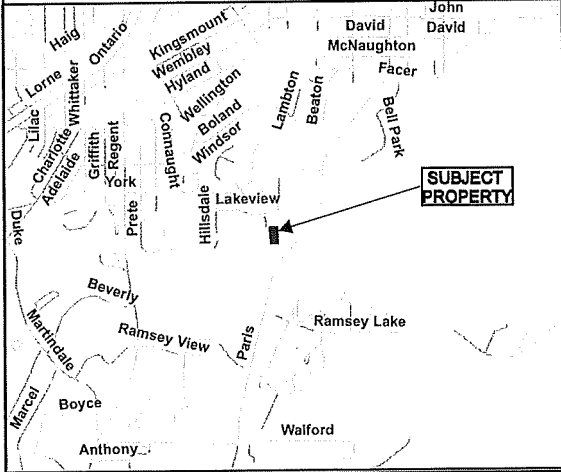
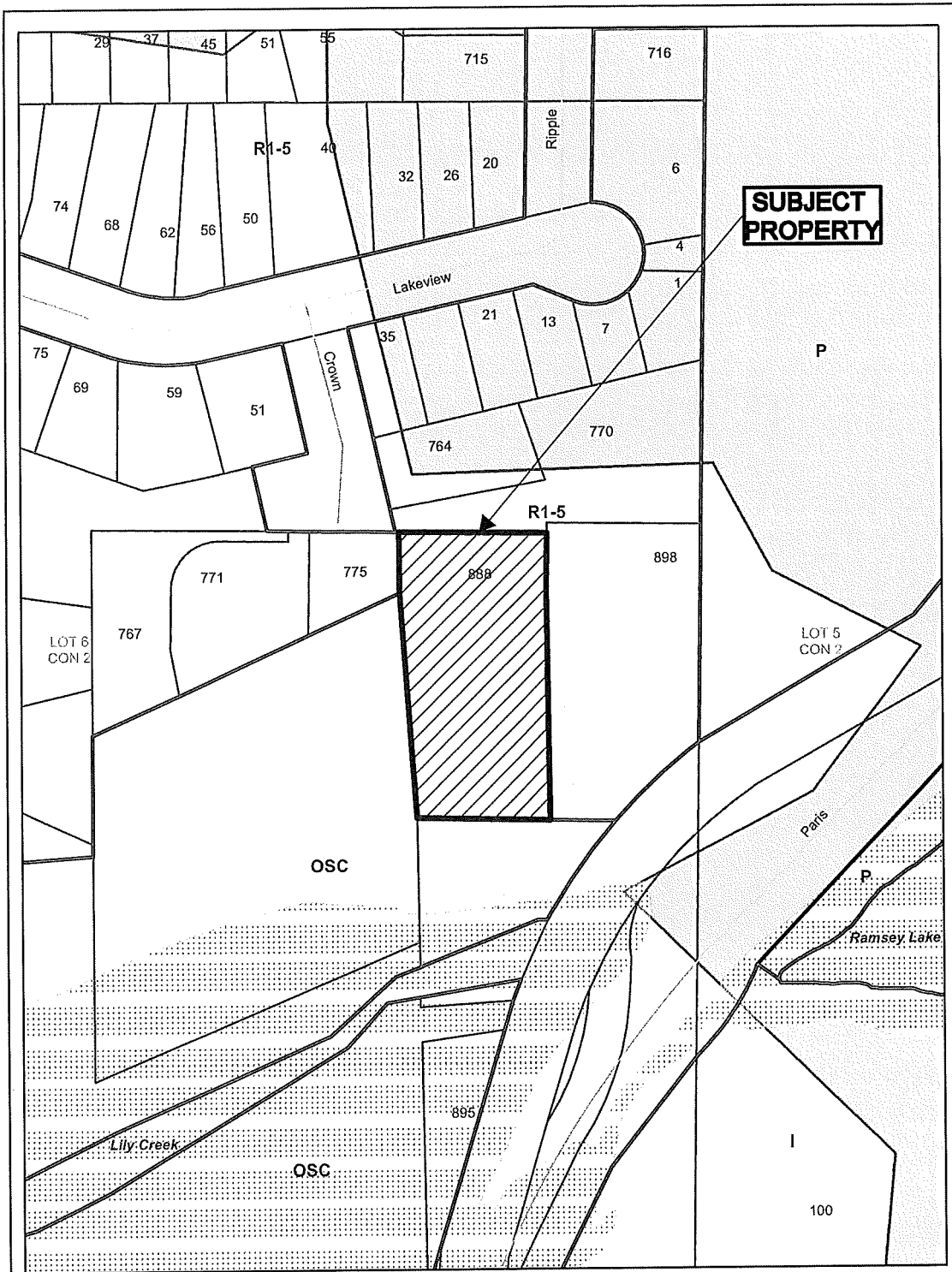
[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: RICK YAMANE

\*I have authority to bind the Corporation

A0058/2024





**Application for Minor  
Variance or Permission**

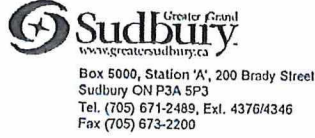


Subject Property being PIN 73590-0299,  
Parcel 27690 SEC SES SRO,  
Part Lot 6, Concession 2,  
Township of McKim,  
888 Crown Street, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0058/2024  
Date: 2024 05 22





Office Use Only 2024.01.01	
A-1010/2024	
S.P.P. AREA	
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
NDCA REG. AREA	
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

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

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
 APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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**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): Trewer Fern, Alison Fern (Millwood) Email: [REDACTED]  
 Mailing Address: 535 Moonlight Beach Rd Home Phone: [REDACTED]  
 City: Sudbury Postal Code: P3B 3U7 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: \_\_\_\_\_ Email: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
 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: RMB Mortgages  
 Mailing Address: PO Box 351 ST. NC.  
 City: Kitchener Postal Code: N2G 3U9

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R1-1 (6)

- 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
Garage Height	5M	7M	2M
Accessory Lot Coverage	10%	24%	14%
Right of Way Set back	6M	3.4M	2.6M
Lot Coverage (Table 6.2)	25%	26%	1%

- b) Is there an eave encroachment?  Yes  No If 'Yes', size of eaves: 0.61 (m)

- c) Description of Proposal: Shed will be removed. Access will be from the right of way going around the grass area. Construct detached garage.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
Need storage above due to small size. Can not park vehicles in current garage because it is below grade.

City of Greater Sudbury

Application for Minor Variance

5. C - Description of Proposal: The proposal involves constructing a 24'x24' detached garage with a half loft. Additionally, the current 10'x10' shed will be removed. Access to the garage will be facilitated partially from the right-of-way (an unusable/isolated city-owned grass/gravel area that I maintain) and our property. Double vehicle parking will remain in its current location in the driveway in front of the house.

5. D - Reasons for Non-Compliance with Zoning By-Law Provisions: Lot Coverage Variance: I am seeking a variance in lot coverage due to the size of the garage. The dimensions of 24'x24' are chosen to comfortably accommodate two vehicles along with storage space for kids' toys, bikes, etc. This also allows for double vehicle parking in the driveway.

Height Variance: I am requesting a height variance to optimize usable space for storage. Our house space is constrained due to our expanding family, limiting our ability to dedicate for storage.

Setback Variance: The location of the garage is constrained, leaving this as the only feasible site. I aim to keep the garage as compact as possible while remaining functional. It needs to maintain a distance of 30m from the high water mark, which necessitates situating it closer to the right-of-way. The right-of-way, consisting of a grassed/gravel area, is currently unusable as well as isolated and serves as a division between my property and my neighbor's right-of-way.

I am undertaking the construction of this garage because our existing one is impractical for vehicle parking, being situated below grade. Presently, it serves primarily as a home gym, and extra space utilized by our family.

A00600/2024

APPLICATION FOR MINOR VARIANCE

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

Township: Sudbury  
 PIN(s): \_\_\_\_\_ Parcel(s): 44406  
 Lot No.: PT 9 Concession No.: 2 Lot: \_\_\_\_\_ Reference Plan No.: 53R-7096 Part(s): 3, 4, 7, 8  
 Subdivision Plan No.: \_\_\_\_\_  
 Municipal Address or Street(s): \_\_\_\_\_

7) Date of acquisition of subject land. Oct 2018

8) Dimensions of land affected. 45  
 Frontage 34 (m) Depth 47 (m) Area 1241.3 (m<sup>2</sup>) Width of Street \_\_\_\_\_ (m)

9) Particulars of all buildings:

	Existing	Garage	Shed to be removed	Proposed Garage
Ground Floor Area:	<u>158</u>	<u>100.9</u> (m <sup>2</sup> )	<u>99</u>	<u>53.3</u> (m <sup>2</sup> )
Gross Floor Area:	<u>316</u>	<u>100.9</u> (m <sup>2</sup> )	<u>99</u>	<u>53.3</u> (m <sup>2</sup> )
No. of storeys:	<u>1 + lookout</u>	<u>1</u>	<u>1</u>	<u>1.5</u> (m)
Width:	<u>13.5</u>	<u>9.9</u> (m)	<u>3</u>	<u>7.3</u> (m)
Length:	<u>11.7</u>	<u>11.7</u> (m)	<u>3</u>	<u>7.3</u> (m)
Height:	<u>6.5</u>	<u>5</u> (m)	<u>4</u>	<u>6.9</u> (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:	<u>15.6</u> (m)	<u>6.3</u> (m)
Rear:	<u>16.1</u> (m)	<u>32.4</u> (m)
Side:	<u>9.4</u> (m)	<u>2.5</u> (m)
Side:	<u>4.3</u> (m)	<u>2.2</u> (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.  
House - 2006 Garage -

13) Existing use(s) of the subject property and length of time if they have continued.  
 Use(s): Residential Length of time: 18 yr

14) Proposed use(s) of the subject property.  
 Same as #13  or \_\_\_\_\_

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

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: Homes

A0060/2024

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): A0020/2023  
or, describe briefly, Deferred and expired

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. In lake protection zone 3

**PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I, we, Trevor Fera, Alison Fera (Millward) (please print all names), the registered owner(s) of the property described as 535 Moonlight Beach Rd Sudbury Ont, P3B 3U7 in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

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

**Authority to Enter Land and Photograph**

- c) 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**

I appoint and authorize Trevor Fera (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...

Dated this 24 day of May, 2024

[Signature]  
(witness)  
JAMES GERVAIS

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent  
Print Name: Alison Fera (Millward)

\*I have authority to bind the Corporation

[Signature]

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, Trew Fera (please print all names),  
the registered owner(s) or authorized agent of the property described as 535 Mainlight Beach Rd  
Sudbury Ont P3B 3V7  
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 24<sup>th</sup> day of May 2024

  
Commissioner of Oaths

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

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

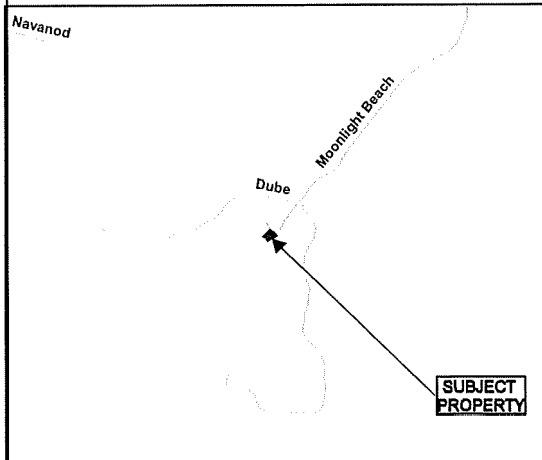
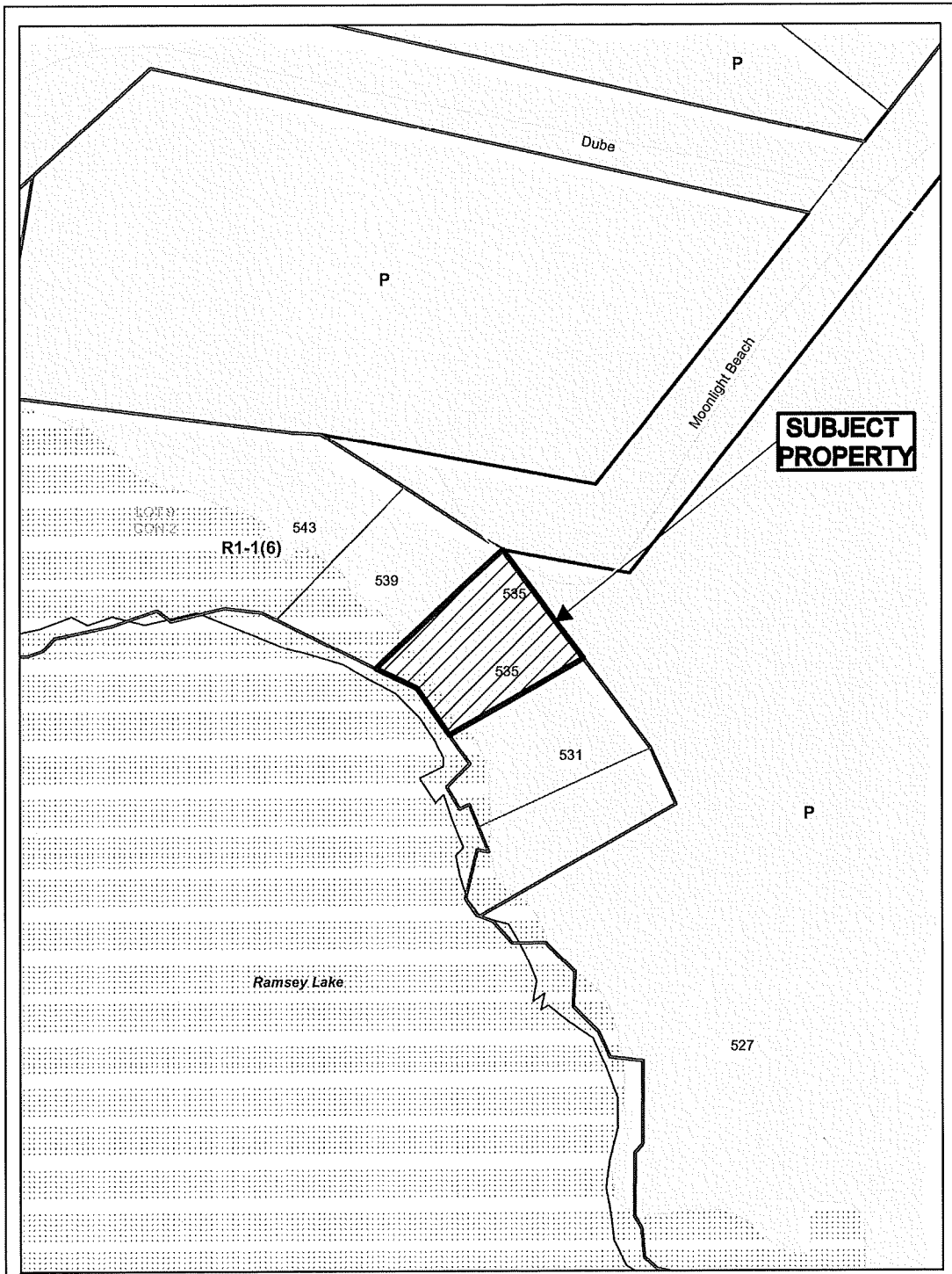
Print Name: Trew Fera  
I have authority to bind the Corporation

\* 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: June 21/24 Hearing Date: July 17, 2024 Received By: N. Lewis  
 Zoning Designation: R1-1(G) Resubmission:  Yes  No  
 Previous File Number(s): From 20/2023 (Apr 13/23) - Deferred.  
 Previous Hearing Date:  
 Notes:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_

A0060/2024



**Application for Minor Variance or Permission**



Subject Property being PIN 73559-0114, Parcel 44400, Part Lot 9, Concession 2, Parts 3, 4, 7 and 8, Plan 53R-7096, together with Part 1, Plan 53R-16903 as in LT919152, Township of Neelon, 535 Moonlight Beach Road, Sudbury, City of Greater Sudbury

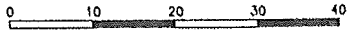
Sketch 1, NTS  
NDCA

A0060/2024  
Date: 2024 05 30

PLOT PLAN  
**PART OF LOT 9  
 CONCESSION 2**  
 GEOGRAPHIC TOWNSHIP OF NEELON  
 CITY OF GREATER SUDBURY

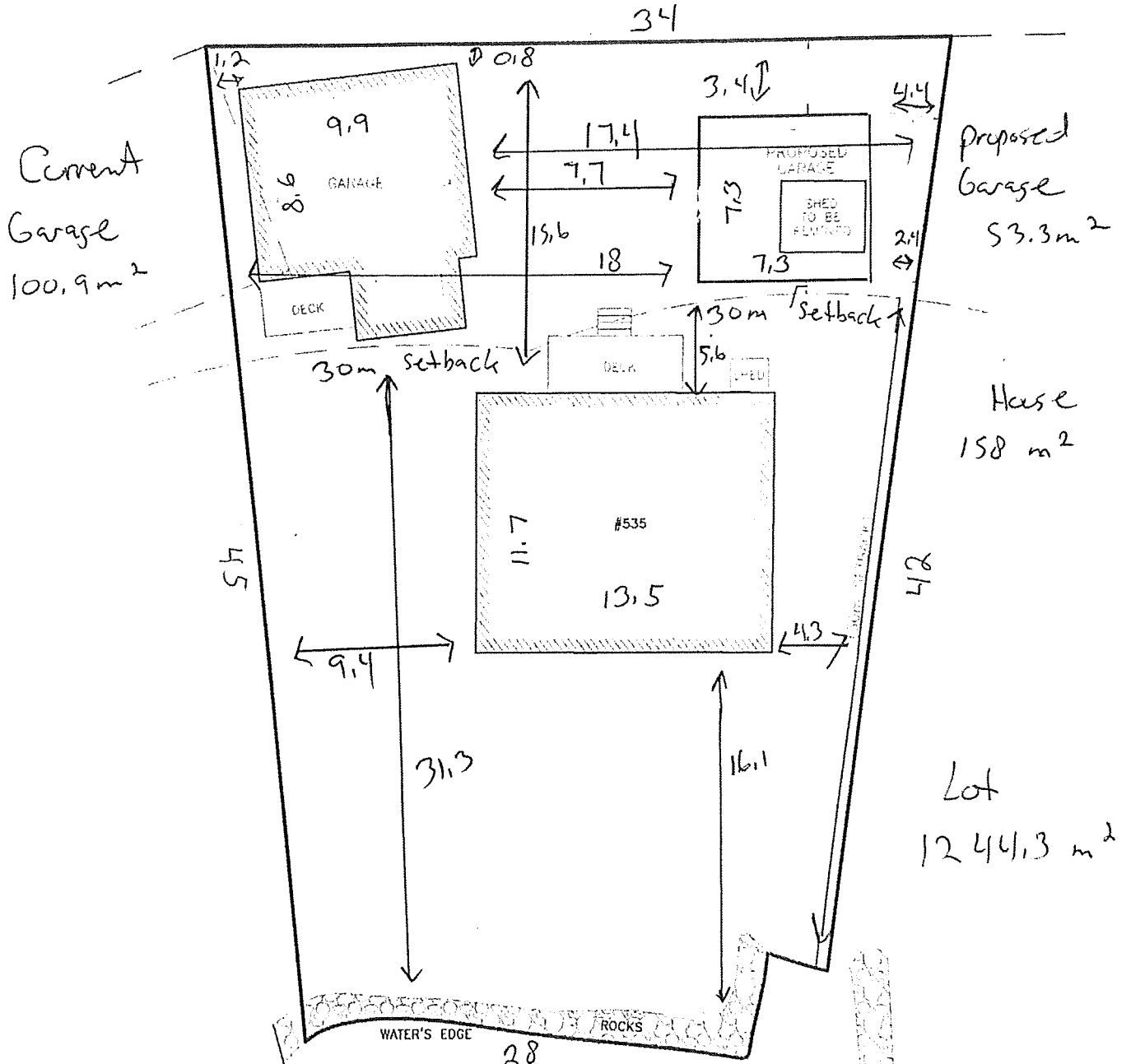
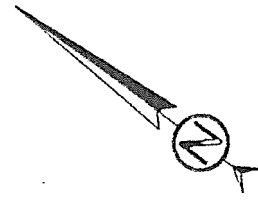
DISTRICT OF SUDBURY

