

Tom Davies Square  
200 Brady St

Thursday, June 20, 2024

PUBLIC HEARINGS

**A0028/2024**

**KIRA BRODHAGEN  
RYAN BRODHAGEN**

Ward: 4

PIN 02134 0175, Parcel 14314 SEC SES, Lot(s) 51, Subdivision M-26, Lot Part 7, Concession 4, Township of McKim, 95 Beatty Street, Sudbury, [2010-100Z, R2-3 (Low Density Residential Two)]

For relief from Part 5, Section 5.5, Table 5.5 and Part 6, Section 6.3, Table 6.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a multiple dwelling containing 4-units providing, firstly, a reduction of 100% of the parking requirements for units that are subject to an affordable housing agreement with the City, where a reduction of 25% may be applied to units that are subject to an affordable housing agreement with the City, secondly, a minimum lot area of 110.0 sq.m per unit, where 140.0 sq.m per unit is required, thirdly, a minimum lot frontage of 14.79m, where 18.0m is required, and fourthly, a minimum corner side yard of 3.0m, where 4.5m is required.

**A0056/2024**

**LUCIANA SIMEONI  
DENNIS SIMEONI**

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.

**A0059/2024**

**JILLIAN ROMANKO**

Ward: 9

PIN 73560 1258, Parcels 3730 & 6810, Lot(s) Part 68 and 69, Subdivision M-52, Lot Part 4, Concession 3, Township of Neelon, 80 Edward Avenue, Coniston, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, Table 4.1 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 an addition for a secondary dwelling unit on the existing single detached dwelling providing a north interior side yard setback of 0.9m with eaves encroaching 0.2m into the proposed 0.9m interior side yard, where a minimum 1.8m interior side yard setback is required and where eaves may encroach 0.6m into the required interior side yard but not closer than 0.6m to the lot line.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A36/07 (APR 16/07) AND A56/06 (JUN 26/06)

**A0061/2024**

**CHAD MARSHALL**

Ward: 9

PIN 73476 0098, Parcel 45082 SEC SES, Survey Plan 53R-8171 Part(s) 1, Lot Part 6, Concession 3, Township of Broder, 4350 Chief Lake Road, Sudbury, [2010-100Z, RU (Rural)]

For relief from Part 4, Section 4.2, subsection 4.2.4 b) 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 8.1m, where the maximum height of any building or structure accessory to a residential dwelling shall be 6.5m.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B222/78 TO B225/78 (JUL 31/78) AND MINOR VARIANCE APPLICATION A92/79 (JUN 4/79)

**A0064/2024**

**ALLISON ROY  
GIOVANNI LAGIORIA**

Ward: 4

PIN 73370 0121, SRO, Parcel 53M-1159-5, Lot(s) 5 and Block 6, Subdivision 53M-1159, Lot Part 3, Concession 6, Township of Snider, 2344 Fire Route N, Azilda, [2010-100Z, RU (Rural)]

For relief from Part 4, Section 4.2, subsection 4.2.4 b) and Table 4.1 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, a maximum height of 9.0m, where the maximum height of any building or structure accessory to a residential dwelling shall be 6.5m, and secondly, a rear yard setback of 0.6m with eaves encroaching 0.6m into the proposed 0.6m rear yard setback, where an accessory building greater than 2.5m in height shall be no closer than 1.2m from the rear lot line and where eaves may encroach 1.2m into the required front yard but not closer than 0.6m to the lot line.

**THIS APPLICATION WAS DEFERRED FROM THE MEETING OF MAY 8, 2024 TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS**

**A0033/2024**

**CINDY ROBERT  
JEFFREY HUFFMAN**

**"REVISED"**

Ward: 3

PIN 73354 0357, Parcel 53M-1142-2 SES SWS SRO, Lot(s) 2, Subdivision 53M-1142, Lot Part 12, Concession 5, Township of Dowling, 109 B North Shore Road, Onaping, [2010-100Z, SLS (Seasonal Limited Service)]

For relief from Part 4, Section 4.2, subsection 4.2.4 a) and Section 4.41, subsection