SCALE : 1 INCH = 20 FEET



2023

RIGHT-OF-WAY AS IN LT919152



Current  
Garage  
100.9 m<sup>2</sup>

Proposed  
Garage  
53.3 m<sup>2</sup>

House  
158 m<sup>2</sup>

Lot  
12 441.3 m<sup>2</sup>

RAMSEY  
LAKE

A0000/2024  
Sketch 2



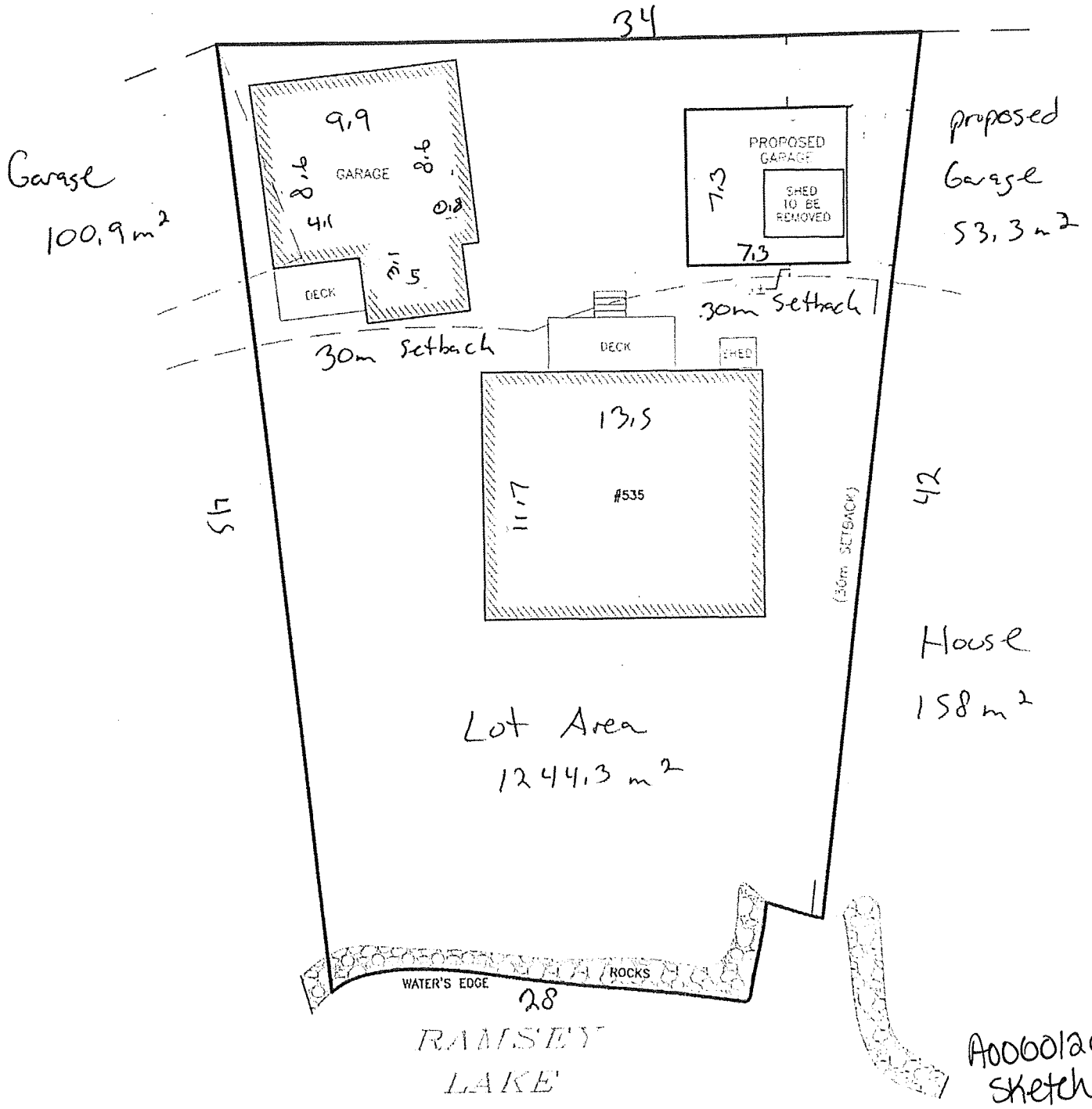
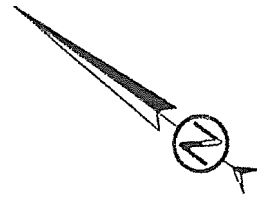
PLOT PLAN  
**PART OF LOT 9**  
**CONCESSION 2**  
 GEOGRAPHIC TOWNSHIP OF NEELON  
 CITY OF GREATER SUDBURY  
 DISTRICT OF SUDBURY

SCALE : 1 INCH = 20 FEET

2023

RIGHT-OF-WAY AS IN LT919152

Lot Area / Building Area





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 2024.01.01	
A000412024	
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: \$1,360.00 (includes \$320.00 legal notice fee)**  
**APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)**  
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

**PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.**

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

Registered Owner(s): SADIE PAQUETTE, REGINALD AUDETTE Email: [REDACTED]  
 Mailing Address: 1856 PILON CRESCENT Home Phone: [REDACTED]  
 City: CHELMSFORD Postal Code: P0M 1L0 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: \_\_\_\_\_ 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: NO MORTGAGE  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

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

- 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
<u>SPECIAL SETBACK RAILROADS</u> <u>(4.37m)</u>	<u>30</u>	<u>6.65</u>	<u>23.35m</u>

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

c) Description of Proposal: TO BUILD A SECONDARY UNIT MODULAR HOME

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: ROCKY, WOODED AREAS, SEPTIC SYSTEM EASEMENTS, NEED TO PUT IN AREA WITH NO CONFLICTS

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

PIN(s): 73350-0279 Township: BALFOUR  
 Lot No.: 12 Concession No.: 2 Parcel(s): 27875A  
 Subdivision Plan No.: \_\_\_\_\_ Lot: \_\_\_\_\_ Reference Plan No.: 53R9997 Part(s): 1  
 Municipal Address or Street(s): 1856 PILDON CRESCENT, RR2, CHELMSFORD ON POMILO

7) Date of acquisition of subject land. NOVEMBER 3, 1983

8) Dimensions of land affected.

Frontage IRREGULAR (m) Depth IRREG. (m) Area 4046.85<sup>6</sup> (m<sup>2</sup>) Width of Street 7.70 (m)

9) Particulars of all buildings:	DET GAR		Existing SFD		Proposed DET S.U.	
Ground Floor Area:	<u>72.464</u>		<u>635.</u>	(m <sup>2</sup> )	<u>60.48</u>	(m <sup>2</sup> )
Gross Floor Area:	<u>72.464</u>		<u>635.</u>	(m <sup>2</sup> )	<u>60.48</u>	(m <sup>2</sup> )
No. of storeys:	<u>1</u>		<u>1</u>		<u>1</u>	
Width:	<u>7.925</u>		<u>8.534</u>	(m)	<u>4.724</u>	(m)
Length:	<u>9.144</u>		<u>13.411</u>	(m)	<u>12.802</u>	(m)
Height:	<u>4.897</u>		<u>6.401</u>	(m)	<u>4.267</u>	(m)

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

	DET GAR		Existing SFD		Proposed DET S.U.	
Front:	<u>51.93</u>		<u>53.93</u>	(m)	<u>10.50</u>	(m)
Rear:	<u>48.12</u>		<u>67.41</u>	(m)	<u>97.13</u>	(m)
Side:	<u>110.66</u>		<u>27.98</u>	(m)	<u>66.04</u>	(m)
Side:	<u>29.17</u>		<u>27.27</u>	(m)	<u>6.65</u>	(m)

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

What type of access to the land?

- |                                                     |                                     |                                                                                |                                     |
|-----------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------|-------------------------------------|
| Municipally owned & operated piped water system     | <input type="checkbox"/>            | Provincial Highway                                                             | <input type="checkbox"/>            |
| Municipally owned & operated sanitary sewage system | <input type="checkbox"/>            | Municipal Road                                                                 | <input type="checkbox"/>            |
| Lake                                                | <input type="checkbox"/>            | Maintained Yearly                                                              | <input checked="" type="checkbox"/> |
| Individual Well                                     | <input checked="" type="checkbox"/> | Maintained Seasonal                                                            | <input type="checkbox"/>            |
| Communal Well                                       | <input type="checkbox"/>            | Right-of-way                                                                   | <input type="checkbox"/>            |
| Individual Septic System                            | <input checked="" 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.

HOUSE 1957 GARAGE 1996

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

Use(s): RURAL RESIDENTIAL FAMILY Length of time: 70 YEARS

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

Same as #13  or, \_\_\_\_\_

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

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: WOODED AREA, ROAD, CPR RAILWAY

A0009/2024

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, SADIE PAQUETTE & REGINALD AUDETTE (please print all names), the registered owner(s) of the property described as 1856 DILON CRES, CHELMSFORD ON

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

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

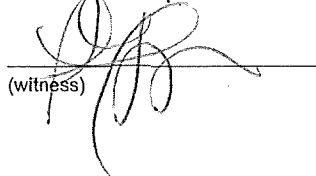
**Authority to Enter Land and Photograph**

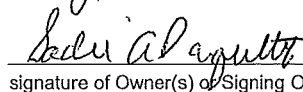
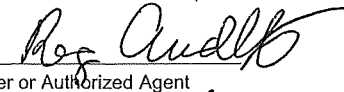
- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land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

**Appointment of Authorized Agent**

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

Dated this 18 day of June, 2024

(witness) 

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

Print Name: SADIE PAQUETTE REG AUDETTE

\*I have authority to bind the Corporation

A0009/2024



## Nia Lewis

---

**From:** Sadie Paquette [REDACTED]  
**Sent:** Friday, June 21, 2024 2:21 PM  
**To:** Nia Lewis  
**Cc:** Sarah Pinkerton  
**Subject:** Re: Minor Variance - 1856 Pilon Crescent

Here's an explanation of why we have chosen the specific spot for placing the secondary dwelling:

1 Proximity to Hydro Pole: One of the primary reasons for choosing this spot is its proximity to a hydro pole within 100 feet. This close distance significantly reduces the cost and effort required to connect the secondary dwelling to the electrical grid. It ensures a more affordable and straightforward installation process, which is advantageous for our budget and timeline.

2 Suitability for Concrete Foundation: The secondary dwelling requires a concrete foundation. Placing it in the chosen spot avoids disrupting the large open lawn area, which we prefer to keep intact for recreational and aesthetic purposes. This location allows us to maintain the spacious and open feel of the lawn, enhancing the overall appeal of the property.

3 Distance from Septic System: Another key factor is that the chosen area is away from the septic system, which already occupies a significant portion of the front lawn. This separation minimizes any potential interference or complications with the septic system, ensuring both systems can function optimally without overlapping spatially.

4 Convenient Access to Water and Sewer Services: The spot we have selected also offers the easiest access to the existing water and sewer services. This convenience simplifies the connection process for plumbing and ensures reliable access to essential utilities without the need for extensive infrastructure modifications.

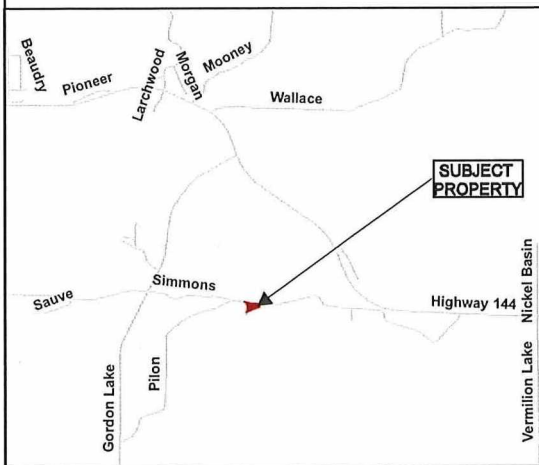
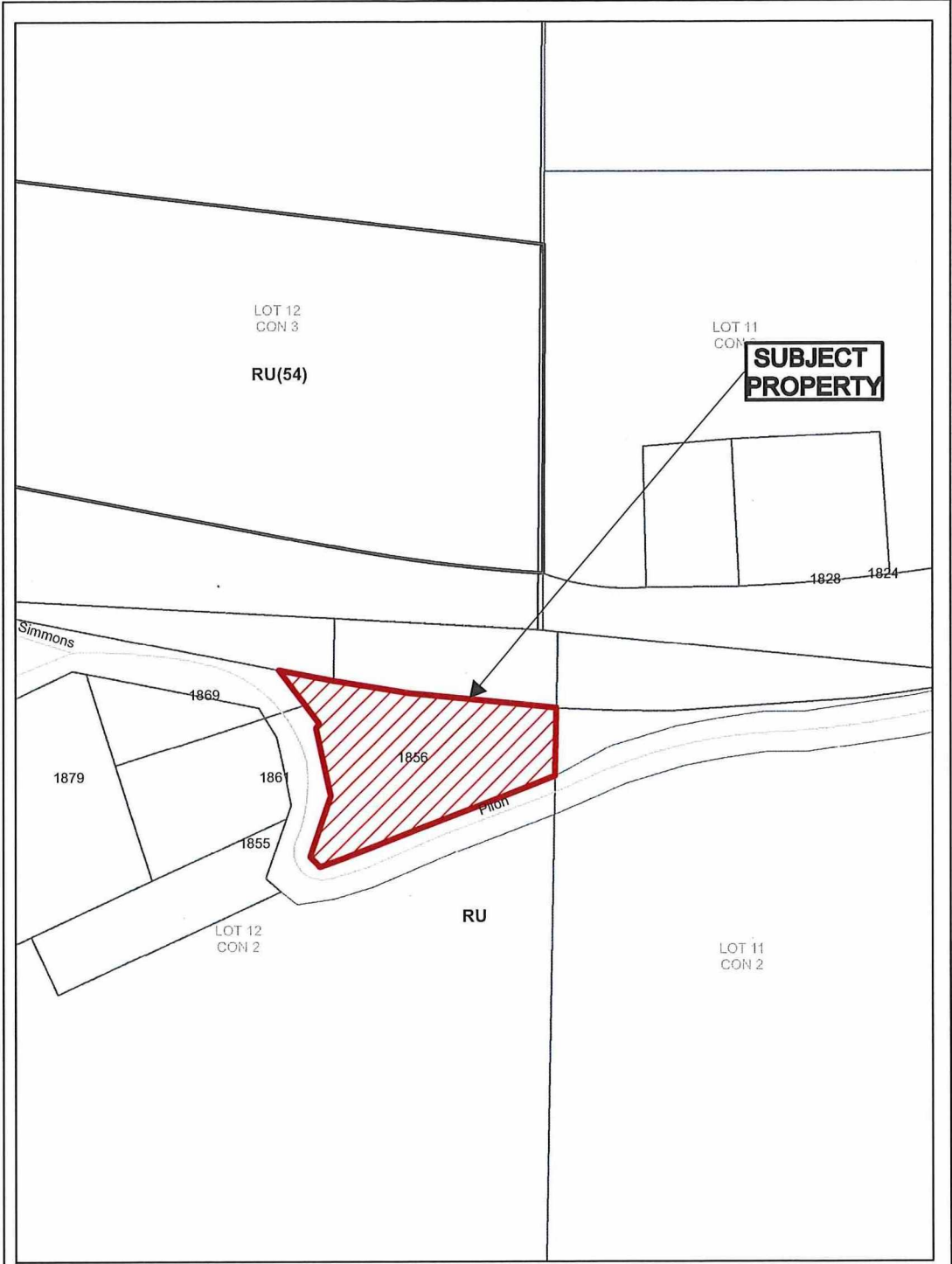
5 Topographical and Feasibility Considerations: Lastly, the rest of the property either consists of uneven rock formations or wooded areas, which are not suitable for placing the dwelling due to feasibility and construction challenges. The chosen spot is the most practical and viable location given the terrain and existing landscape of the property.

In summary, the chosen spot for the secondary dwelling meets multiple criteria essential for efficient and cost-effective installation: it provides close proximity to the hydro pole, avoids disruption of the lawn area, stays clear of the septic system, offers convenient utility connections, and aligns with the property's topographical constraints. These factors collectively make it the optimal location for accommodating the new dwelling unit.

Thank you,

Sadie Paquette

A0069/2024



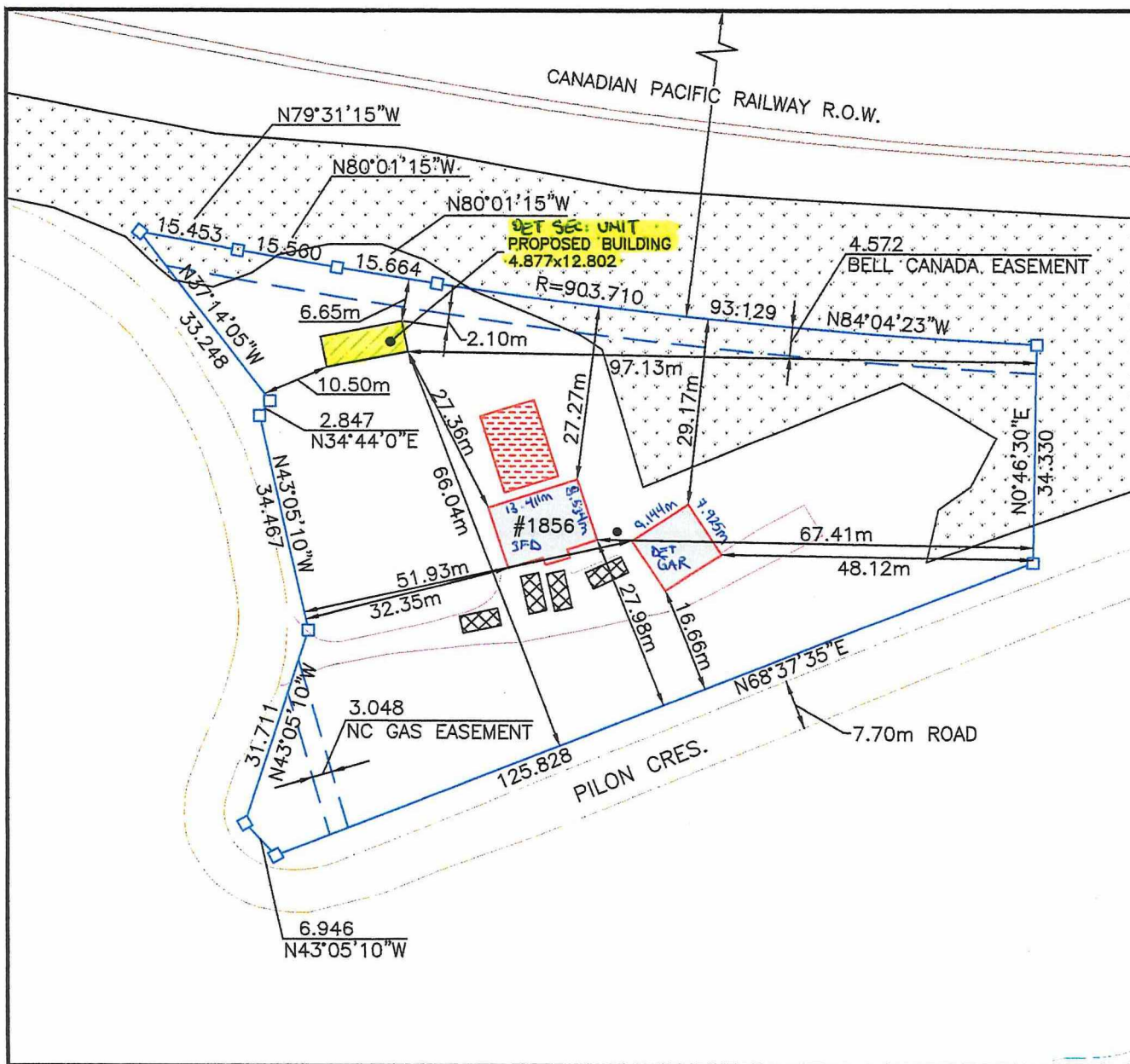
**Application for Minor Variance or Permission**



Subject Property being PIN 73350-0279, Parcel 27875A SEC SWS, Part 1, Plan 53R-9993, Part Lot 12, Concession 2, Township of Balfour, 1856 Pilon Crescent, Chelmsford, City of Greater Sudbury

Sketch 1, NTS  
 NDCA  
 A0069/2024  
 Date: 2024 06 20

# SITE PLAN



## LEGEND

- EXISTING BUILDING
- NEW BUILDING
- EXISTING DRIVEWAY
- SEPTIC SYSTEM
- WOODED AREA
- WELL
- 2.75mx6m PARKING SPACE

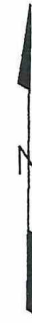
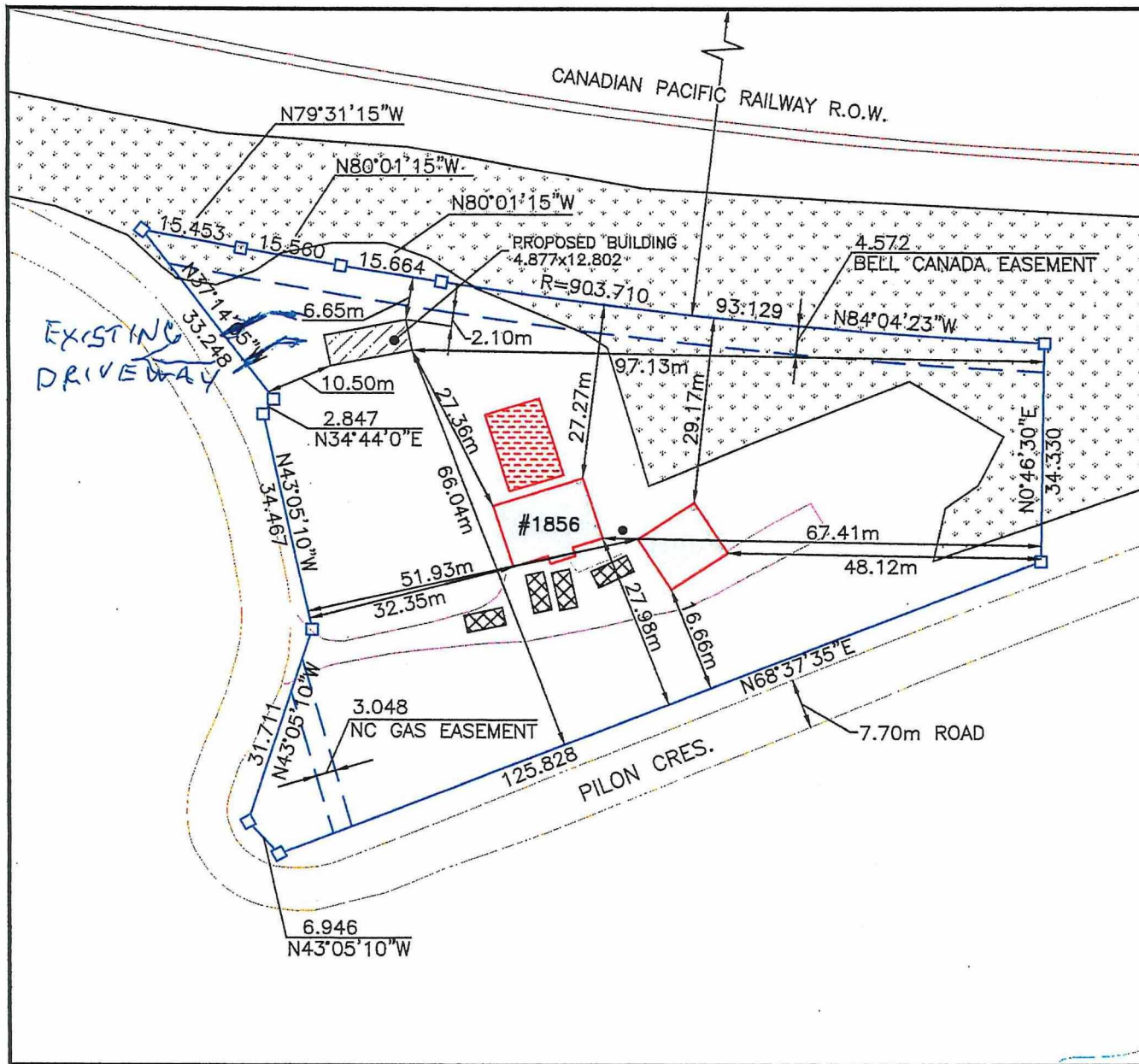
#1856 PILON CRESCENT

SCALE 1:1000


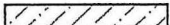


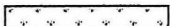


SADIE PAQUETTE & REGINALD AUDETTE

A0069/2024  
Sketch 2

# SITE PLAN



## LEGEND

-  EXISTING BUILDING
-  NEW BUILDING
-  EXISTING DRIVEWAY
-  SEPTIC SYSTEM
-  WOODED AREA
-  WELL
-  2.75mx6m PARKING SPACE

#1856 PILON CRESCENT

SCALE 1:1000

A0069/2024  
Sketch 3

REVISED



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
2023.01.01
A0125/2023
S.P.P. AREA
YES \_\_\_ NO [X]
NDCA REG. AREA
YES [X] NO \_\_\_

City of Greater Sudbury
APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,180.00 (Includes \$280.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$357.00 (includes \$280.00 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): Pavan & Belinda Koka
Mailing Address: 988 Dew Drop Road
City: Sudbury Postal Code: P3G 1L2
Email:
Home Phone:
Business Phone:
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
Mailing Address: 131 Fielding Road
City: Lively Postal Code: P3Y 1L7
Email:
Home Phone:
Business Phone:
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: None
Mailing Address: None
City: None Postal Code: None

4) Current Official Plan designation: Living Area II Current Zoning By-law designation: R1-2

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.

Table with 4 columns: Variance To, By-law Requirement, Proposed, Difference. Row 1: See Appendix 1

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

c) Description of Proposal:
The owner(s) are proposing the development of an in-ground pool and a hot tub with an accessory structure being a utility room, terraced lock stone patio, retaining walls, raised planters, and a garden area.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:
There is not enough area within the rear yard outside of the shoreline buffer area or the 30 metre setback requirement from the high water mark of the lake to accommodate the proposed structures. The proposed development will not increase the existing cleared area within the 20-metre shoreline buffer area. See covering letter.

**APPENDIX 1: PROPOSED MINOR VARIANCE'S TO ZONING BY-LAW 2010-100Z**

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 required interior side yard setback for all retaining walls greater than 1m	1.2m	0.6m (proposed)	1.2m
<b>4.41.2</b> Building/structure permitted within the 30m shoreline setback	Only gazebos, boathouses, docks, decks, stairs, water pumps and saunas are permitted within the 30m shoreline setback	To permit a swimming pool, hot tub, pool terrace, mechanical room (utility room), patios, retaining walls within the 30m shoreline setback	N/A
<b>4.41.4</b> Building/structure permitted within the 20m shoreline buffer area	<i>Only gazebos, boathouses, docks, decks, stairs, water pumps, saunas, Boat launches, marine railways, waterlines and heat pump loops</i>	To permit a swimming pool, pool terrace, mechanical room (utility room), patios, retaining walls within the 20.0m shoreline buffer	N/A
<b>Upper Tier: Upper-level patio, swimming pool, hot tub, pool terrace, mechanical room (utility room), and retaining walls</b>			
<b>4.41.2</b> Shoreline Setback for Upper level patio/terrace/pool support structure	30.0m	14.66m	15.34m
<b>4.41.4</b> Shoreline Buffer Setback for Upper level patio/terrace/pool support structure	20.0m	14.66m	5.34m
<b>4.41.2</b> Shoreline setback for Swimming Pool	30.0m	17.1m	12.9m
<b>4.41.4</b> Shoreline Buffer Setback for	20.0m	17.1m	2.9m

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Swimming Pool			
<b>4.41.2</b> Shoreline Setback for Hot Tub	30.0m	22.24m	7.76m
<b>4.41.2</b> Shoreline Setback for Pool Mechanical/ Utility Room	30.0m	14.97m	15.03m
<b>4.41.4</b> Shoreline Buffer Setback for Pool Mechanical/ Utility Room	20.0m	14.97m	5.03m
<b>4.41.2</b> Shoreline Setback for Proposed Retaining Walls	30.0m	19.05m	10.95m
<b>4.41.4</b> Shoreline Buffer Setback for Proposed Retaining Walls	20.0m	19.05m	0.95m
<b>Lower Tier: lower-level accessory structures (patio and retaining walls)</b>			
<b>4.41.2</b> Shoreline setback for lower-level patio	30.0m	11.82m	18.18m
<b>4.41.4</b> Shoreline buffer setback for lower-level patio	20.0m	11.82m	8.18m
<b>4.41.2</b> Shoreline setback for lower-level retaining walls	30.0m	11.51m	18.49m
<b>4.41.4</b> Shoreline buffer setback for lower-level retaining walls	20.0m	11.51m	8.49m
<b>Shoreline Clearance</b>			
Shoreline clearance area	25% (276m <sup>2</sup> )	66.3% (309.7m <sup>2</sup> )	41.3% (33.7m <sup>2</sup> )
Shoreline clearance width	25% (23m)	100% (20.1m) (existing condition)	75% (2.9m)

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

PIN(s): 73476-0735 Township: Broder  
 Lot No.: 8 Concession No.: 3 Parcel(s):  
 Subdivision Plan No.: Lot: Reference Plan No.: 53R-18135 Part(s): 1,3,4,5,6,&7  
 Municipal Address or Street(s): 988 Dew Drop Road, Sudbury P3G 1L2

7) Date of acquisition of subject land. 2019/05/16

8) Dimensions of land affected.

Frontage +/- 50.78 (m) Depth +/- 123.0 (m) Area +/- 4253.0 (m<sup>2</sup>) Width of Street +/- 16.3 (m)

9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	See Appendix 2 (m <sup>2</sup> )	See Appendix 2 (m <sup>2</sup> )
Gross Floor Area:	(m <sup>2</sup> )	(m <sup>2</sup> )
No. of storeys:		
Width:	(m)	(m)
Length:	(m)	(m)
Height:	(m)	(m)

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

	Existing	Proposed
Front:	See Appendix 2 (m)	See Appendix 2 (m)
Rear:	(m)	(m)
Side:	(m)	(m)
Side:	(m)	(m)

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

What type of access to the land?

- |                                                     |                                     |                                                                                |                                     |
|-----------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------|-------------------------------------|
| Municipally owned & operated piped water system     | <input type="checkbox"/>            | Provincial Highway                                                             | <input type="checkbox"/>            |
| Municipally owned & operated sanitary sewage system | <input type="checkbox"/>            | Municipal Road                                                                 | <input type="checkbox"/>            |
| Lake                                                | <input type="checkbox"/>            | Maintained Yearly                                                              | <input checked="" type="checkbox"/> |
| Individual Well                                     | <input checked="" type="checkbox"/> | Maintained Seasonal                                                            | <input type="checkbox"/>            |
| Communal Well                                       | <input type="checkbox"/>            | Right-of-way                                                                   | <input type="checkbox"/>            |
| Individual Septic System                            | <input checked="" 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 checked="" type="checkbox"/> |                                                                                |                                     |

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

2000

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

Use(s): Residential Length of time: Unknown

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

Same as #13  or,

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

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

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**Appendix 2**

**9) Particular of All Buildings (Existing)**

	Shed	House	Sauna	Shoreline Retaining Walls	Existing Garden Beds	Existing Upper Patio	Shoreline Deck
<b>Ground Floor</b>	20.7m <sup>2</sup>	299.226m <sup>2</sup>	9.4m <sup>2</sup>	-	-	-	37.077m <sup>2</sup>
<b>Gross Floor</b>	20.7m <sup>2</sup>	598.452m <sup>2</sup>	9.4m <sup>2</sup>	-	-	-	-
<b># storeys</b>	1	2	1	-	-	-	-
<b>Width</b>	3.7m	27.377m (Irreg)	2.9m	0.300m-0.513m (Irreg.)	17.86m (irreg.)	8.513m (irreg.)	7.21m (Irreg.)
<b>Length</b>	5.6m	23.153m (irreg)	3.4m	20.1m	3.768-3.840m (irreg.)	15.82m (irreg.)	8.12m (Irreg.)
<b>Height</b>	3.0m(+/-)	9.0m (+/-)	3.0m (+/-)	-	-	-	-

**9) Particular all Buildings (Proposed)**

	Shed	Existing House	Existing Sauna	Shoreline Retaining Walls	Proposed Lower Patio and Retaining Walls	Proposed Upper Patio Terrace/ Pool Structure	Upper Patio Retaining Wall	Pool	Hot Tub	Stairs	Mechanical/Utility Room
<b>Ground Floor</b>	20.7m <sup>2</sup>	299.226m <sup>2</sup>	9.4m <sup>2</sup>	-	-	-	-	50.539m <sup>2</sup>	8.919m <sup>2</sup>	10.574m <sup>2</sup>	4.832m <sup>2</sup>
<b>Gross Floor</b>	20.7m <sup>2</sup>	598.452m <sup>2</sup>	9.4m <sup>2</sup>	-	-	-	-	-	-	-	4.832m <sup>2</sup>

# storeys	1	2	1	-	-	-	-	-	-	-	1
Width	3.7m	27.377m (Irreg)	2.9m	0.300m-0.513m	19.544m (irreg.)	15.849m	0.31-0.46m (irreg.)	10.36m	3.66m	1.72m	2.74m
Length	5.6m	23.153m (irreg)	3.4m	20.1m	5.552 (irreg.)	11.316m	40.32m	4.88m	2.44m	6.525m (at midpoint)	1.76m
Height	3.0m(+/-)	9.0m (+/-)	3.0m (+/-)	-	-	-	-	-	-	-	-

10) Location of all building and structure setbacks (Existing)

	Shed	House	Sauna	Shoreline Retaining Walls	Existing Garden Beds	Existing Upper Patio	Shoreline Deck	Existing Deck attached to House
Front Yard	70.2m	71.7m	92m	2.5m	n/a	n/a	n/a	68.02m
Rear Yard	60.8m	26m	5.2m	n/a	14.9m	18.5m	0m	22.21m
Side Yard (W)	1.2m	4.23m	7.76m	0.0m	1.538m	9.075	3.55m	16.67m
Side Yard (E)	33.9m	5.56m	10.22m	0.0m	7.055m	3.040m	9.49m	2.07m

10) Location of all building and structure setbacks (Proposed)

	Shed	House	Sauna	Shoreline Retaining Walls	Proposed Lower Patio	Lower Patio Retaining Wall	Proposed Upper Patio/Pool Structure	Upper Patio Retaining Wall	Pool	Hot Tub	Patio Stairs	Mechanical/Utility Room

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<b>Front Yard</b>	70.2m	71.7m	92m	2.5m	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Rear Yard</b>	60.8m	26m	5.2m	n/a	11.82m	11.51m	14.66m	19.05m	17.10m	22.24m	14.00m	14.97m
<b>Side Yard (W)</b>	1.2m	4.23m	7.76m	0.0m	4.275m	4.27m	7.986m	0.61m	11.50m	18.98m	4.60m	20.54m
<b>Side Yard (E)</b>	33.9m	5.56m	11.02m	0.0m	1.518m	1.52m	1.608m	17.61m	4.47m	5.65m	17.19m	1.97m

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): A0125/2023  
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, Pavan & Belinda Koka (please print all

names), the registered owner(s) of the property described as \_\_\_\_\_  
PT LOT 6 CON 3 BRODER BEVIG PIS 1, 3, 4, 5, 6 & 7 SDR18135, 57 LT1122000, LT163837- PARTIALLY RELEASED UNDER SD139494), LT915511, GREATER SUDBURY  
in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

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

**Authority to Enter Land and Photograph**

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

**Appointment of Authorized Agent**

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

Dated this 26<sup>th</sup> day of May, 2024

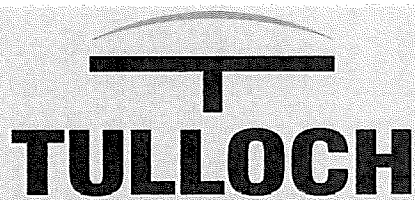
K. Reynolds  
(witness)

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

Print Name: Pavan Koka & Belinda Koka  
I have authority to bind the Corporation

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Planners | Surveyors | Biologists | Engineers

May 27, 2024  
231324

**Committee of Adjustment**

City of Greater Sudbury  
Planning Services Division  
200 Brady Street  
Sudbury, Ontario  
P3A 5P3

**Re: Application for Minor Variance – 988 Dew Drop Road, P3G 1L2**

**INTRODUCTION**

TULLOCH has been retained by Pavan & Belinda Koka to submit an application for minor variance over lands known as 988 Dew Drop Road (PIN 73476-0735) in Sudbury. The application would facilitate the development of an in-ground pool and hot tub with supporting accessory structures being a utility room, terraced stone patios, retaining walls, and raised planters. In addition, the property owner intends to introduce 64.86m<sup>2</sup> of natural native vegetation.

The requested variances are appropriate, and minor given the re-introduction of natural native landscaping, the recognition of existing historical site conditions, the implementation of lake-friendly mitigation measures, and the desire to reduce ground disturbance and tree clearing. Additionally, the development is compatible with the surrounding size and stature of homes and their associated recreational amenity areas.

**EXISTING CONDITIONS**

The property is currently occupied by a single detached dwelling, with a sauna and dock located within the property's shoreline buffer area on Long Lake. The subject lands are topographically challenged featuring a 6.5-metre grade elevation change across the property's rear yard.

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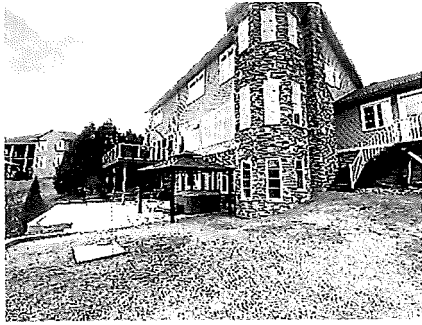


Figure 1: Image of rear of property looking east



Figure 2: Image of rear of property looking south



Figure 3: Image of rear of property looking west



Figure 4: Image of existing tiered raised planters



Figure 5: Image of existing sauna and deck



Figure 6: Image of existing lawn and tiered raised planters

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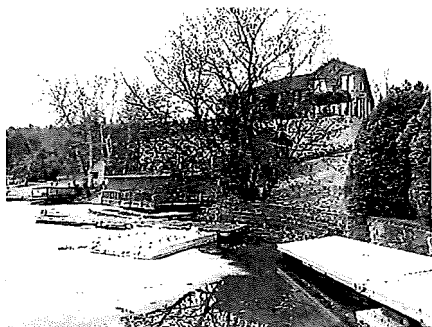


Figure 7: Image of neighbouring dwelling to the east



Figure 8: Image of neighbouring dwelling to the west

## MINOR VARIANCE APPLICATION

The owners are proposing to build an in-ground pool and a hot tub with a utility room, as well as terraced lock stone patios with retaining walls, stairs and raised planters. The property owner intends to retain the existing sauna, associated deck, and dock.

The following variances are requested through the application:

- To permit an interior side yard setback of 0.0-metre for all retaining walls greater than 1.0-metre where 1.2-metres is required;
- To permit the following proposed structures within the 30.0-metre shoreline setback (swimming pool/hot tub, pool terrace, mechanical room, patios, and retaining walls) where only gazebos, boathouses, docks, decks, stairs, water pumps and saunas such are permitted,
- To permit a shoreline setback of 14.66-metres for the upper-level structure (in-ground swimming pool/hot tub, pool terrace, mechanical room, and retaining walls) where a 30.0-metre setback is required and,
- To permit a shoreline setback of 11.51-metres for the lower-level accessory structures (patio and retaining walls) where a 30.0-metre setback is required;
- To permit a shoreline setback of 2.5-metres for all existing (shoreline) retaining walls greater than 1.0-metre in height where a 30.0-metre setback is required;
- To permit a shoreline buffer area clearance area of 66.3% and 309.7m<sup>2</sup> where 25% and 276m<sup>2</sup> is permitted, and,
- To permit the existing maximum shoreline clearance length of 100% where a maximum 25% is permitted.

## HISTORY

In February 2022, the City of Greater Sudbury amended Zoning By-Law 2010-100z to expand the shoreline setback requirement from 12.0-metres to 30.0-metres. This amendment has resulted in regular applications to Committee of Adjustment to reduce the shoreline setbacks along Sudbury lakes.

In October 2023, the property owner applied for an application for minor variance for the construction of their proposed inground pool and supporting accessory structures. It was

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determined by City Staff that there were variances that were not requested that would be required to permit the development as proposed. The application was deferred to provide the owners the opportunity to revise the application and include all required reliefs (including reduced shoreline setbacks and clearance of the shoreline buffer area and total shoreline length).

A revised minor variance application was then submitted on February 20<sup>th</sup>, 2024. The revised application included permission to locate the upper pool structure 14.2m and the lower patio 10.9m from the shoreline. In addition to permitting a 96% clearance of the shoreline buffer area, where 25% is permitted and 100% clearance of the shoreline length where 25% is permitted. City Staff concluded that the proposed reliefs did not meet the test for minor variance and recommended that the application be denied. Committee advised the applicant that the proposal be scaled down to better meet the four tests of a minor variance and again deferred the application.

In response to Committee's comments, the property owners have reduced both the size of the pool and associated structure and increased the setback to Long Lake. In response to Environmental Planning's comments, the property owners intend to re-naturalize 64.86m<sup>2</sup> of the shoreline buffer where lawn is currently present.

Table 1 below compares zoning provisions, existing site conditions, and the previous variance request against the present application.

**Table 1: Relief Comparison Table**

	<b>Zoning By-Law Requirements</b>	<b>Existing Conditions</b>	<b>Previous MV Application</b>	<b>Present Application</b>
<b>Shoreline Setback</b>	30.0m (min)	14.9m (Lower Tiered Beds) 18.5m (Upper Tiered Patio)	10.9m (Patio and Retaining Wall) 14.2m (Pool Structure)	11.51m (Patio and Retaining Wall) 14.66m (Pool Structure)
<b>Interior Side Yard</b>	1.2m	0.0m (Existing Retaining Walls over 1.0m)	1.2m	0.0m (Recognize Existing and Proposed Retaining Walls over 1.0m)
<b>Clearance within the 20.0m Shoreline Buffer</b>	25% & maximum length of cleared area 23-metres	100% & 20.1m (recognizing existing retaining walls, sauna, and patios)	100% & 20.1m (recognizing existing retaining walls, sauna, and patios and introduced pool structure)	100% & 20.1m (recognizing existing retaining walls, sauna, decks, and introduced pool structure)
<b>Area clearance within the 20.0m Shoreline Buffer</b>	25% clearance up to 276m <sup>2</sup> (max)	80.23% & 372.5m <sup>2</sup>	96% (447 m <sup>2</sup> )	66.3% & 309.7m <sup>2</sup> (Including recognizing existing lawn areas & structures)

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<b>Natural Vegetation within the 20.0m Buffer</b>	-	19.77% & 92.32 m <sup>2</sup> (shoreline and cedars)	-	33.66% & 157.18m <sup>2</sup> (shoreline, cedars, and introduced natural vegetation)
---------------------------------------------------	---	---------------------------------------------------------	---	-----------------------------------------------------------------------------------------

## ANALYSIS

It is the author's opinion that the proposed minor variances represent good planning and meet the four tests as outlined under Section 45(1) of the Planning Act. The four tests in the Planning Act and related analysis are provided below.

### IS THE APPLICATION MINOR IN NATURE?

The test of whether the requested variance is minor has been assessed by examining the applicable zoning provisions as well as how the proposed reliefs will affect the surrounding neighbourhood and environment. The main consideration in determining whether a variance application is minor is determining the degree of adverse impact that will occur if the variance is granted. If the variance does not produce an unacceptable adverse impact, then it likely meets the test for minor.

Overall, the variances are unlikely to cause adverse impacts should they be granted given the following:

- Per the attached letter titled 'Letter of Opinion - Proposed pool construction at 988 Dew Drop Road, Sudbury Ontario concerning the discharge of pool water to the surrounding environment' by Environmental Ecosystems Inc., 'the pool water will not have a negative impact on the surrounding environment, provided any pool water that requires discharge will be removed by a licensed hauler, and a pool cover will also be employed'.
- The property owner understands that any pool water that requires discharge should be removed by a licensed MOE Company, and a pool cover installed.
- Per the attached letter titled 'Drainage for the Proposed Pool' by Sunswim Pool Concepts and Design 'the proposed pool will have an advanced cartridge filtering system that unlike conventional sand filters does not require flushing or backwashing any of the pool water on a weekly basis. The pool will also be constructed with an automatic pool cover sealing off the pool from the elements and any rainwater. This automatic pool cover avoids any surplus water that would build up within the pool avoiding the need of lowering or removing any water within the pool'.
- The adjacent neighbours are supportive of the application as indicated in the attached petition thus removing concerns related to compatibility .
- The introduction of +/-64.86m<sup>2</sup> of new native vegetation on the subject lands will act as an important buffer, absorbing runoff nutrients and holding soil in place.
- Reliefs related to retaining walls, shoreline clearance length and interior side yard setbacks are largely technical as they seek to legalize existing site conditions (being existing shoreline erosion control walls) and would not result in any on-the-ground changes.

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- The proposed lower-tier patio will extend an additional 3.39-metres (11.1 ft) from the shoreline compared to the present lower-tier patios. This extension and related relief is minor in nature when compared to the existing conditions of the property.
- The proposed upper-tier patio and associated pool will extend an additional 3.84-metres (12.59ft) closer to the shoreline, compared to the present upper-tier patios. This extension and related relief are minor in nature when compared to the existing conditions of the property.
- Views from the lake and neighbouring properties will not be adversely impacted given the similar aesthetic (stone structure) to present conditions.

Given that the property owners intend to revegetate 64.86m<sup>2</sup> of the shoreline with native plants (which would have the effect of bettering the existing conditions of the property with respect to the natural vegetative buffering requirements in the zoning by-law), in addition to having pool water hauled directly off-site and other preventative measures to reduce the environmental impacts of the development, it is the author's opinion that the proposed variances are minor.

#### IS THE APPLICATION APPROPRIATE FOR THE DEVELOPMENT OF THE LANDS?

Throughout the process, other areas of the property were explored as potential locations for the recreational structures but were not deemed suitable given the topographic constraints and the location of existing features like the septic holding tank, and bedrock on the property.

Given the topographic constraints of the property and the location of existing features (i.e., septic tank, sloping topography), the proposed location is the most suitable for the proposed development. Further, significant tree cutting, blasting and possible relocation of the septic system would be required to possibly locate the pool and associated structures elsewhere on the property. Lastly, several of the requested reliefs are to recognize existing erosion control structures/retaining walls which are necessary for the structural stability of the subject lands and erosion control along the shoreline.

#### DOES THE APPLICATION CONFORM THE GENERAL INTENT OF THE ZONING BY-LAW?

The unique topography of the property requires some flexibility from such zoning standards. However, the requested variances conform to the general intent of the Zoning By-law.

Per **Section 4.41.2** of the Zoning By-law, residential buildings cannot be located closer than 30-metres to the high-water mark of a lake or river.

The unique topography of the property requires some flexibility from zoning standards as the proposed location is the most suitable for the development of the property.

More specifically, the introduction of the reliefs results in similar situation than present:

- The zoning by-law permits a 25% clearance of the shoreline buffer area to 276m<sup>2</sup>, the existing site currently has an 80.23% (372.5m<sup>2</sup>) clearance of the shoreline. Should the application be approved, the property will benefit from a net improvement given that 66.3% (309.7m<sup>2</sup>) clearance of the shoreline buffer area would result (i.e., 13.93% less clearance)

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- The zoning by-law permits for 25% clearance of the shoreline length up to 23.0m. Given the site's existing shoreline retaining walls, and lawn area, 100% of the shoreline length (20.1m) is presently cleared. The application seeks to recognize this existing condition, further, the introduction of the width of the entirety of the pool structure is approximately 19.52m which is similar to the existing patio structure width of 17.86m.
- The by-law permits an interior side yard of 1.2m for all accessory structures, the property's existing shoreline erosion retaining walls are 0.0m from the interior lot line. The requested relief is needed to formally recognize the existing deficiency.
- The zoning by-law intends to permit recreational amenities within the rear yards of waterfront and non-waterfront lots. The location of the residential dwelling results in 27.2m between the dwelling and the shoreline. While it is recognized that the by-law intends to locate structures outside of the 30.0-metre setback, the intent was not to prevent all development and instead focus on enabling new development which can balance the desire of private landowners to use their properties with adopting lake friendly practices that protect the integrity of the lake ecosystem.
  - In the case of this application, those two competing factors have been balanced. Given that the property owner intends to revegetate 64.86m<sup>2</sup> of the shoreline with native plants, in addition to having pool water hauled directly off-site and other preventative measures to reduce the environmental impacts of the development, it is the author's opinion that the application meets the intent of the zoning by-law.

#### DOES THE APPLICATION CONFORM TO THE GENERAL INTENT OF THE OFFICIAL PLAN?

The requested variances conform to the general intent of the Official Plan related to shorelines as the Official Plan allows for flexibility to reduce shoreline setbacks provided supportive evidence is provided on the need for relief.

**8.4.1.3** *A minimum 30-metre setback from the normal high water mark of a lake or river, or a minimum 12-metre setback from the normal high water mark of a permanently flowing stream, will be required for all new development, excluding shoreline structures. A lesser setback may be considered by way of a change to the zoning by-law in the following circumstances:*

- a. sufficient lot depth is not available;*
- b. terrain or soil conditions exist which make other locations on the lot less suitable;*
- c. the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced; or*
- d. redevelopment is proposed on an existing lot and a net improvement is achieved;*

The proposed development as it relates to **Section 8.4.1.3** has been reviewed. In general:

- Sufficient lot depth between the rear of the dwelling and the shoreline (27.2-metres) does not exist. This area is traditionally used for and reasonably expected to contain recreational amenities such as pools, saunas, patios, decks and saunas.
- The site's unique terrain makes other locations not suitable for the development given the existing grade change across the site;
- The proposed location utilizes the existing patio structure to reduce intrusive site works and required fill;
- Existing bedrock would require considerable blasting, tree-cutting, and the relocating of the existing septic system to possibly locate the proposed pool structure in the property's front yard;
- By-Law 2010-100z does not permit pools and hot tubs in front yards and would also require Planning Act approval.
- Improvements to the property's shoreline vegetation will be made along with the proposed development as a mitigative measure, resulting in an overall net improvement along the property's shoreline.
- A net improvement over the existing 80.23% shoreline buffer area clearance and associated lawn area will be achieved via the introduction of 64.82m<sup>2</sup> of new native vegetation which will act as an important buffer, absorbing runoff nutrients and holding soil in place.

**8.4.5.1** *New development along shorelines, such as boathouses, docks, or other accessory structures, will be integrated, where possible, into the landscape such that vegetation is maintained and enhanced within the shoreline buffer area to:*

- a. protect the riparian and littoral zones and associated habitat;*
- b. protect the quality of the water by preventing erosion, siltation, and nutrient migration;*
- c. maintain shoreline character and appearance; and*
- d. maintain the visual impact of development.*

**Section 8.4.5** of the OP states that '*shoreline vegetative buffers are essential to maintaining and improving water quality. Shoreline vegetation acts as a filter, protecting lakes, streams and rivers from urban runoff from lawns and roads. Vegetation also stabilizes the shoreline and helps prevent erosion from storm runoff, wave action and ice. Wildlife and fish also benefit from shoreline vegetation on land and in the water.*'

The property owners intend to revegetate 64.86m<sup>2</sup> of the shoreline buffer area with natural vegetation for a combined total naturalized area of 157m<sup>2</sup> (33.66%). Such is an improvement over the previous minor variance application to allow only 4.0% natural vegetation and the existing property condition of 92.32m<sup>2</sup> (19.7%) naturalized area on the subject lands. The new proposed naturalized vegetation will aid in protecting riparian and littoral zones' water quality by preventing

A0125/2023

erosion, siltation, and nutrient migration, maintaining, and enhancing the shoreline character and reducing the visual impact of the development per **Section 8.4.5.1**.

**19.5.7.4** *In considering the recognition of an established non-conforming use, or an application for an expansion, extension, or change of such use, the City or the Committee of Adjustment will have regard for the following criteria:*

*a. the proposal will not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-Law applied to the area;*

*b. the proposal will create minimal impacts on surrounding uses with regard to noise, vibrations, fumes, smoke, odours, glare, traffic generation capacity, signs and other environmental matters;*

*c. the neighbouring conforming uses will be protected, where necessary, by the provisions of landscaping, buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs; and other matters;*

*d. the traffic and parking conditions of the vicinity will not be adversely affected by the application, and traffic hazards will be kept to a minimum by the appropriate design of access and egress points to, from and over the site; or through the improvement of site conditions, especially in proximity to intersections;*

Although formal legal non-conforming status has not been confirmed for the property's existing sodded and lawn areas (shoreline buffer area and shoreline length clearance), it is understood that such had existed before the adoption of the zoning by-law requiring 30.0m to 20.0m setback/buffers, with aerial imagery and a letter (attached) provided by the previous owner verifying such.

## CONCLUSION

Given the analysis contained herein, the requested variances for reduced shoreline setback and buffer areas are appropriate and minor given that such is compatible with surrounding properties and their amenity areas, the re-introduction of natural landscaping, implemented lake quality mitigation measures and desire to reduce ground disturbance and tree clearing.

With regards to the City's Official Plan and Zoning By-law, the proposed development conforms to the general intent of such as some flexibility is required due to the lack of suitable locations, and mitigation measures being implemented to protect against any adverse impacts to the lake.

Please find enclosed the following documents and supporting information in support of the complete application:

AP125/2023

- Minor Variance Application Form;
- Appendix 1;
- Appendix 2;
- Concept Plan (Plan of Setbacks) dated May 24<sup>th</sup>, 2024;
- Shoreline Buffer Clearance Diagram dated May 24<sup>th</sup>, 2024;
- Petition of Support;
- Drainage Plan for Proposed Letter prepared by Sunswim Pool Concepts + Design;
- Letter of Opinion - Proposed pool construction at 988 Dew Drop Road, Sudbury Ontario concerning the discharge of pool water to the surrounding environment' By Environmental Ecosystems Inc. dated March 20th, 2024
- Project Profile (draft cross-section);
- Prior Owner Letter dated October 19<sup>th</sup>, 2023

We trust the enclosed will enable the City to proceed to the Committee of Adjustment. Should you require any further information please contact the undersigned.

Respectfully submitted,

Prepared By:



Vanessa Smith, M.Pl., RPP.  
Project Manager | Land Use Planner

Reviewed By:



Kevin Jarus, M.Pl., RPP  
Planning Manager | Senior Associate

A0125/2023

**Vanessa Smith**

---

**From:** Aki Tarvudd [REDACTED]  
**Sent:** October 19, 2023 4:56 PM  
**To:** Info  
**Subject:** Property 988 Dew Drop Sudbury, Ontario

Mr Dave Dorland

When we purchased the property in 2005, all of the natural vegetation had been cleared on the lake side of the property from the shore to the house. The initial landscaping was in place.

We replaced the dock that had been damaged by a microburst of the ice that year.

We sold the property to the Koka's in 2019.

If any more concerns please contact me on my cell.

Thank You

Aki Tarvudd  
[REDACTED]

Tel: [REDACTED]  
Fax: 705.885.3391



March 20, 2024  
File No. 10-24

D.S Dorland Limited  
298 Larch Street  
Sudbury, ON P3B 1M1  
[REDACTED]

**RE: Letter of Opinion**  
**Proposed pool construction at 988 Dew Drop Road, Sudbury Ontario concerning the discharge of pool water to the surrounding environment**

---

Environmental Ecosystems Inc. (Enviro-Eco) was engaged by D.S. Dorland Limited (D.S. Dorland) to prepare a letter of opinion (LOO) regarding the potential discharge of pool water to the local environment. This letter is in support of the application for variance to allow construction of an inground swimming pool on the property located at 988 Dew Drop Road, Sudbury Ontario.

Drawings provided to Enviro-Eco by D.S. Dorland show the proposed construction which is closer to Long Lake than the buffer limits for both the 30 m setback from the waterbody and the 10.7 m erosion hazard limit, along with drawings showing the existing conditions, and other documents. It is noted that the existing residential building is an existing exemption and is within the 30 m setback, and that existing support columns preclude moving the swimming pool any farther from the lake.

Documents provided to Enviro-Eco suggest that there was a concern that water from the pool might be discharged into Long Lake. In our opinion, this concern is adequately addressed by the Drainage plan for proposed pool, contained in the letter to D.S. Dorland, dated 17 January 2024, from Craig Boyer, Sunswim Pool Concepts and Design. Any pool water that requires discharge will be removed by a licensed hauler, and a pool cover will also be employed. Thus, the pool water will have no impact on the lake.

F-887 Notre Dame Avenue  
Sudbury, ON P3A 2T2

[enviro-eco.ca](http://enviro-eco.ca)

Tel: [REDACTED]  
Fax: 705.885.3391



**Environmental  
Ecosystems Inc**

The following three paragraphs describe the proposed alterations as illustrated by the drawings "Detail 'A' Proposed Pool and Landscape Features PIN 73476-0735 988 Dew Drop Road Geographic Township of Broder, City of Greater Sudbury, District of Sudbury" and "Topographical Sketch for PIN 73476-0735 #988 Dew Drop Road Geographic Township of Broder, City of Greater Sudbury, District of Sudbury".

The existing conditions drawing shows the building with a lockstone patio to its north that extends just beyond the 20 m shoreline setback, where a 1.36-m high retaining wall is located. This retaining wall is followed by an existing landscaped area contained by a second retaining wall that reaches the 10.7-m toe erosion allowance limit. A third retaining wall is shown near the north end of the property.

The proposed construction drawing shows a proposed lockstone pool deck over a portion of the existing lockstone patio near the house, and over a portion of existing landscaped area immediately beyond that. Also shown is a proposed raised planter to the north of the proposed pool deck. The planter should enhance infiltration. The raised planter's north border is contained by a proposed retaining wall that is approximately a meter closer to the lake than the 10.7-m toe erosion allowance.

A proposed lockstone patio, with stairs leading to it on its northwest side, is shown northeast (closer to the lake) of the raised planter. The proposed patio is contained by a retaining wall beyond which a small area of lockstone and an area of pea stone surrounding a fire pit is shown.

Tel: [REDACTED]  
Fax: 705.885.3391



**Environmental  
Ecosystems Inc**

In our professional opinion, the pool water will not have a negative impact on the surrounding environment, provided any pool water that requires discharge will be removed by a licensed hauler, and a pool cover will also be employed. It is also recommended the proposed alterations be properly designed, engineered and constructed.

Sincerely,

For **Environmental Ecosystems Inc.**,

Manon Giroux, C.E.T., EP  
Project Manager/President  
[REDACTED]

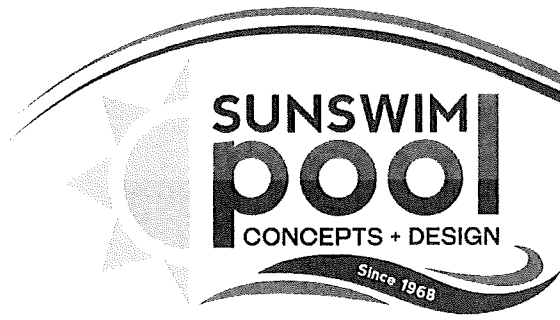
François Pugh, P. Eng. QP<sub>ESA</sub>  
Sr. Environmental Engineer  
[REDACTED]

**Attachments:**

- Attachment 1: Schedule 'A'
- Attachment 2: Signed Support of Minor Variance
- Attachment 3: Planning Report
- Attachment 4: 18523-02.27.2024 NEW-REVISED Minor Variance Application
- Attachment 5: 18523-02.27.2024 SKETCH existing topo features
- Attachment 6: 18523-02.27.2024 SKETCH existing topo with contours
- Attachment 7: 18523-02.27.2024 SKETCH google earth imagery overlay
- Attachment 8: 18523-02.27.2024 SKETCH PROPOSED Detail A with contours
- Attachment 9: 18523-02.27.2024 SKETCH PROPOSED Detail A
- Attachment 10: Pavan Koka Pool Water Drainage plan
- Attachment 11: SCHEDULE A-QUESTION 10 structures setback from property line
- Attachment 12: SCHEDULE B-QUESTION 5a Extent of Relief from zoning by-law

F-887 Notre Dame Avenue  
Sudbury, ON P3A 2T2

**enviro-eco.ca**



SUDBURY/NORTH BAY  
2228342 Ontario Limited

(f) 705-368-1469  
www.sunswimpools.com

January 17, 2024

Anita Alatypko,  
D.S Dorland Limited  
298 Larch Street  
Sudbury, ON P3B 1M1

Re: Application A00125/2023 – 988 Dew Drop Road, Sudbury. (Pavan Koka Residence)

***Drainage plan for proposed pool:***

In response to The Long Lake Stewardship Committee inquiry on the drainage of the proposed pool. The homeowner, since inception of the planning stages for the new pool build has agreed that any draining of the pool water would be carried out by a licensed MOE Company. In any case where water needs to be drained or removed from the pool, it will be carried out by Auto Wash Plus (MOECC #921-AH9Q4J) for water removal. We have a long-standing relationship with Auto Wash Plus for both removing, transporting, and properly disposing of pool water as well as freshwater supply.

In addition to contracting out any water removal, the proposed pool will have an advanced cartridge filtering system that unlike conventional sand filters does not require flushing or backwashing any of the pool water on a weekly basis. The pool will also be constructed with an automatic pool cover sealing off the pool from the elements and any rainwater. This automatic pool cover avoids any surplus water that would build up within the pool avoiding the need of lowering or removing any water within the pool.

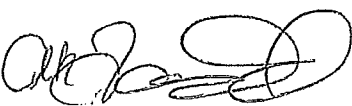
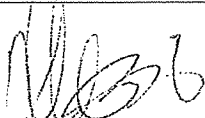
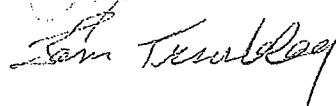
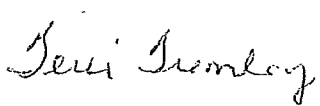
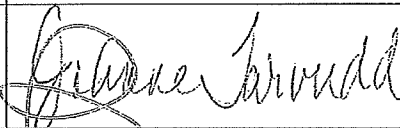


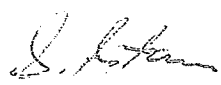
I hope this is the information you require.

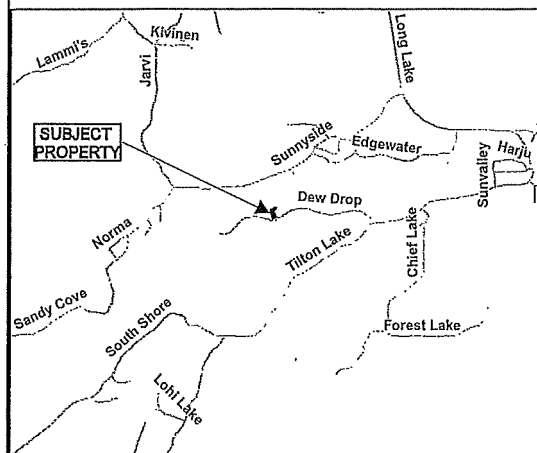
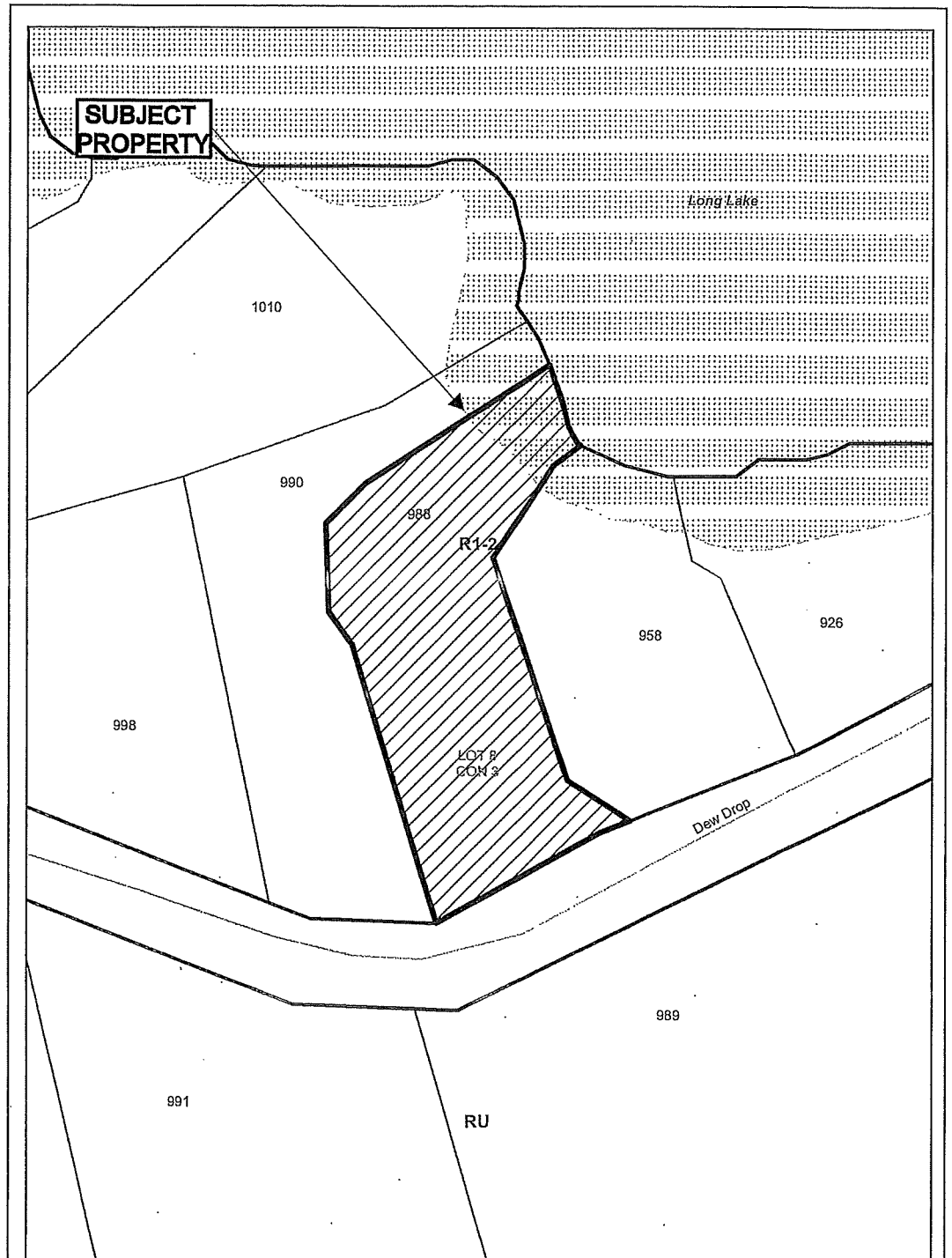
Regards,  
Craig Boyer  
Sunswim Pool Concepts and Design

A0125/2023

## TO WHOM IT MAY CONCERN:

WE, THE UNDERSIGNED AREA RESIDENTS, HAVE REVIEWED THE MINOR VARIANCE APPLICATION BY DR. PAVAN & BELINDA KOKA SEEKING PERMISSION TO BUILD A SWIMMING POOL ADJACENT TO THE FRONT OF THEIR HOME AT 988 DEW DROP ROAD ON LONG LAKE. WE ARE IN SUPPORT OF THE APPLICATION.

NAME	SIGNATURE	ADDRESS	DATE
Ali Turvudd		998 DEW DROP Rd	23/10/18
Annu Lassi		958 DEW DROP Rd	23/10/18
Tom Tremblay + Terri Tremblay		926 Dew Drop	23/10/18
L TERRI TREMBLAY		926 Dew Drop.	23/10/18
Joanne Turvudd		998 Dew Drop Rd	23/10/18
Brian P. Vendramin		1010 Dew Drop Road	23/10/18
DEBBIE VENDRAMIN		1010 DEW DROP RD	23/10/18
STEVE ATKINS		990 DEW DROP RD	23/10/18



**Application for Minor  
Variance or Permission**



Subject Property PIN 73476-0735,  
Part 1 – 7, Plan 53R-18135,  
Part Lot 8, Concession 3, Township of Broder,  
988 Dew Drop Road, Sudbury  
City of Greater Sudbury

Sketch 1, NTS  
MNR

A0125/2023  
Date: 2023 11 06

**SHORELINE BUFFER AREA DIAGRAM**

Gross Shoreline Buffer Area: ±466.8998m<sup>2</sup>

Proposed Pool, Pool Deck, Patios and associated retaining walls

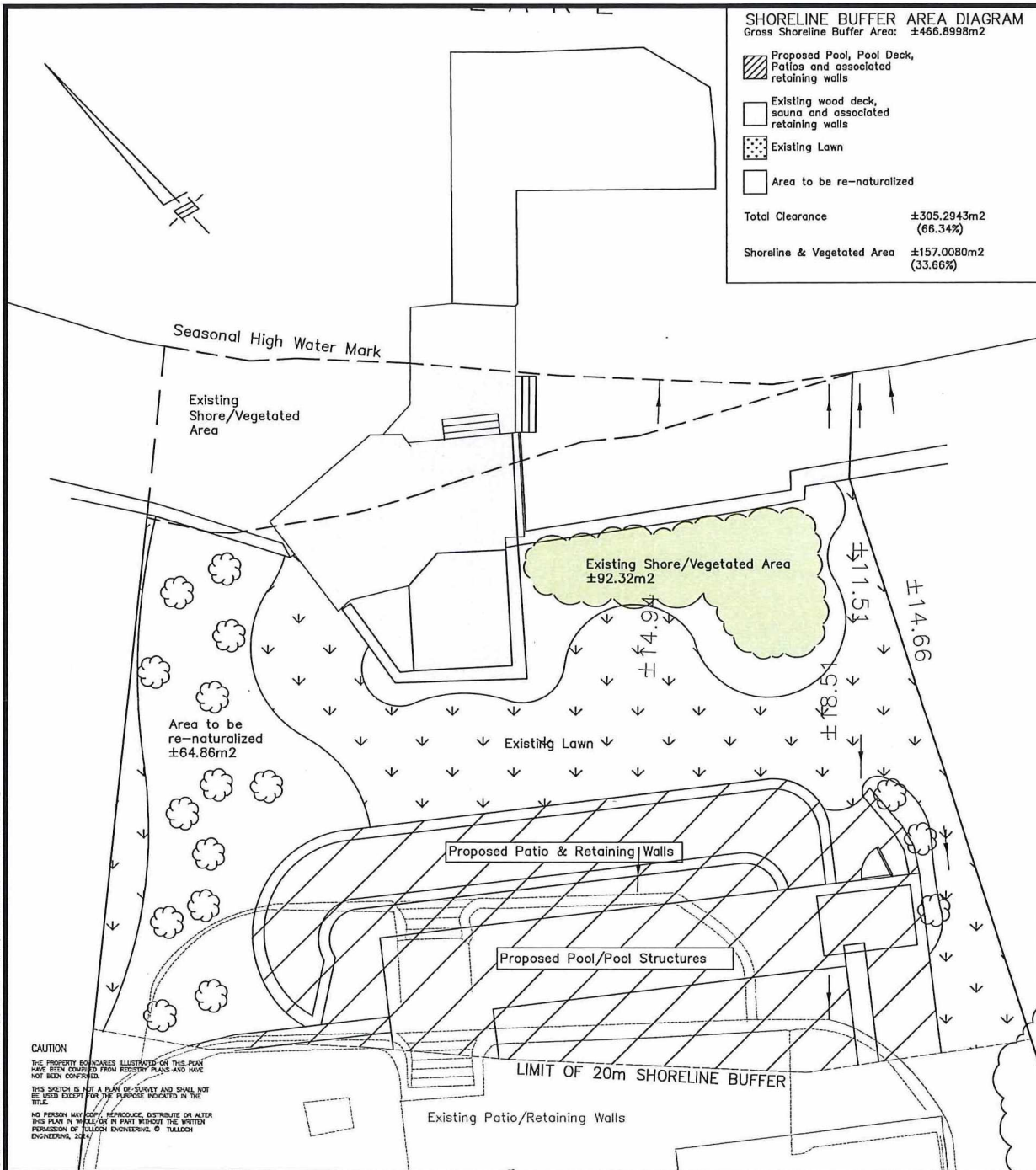
Existing wood deck, sauna and associated retaining walls

Existing Lawn

Area to be re-naturalized

Total Clearance ±305.2943m<sup>2</sup> (66.34%)

Shoreline & Vegetated Area ±157.0080m<sup>2</sup> (33.66%)



**CAUTION**  
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131 FIELDING ROAD  
 LIVELY, ONTARIO  
 P3Y 1L7

PROJECT: **Koka**  
**Shoreline Yard Additions**

DRAWING: **Shoreline Buffer Clearance Diagram**

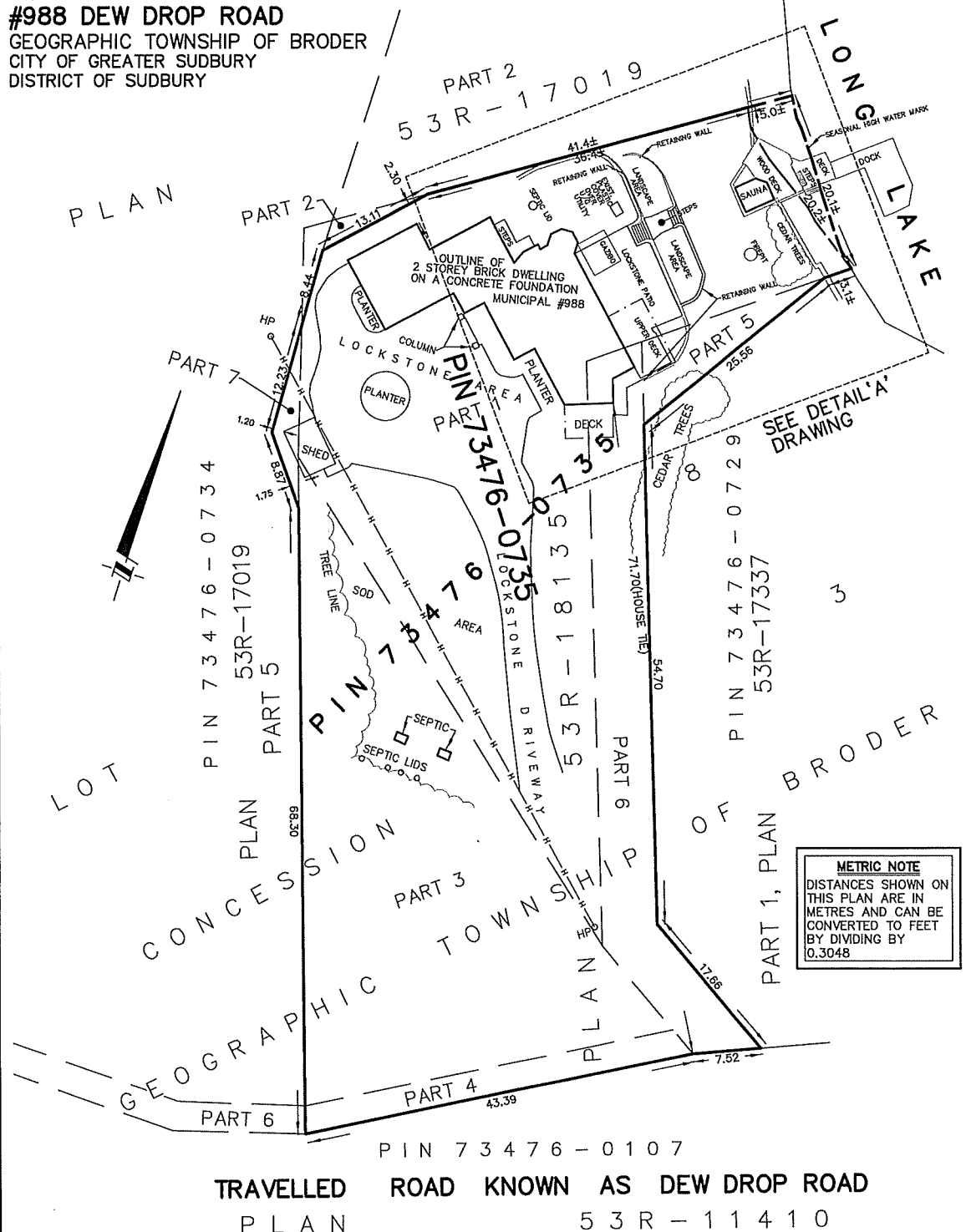
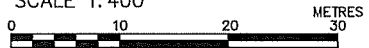
No.	DATE	BY	ISSUES / REVISIONS
-	-	-	-
DRAWN BY: MDJ		CHECKED BY: VS	PROJECT No.: 231324-102
SCALE: 1:150		DATE: MAY 24, 2024	

A0125/2023  
 Sketch 2

SKETCH FOR PLANING ACT APPLICATION FOR  
**EXISTING TOPOGRAPHICAL FEATURES**  
**PIN 73476-0735**

**#988 DEW DROP ROAD**  
 GEOGRAPHIC TOWNSHIP OF BRODER  
 CITY OF GREATER SUDBURY  
 DISTRICT OF SUDBURY

SCALE 1:400



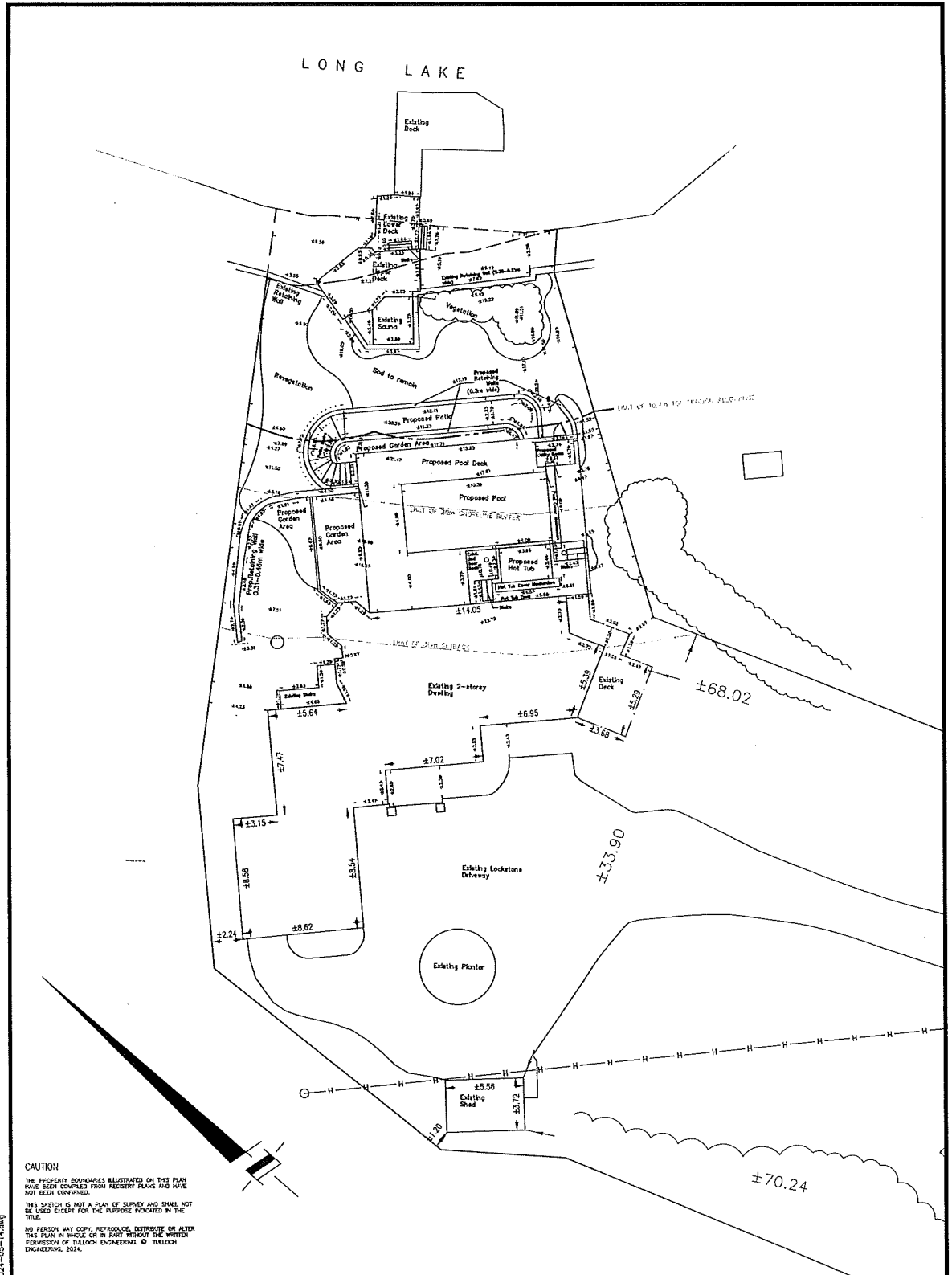
**METRIC NOTE**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

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

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


PREPARED BY: AA (EB)	SCALE: 1:400 METRIC
CHECKED: AA	CAD FILE: 18523 SKETCH.dwg
DATE: FEB. 27, 2024	P.S. TAB: A-SKETCH ALL LOT extat 400s

A0125/2023  
 sketch 3



**CAUTION**  
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P:\2024\240802 Koka Residence\B233 SKETCHES-2024-05-14.dwg

 131 FIELDING ROAD LIVELY, ONTARIO P3Y 1L7	PROJECT: <p style="text-align: center;"><b>Koka</b></p> <p style="text-align: center;"><b>988 Dew Drop Road</b></p>					
	DRAWING: <p style="text-align: center;"><b>Dimensions &amp; Setbacks</b></p>	No.    DATE    BY    ISSUES / REVISIONS _____ _____ _____	DRAWN BY: MDJ	CHECKED BY: VS	PROJECT No. : 240802 (231324-102)	
		SCALE: 1:150	DATE: June 17, 2024			

A0125/2023 sketch 4

# Project Profile

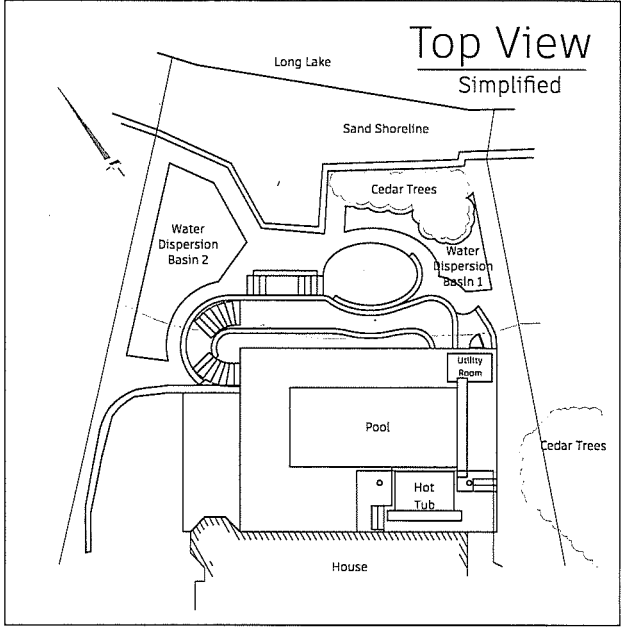
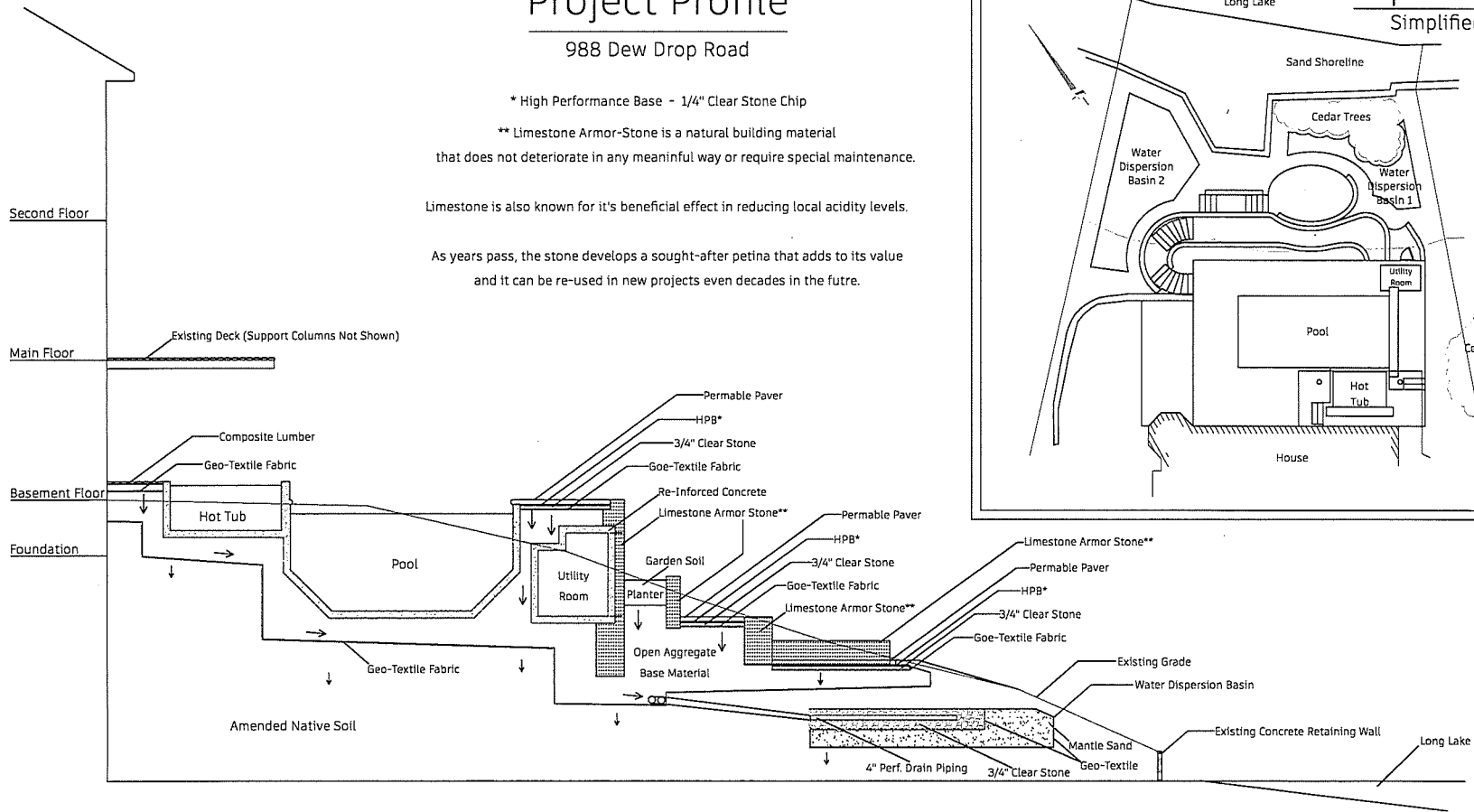
988 Dew Drop Road

\* High Performance Base - 1/4" Clear Stone Chip

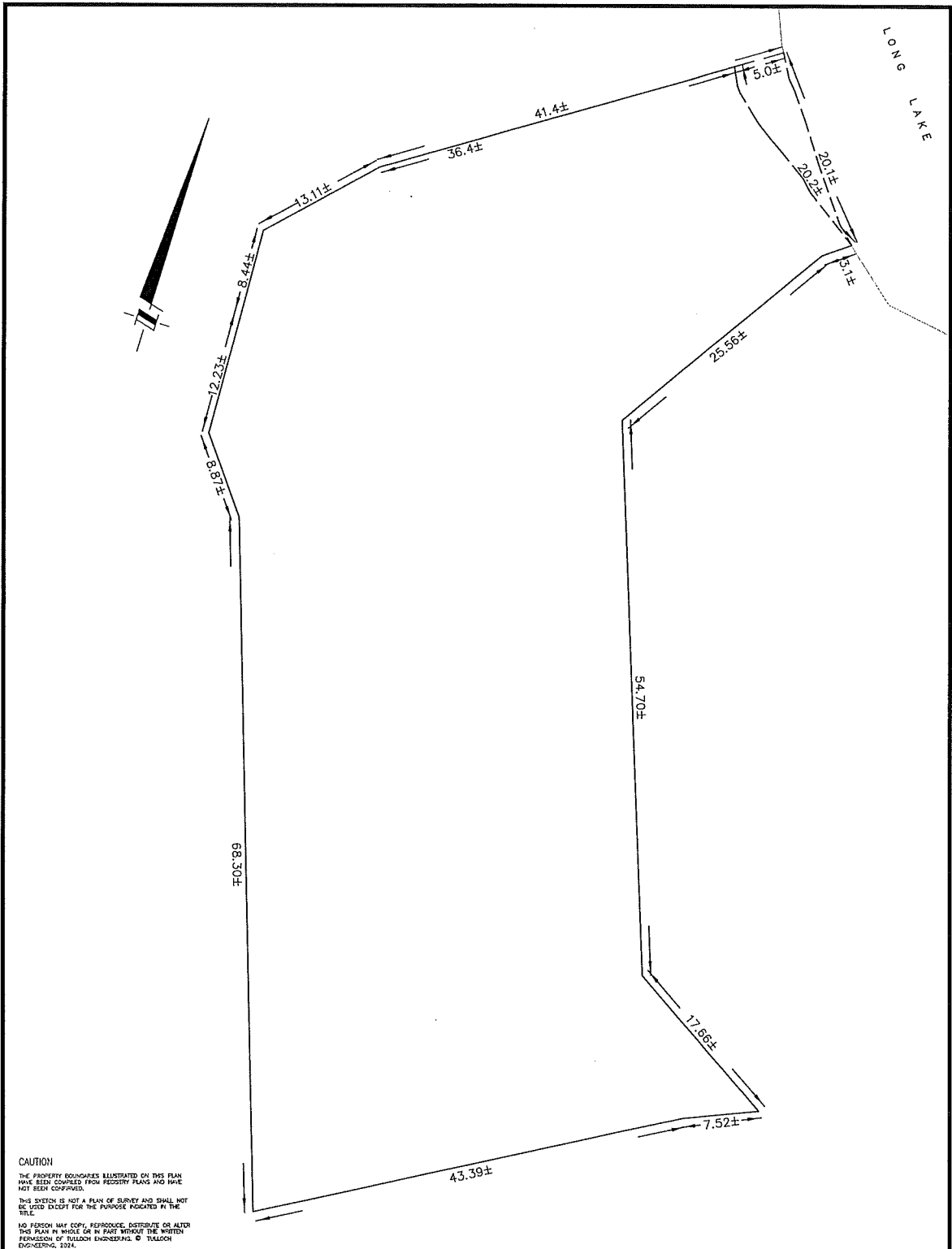
\*\* Limestone Armor-Stone is a natural building material that does not deteriorate in any meaningful way or require special maintenance.

Limestone is also known for it's beneficial effect in reducing local acidity levels.

As years pass, the stone develops a sought-after patina that adds to its value and it can be re-used in new projects even decades in the future.




A0125/2023  
Sketch 5



CAUTION  
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 ENGINEERING, 2024.

TRAVELLED ROAD KNOWN AS DEW DROP ROAD

P:\2024\240802 Koka Residence\18523 SKETCH-2024-05-14.dwg

 131 FIELDING ROAD LIVELY, ONTARIO P3Y 1L7	PROJECT: <p style="text-align: center;"><b>Koka</b>  <b>988 Dew Drop Rd</b></p>					
	DRAWING: <p style="text-align: center;"><b>Lot Dimensions (Not a Survey)</b></p>	No.    DATE    BY    ISSUES / REVISIONS				
		DRAWN BY: MDJ	CHECKED BY: VS	PROJECT No.: 240802 (231324-102)		
	SCALE: 1:350 Met.	DATE: June 3, 2024				

A0125/2023  
 sketch 6



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  
 2024.01.01  
 A0056/2024  
 SPP  
 No ✓

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

NDCA  
 YES ✓

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
 APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

**PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.**

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

Registered Owner(s): Dennis&Luciana Simeoni Email: [Redacted]  
 Mailing Address: 1878 Fairbank East Rd Home [Redacted]  
 Busine [Redacted]  
 City: Whitefish Postal Code: P0M3E0 Fax PH [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: Dennis Simeoni Email [Redacted]  
 Mailing Address: 1878 Fairbank East Rd Home [Redacted]  
1878 Fairbank East Rd Busi [Redacted]  
 City: Whitefish Postal Code: P0m3E0 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: None  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

4) Current Official Plan designation: Rural Current Zoning By-law designation: SLS4

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
Maximum Height	5M	8.5M	3.5M

- b) Is there an eave encroachment?  Yes  No If 'Yes', size of eaves: \_\_\_\_\_ (m)
- c) Description of Proposal: Converted 2 rooms in 900sq-ft camp to bedrooms, need more storage, 2 boys moved home.
- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
Adding a second floor on garage puts me over the allowed height.

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

PIN(s):		Township: Fairbank	
Lot No.: 11	Concession No.: 1	Parcel(s): 10787	
Subdivision Plan No.:		Lot:	Reference Plan No.:
Municipal Address or Street(s): 1878 Fairbank East Rd		Part(s):	

7) Date of acquisition of subject land. Nov 2017

8) Dimensions of land affected. *East- 100.46*  
*West.*  
 Frontage 77.42 (m) Depth 132.46 (m) Area 6475 (m<sup>2</sup>) Width of Street 60.96 (m)

9) Particulars of all buildings: *CAMP SAUNA Existing BH GARAGE Proposed*

Ground Floor Area:	69.16	22.92	26.79 (m <sup>2</sup> )	167.17	(m <sup>2</sup> )
Gross Floor Area:	138.32			261.86	(m <sup>2</sup> )
No. of storeys:	1	1	1	2	
Width:	9.14	3.96	3.66 (m)	18.29	(m)
Length:	7.62	5.79	7.32 (m)	9.14	(m)
Height:	5.45	3.12	3.66 (m)	8.5	(m)

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

	<i>CAMP</i>	<i>SAUNA Existing</i>	<i>BH</i>	<i>GARAGE Proposed</i>	
Front:	60.95	72.56	91.43 (m)	24.38	(m)
Rear:	22.86	14.02	13.72 (m)	57.91	(m)
Side:	17.68	9.13	34.46 (m)	24.38	(m)
Side:	34.14	47.87	22.87 (m)	18.29	(m)

- 11) What types of water supply, sewage disposal and storm drainage are available? What type of access to the land?
- |                                                     |                                     |                                                                                |                                     |
|-----------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------|-------------------------------------|
| Municipally owned & operated piped water system     | <input type="checkbox"/>            | Provincial Highway                                                             | <input type="checkbox"/>            |
| Municipally owned & operated sanitary sewage system | <input type="checkbox"/>            | Municipal Road                                                                 | <input type="checkbox"/>            |
| Lake                                                | <input checked="" 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 checked="" 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.  
 construction of camp 2021 sauna and boathouse existing

13) Existing use(s) of the subject property and length of time it / they have continued.  
 Use(s): seasonal Length of time: 2 yrs

14) Proposed use(s) of the subject property.  
 Same as #13  or, \_\_\_\_\_

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

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: seasonal

*A0056/2024*

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, DENNIS & LUCIANA SIMEONI (please print all names), the registered owner(s) of the property described as 1878 FAIRBANK EAST RD

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

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

**Authority to Enter Land and Photograph**

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

**Appointment of Authorized Agent**

g) appoint and authorize DENNIS SIMEONI (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 13 day of MAY, 2024

[Signature]  
(witness)

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

Print Name: Dennis Simeoni Luciana Simeoni A0056/2024

\*I have authority to bind the Corporation



## Nia Lewis

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 25, 2024 10:58 AM  
**To:** Nia Lewis  
**Subject:** Simeoni Garage  
**Attachments:** Simeoni Detached Garage Drawings REVISED.pdf; c-can.jpg; 20x30 storage shed.jpg

You don't often get email from [REDACTED] [Learn why this is important](#)

Good Day,

The reason that our garage needs a second floor is to increase our storage space. The lower level will be for our mini excavator, our 18' princecraft boat and a 14' aluminum boat. We also have a side by side ATV, a riding lawn mower, a self-propelled lawn mower and a snow machine. This is currently being stored in a 20 X 30 plastic storage shed, that constantly needs reinforcing because of the weight of the snow. The middle section of our garage will be for our 2 trucks. The left section of the garage is for our work shop. We own a table saw, mitre saw, plainer, joiner, band saw, table belt sander, drill press amongst many other wood working tools and equipment that is currently being dispersed all over and not very functional. (C-can and plastic storage shed)

We moved from a 3600 square foot home to our retirement home of only 1800 square feet of total living space. Our 2 children have moved home after attending Western university. Their intention was to move out west, but since they were unsuccessful in finding employment they are back home. So, we needed to convert a room that we used for a walk in closet into one bedroom and another room that we used for some storage into another bedroom. Our work out room had to be converted to a rec room for our boys who are now 26 and 24 and need to have some space for themselves.

This brings us to our second floor above the garage. Since we lost a lot of closet space, we need to have storage for all our clothing and footwear for the off-season times 4 people. In the summer months that is multiplied because of all the winter jackets and winter boots we own. Our entrance closet is only 4' wide so winter and summer outerwear cannot be stored there. Our old home had an 8' wide entrance closet. We need to store all our sporting equipment. Both boys play hockey and all 4 of us play golf, therefore all the equipment needs to be stored.

Since, we lost our work out room, we would like to dedicate one section of the upper floor for our exercise equipment. We have a bow flex, free weights with a bench press and cage, chin up bar and multiple dumb bells. We did have a golf simulator in our previous garage on Gemma st, which we would hope to use, if there is room for it.

We also need storage for all of our Christmas and seasonal decorations. We have 3 sets of patio furniture that needs to be stored in the winter months to protect them from the elements. All the sunbrella patio cushions will be stored inside but the furniture might need to go on the covered deck and covered with tarps for the winter months. The summer months the deck will be used by my wife for her to do her yoga and meditation. The rest of the family may also go to sit out there after they have completed their workouts inside.

Both boys lived in apartments in London so we also have to store their belongings (extra TV's, some furniture and kitchen items). Currently this is stored in the C-cans. We also still have some of our own furniture pieces that are currently being stored at my in-laws and we would like to store at our own property.

Our intention was to definitely downsize from our home on Gemma to our retirement home. We didn't anticipate our children to return home and would never turn them away. We want our whole family to be comfortable in our new home and we take pride in how our yard looks.

The plastic storage shed and the c-can is an eye soar for us and we just want our home to look nice.

I hope this helps in making the decision easier to grant us our height restriction.

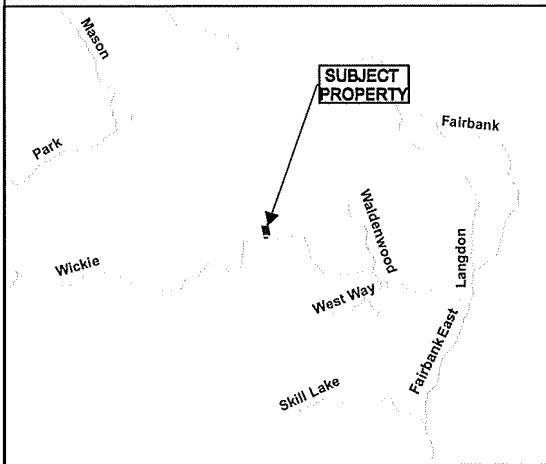
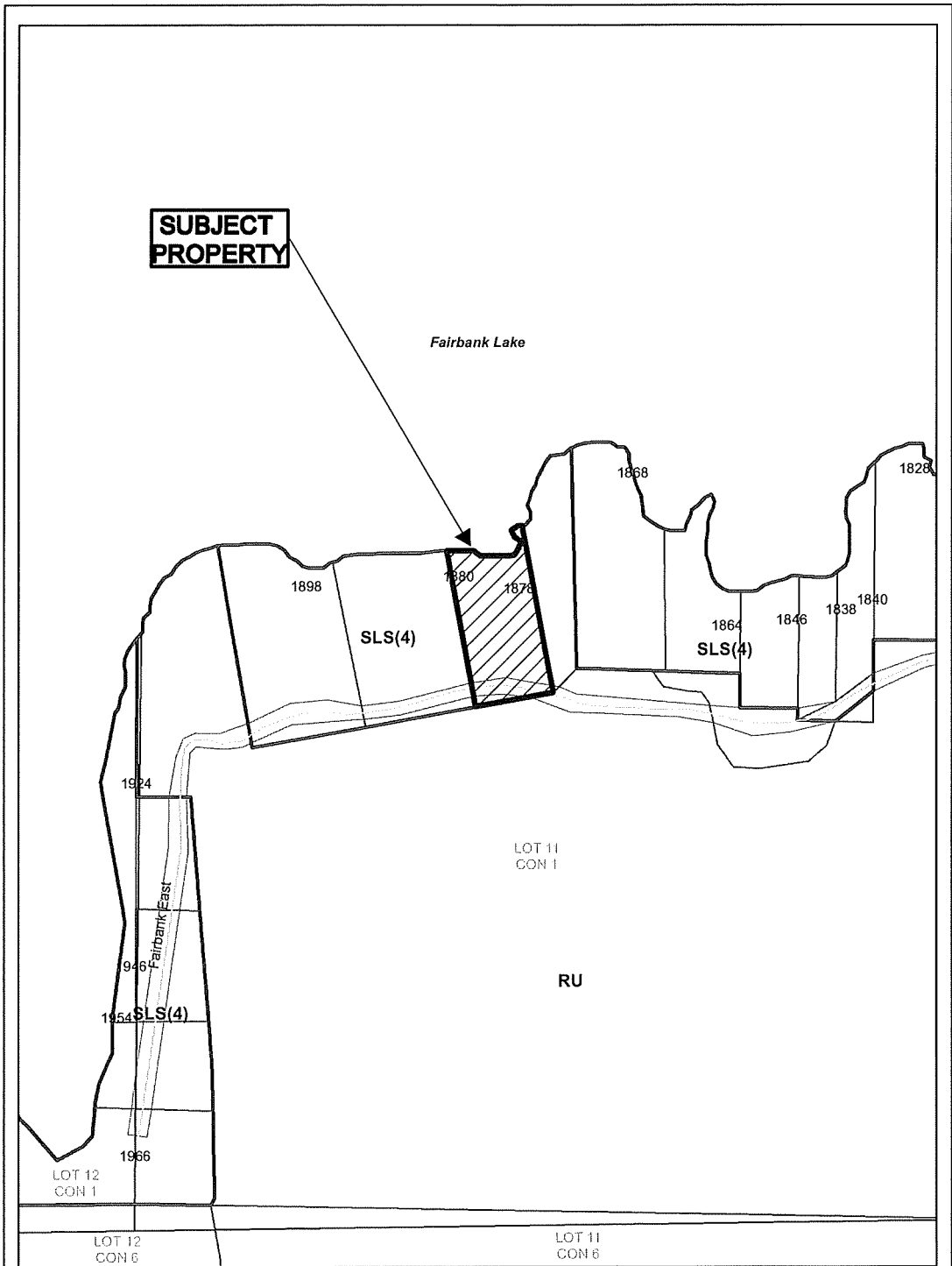
**Dennis Simeoni**

GM Fleet Manager/Sales Consultant

CROSSTOWN

Chevrolet | Buick | GMC | Cadillac | Corvette





**Application for Minor  
Variance or Permission**

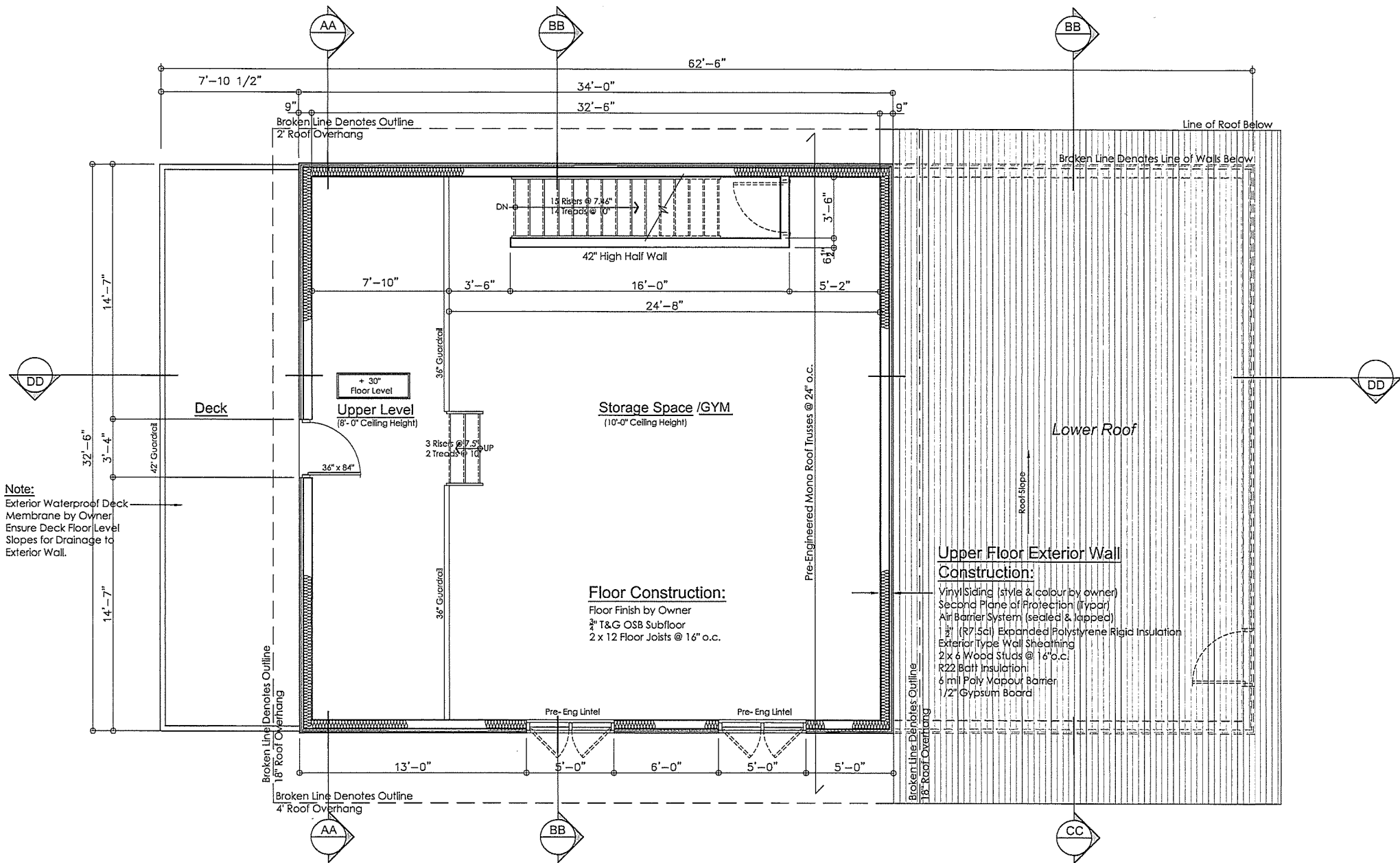


Subject Property being PIN 73366-0008,  
Parcel 10787 SEC SWS,  
Part Broken Lot 11, Concession 1,  
Township of Fairbank,  
1878 Fairbank East Road, Whitefish,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0056/2024  
Date: 2024 05 21

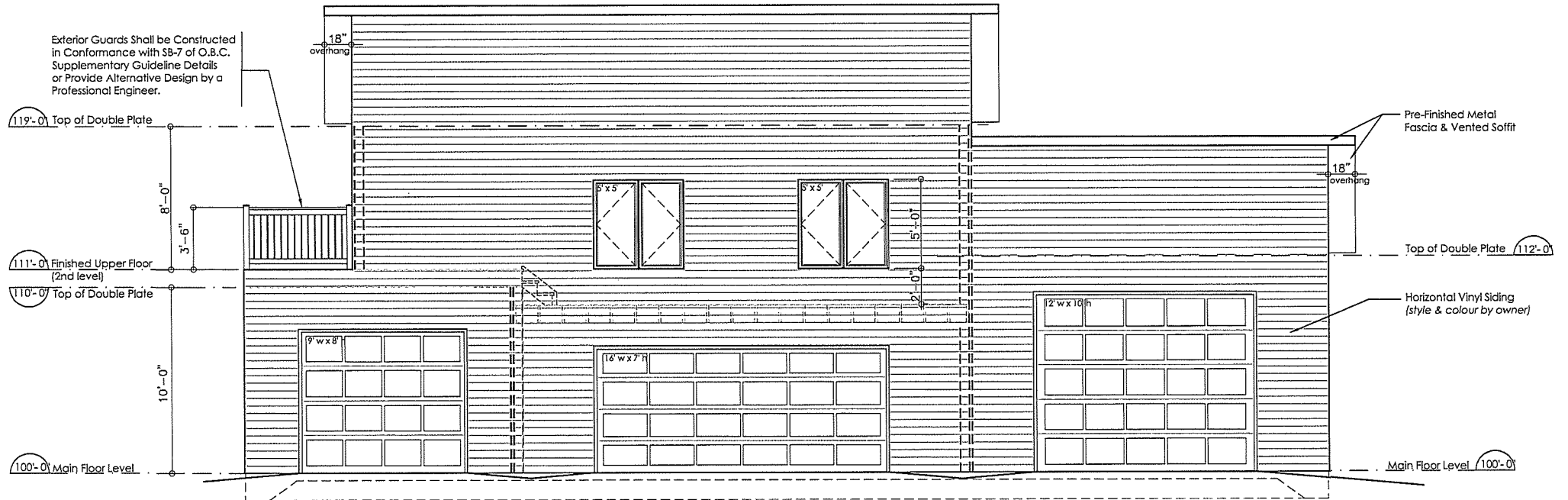




Upper Floor Plan Scale: 1/4" = 1'-0"

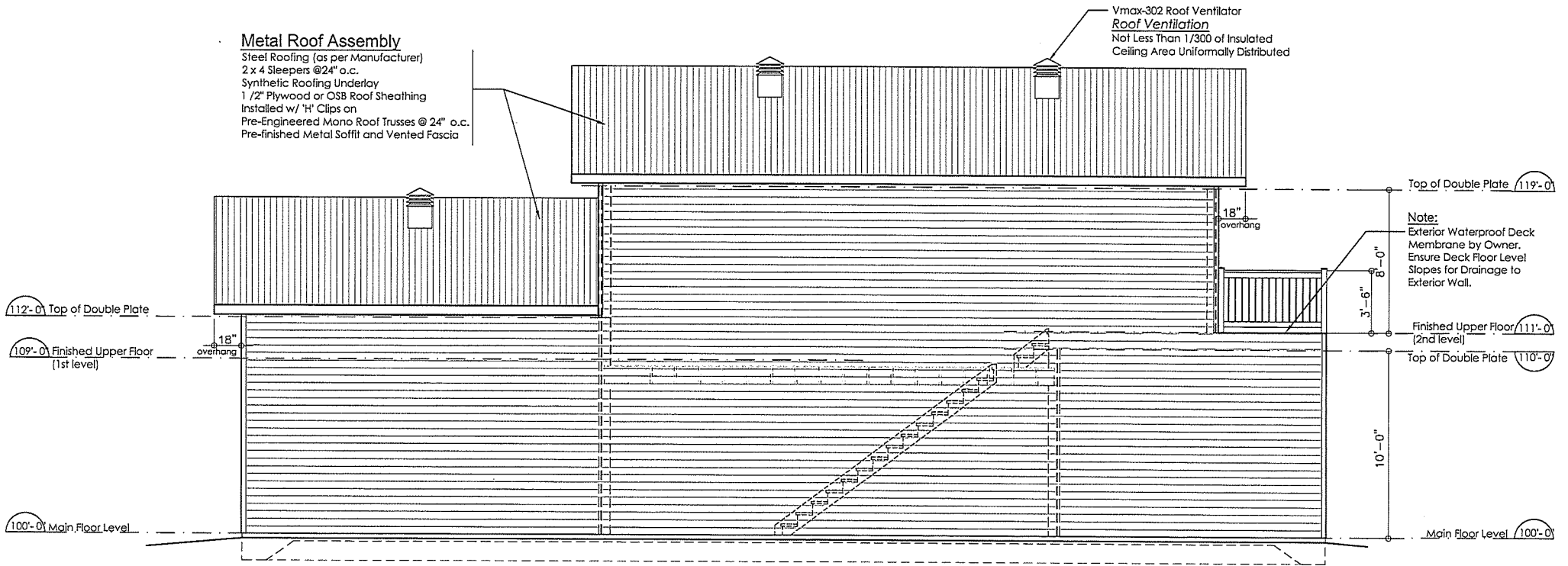
# Simeoni Detached Garage

A0056/2024  
sketch 3



North (front) Elevation  
 Scale: 1/4" = 1'-0"  
 Simeoni Detached Garage

A0056/2024  
 Sketch 4



South (rear) Elevation

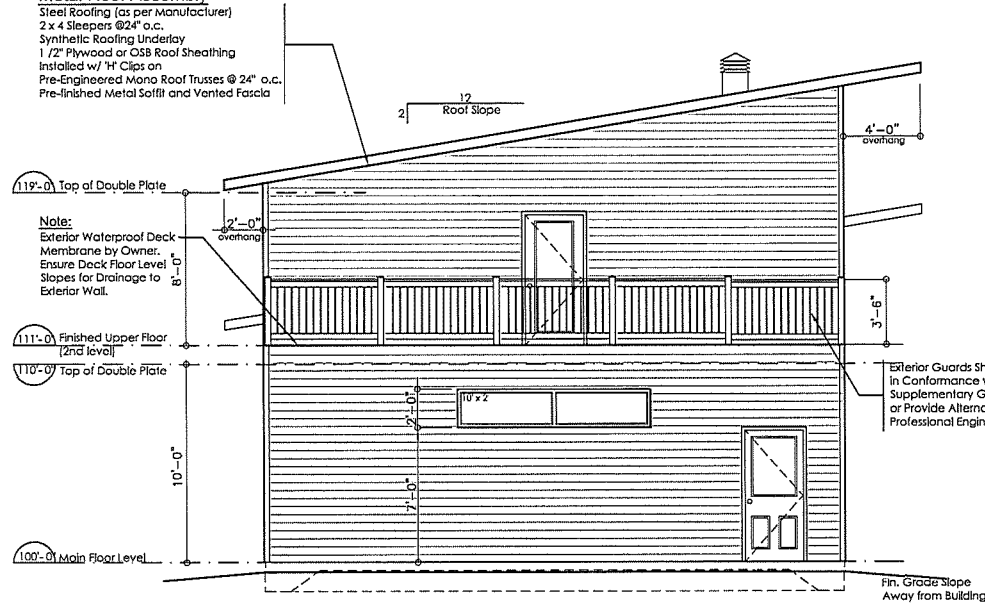
Scale: 1/4" = 1'-0"

Simeoni Detached Garage

170056/2024  
Sketch 5

**Metal Roof Assembly**

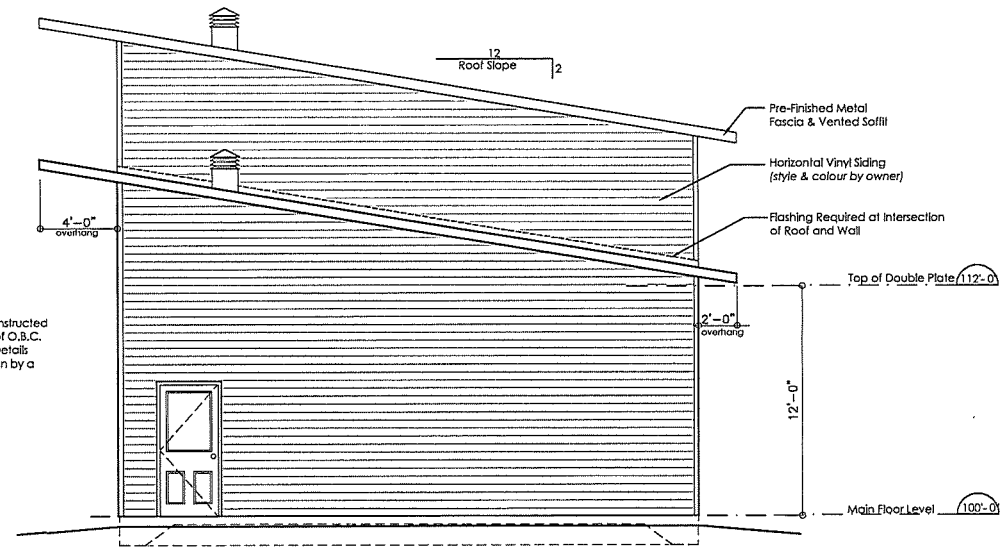
Steel Roofing (as per Manufacturer)  
 2 x 4 Sleepers @ 24" o.c.  
 Synthetic Roofing Underlay  
 1/2" Plywood or OSB Roof Sheathing  
 Installed w/ 1" Clips on  
 Pre-Engineered Mono Roof Trusses @ 24" o.c.  
 Pre-finished Metal Soffit and Vented Fascia



**East Elevation**

Scale: 1/4" = 1'-0"

**Simeoni Detached Garage**

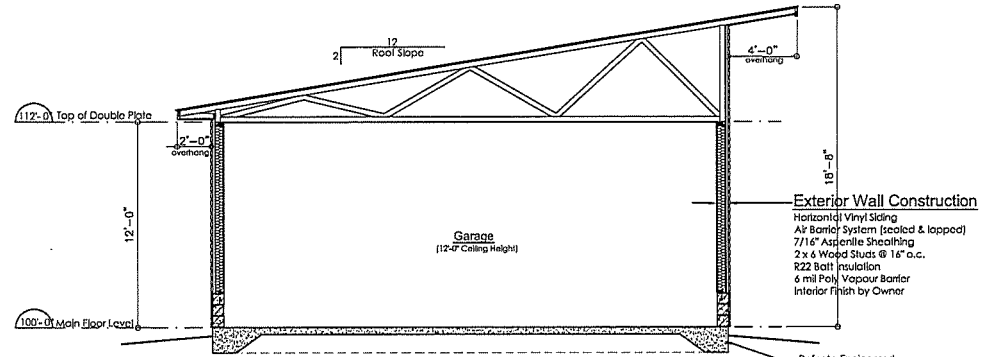
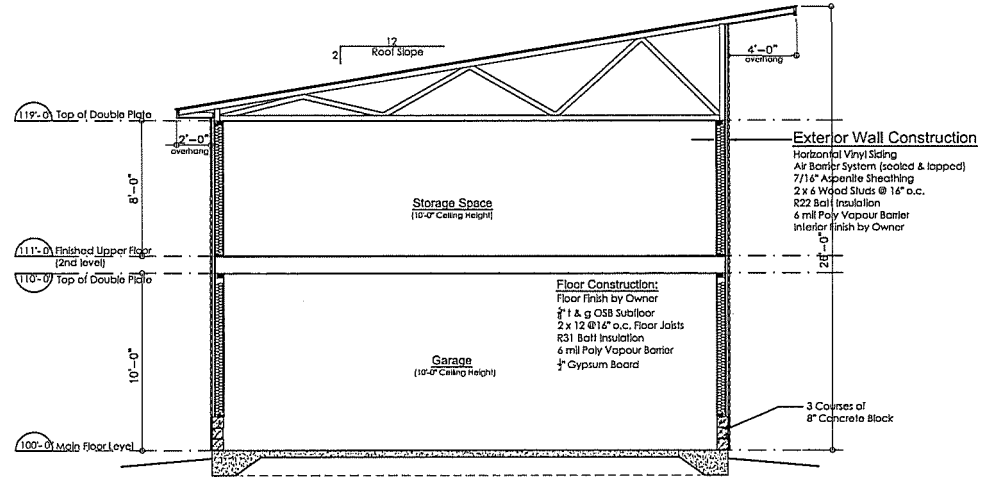
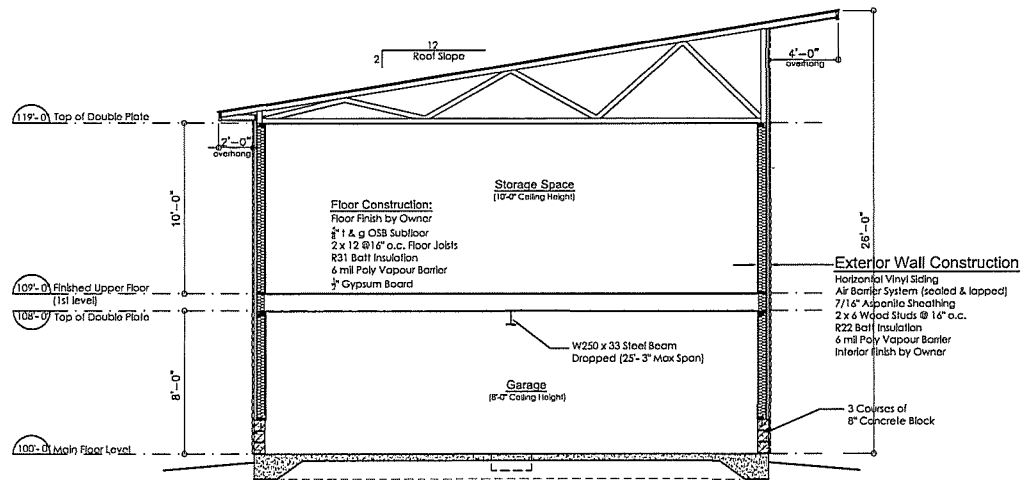


**West Elevation**

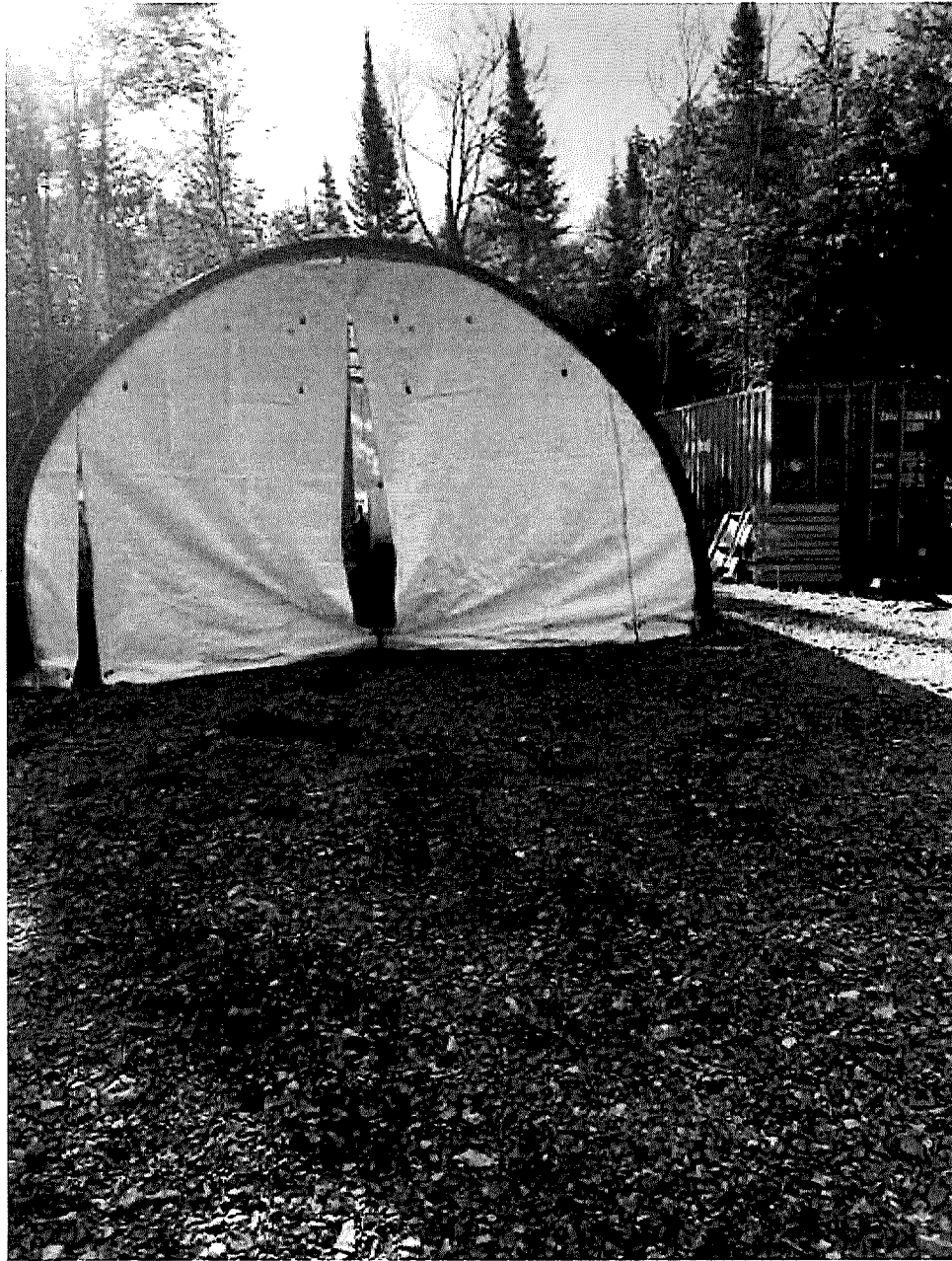
Scale: 1/4" = 1'-0"

A0056/2024  
 Sketch 5





A0056/2024  
 Sketch 7



A0056/2024  
sketch 8



A0056/2024  
Sketch 9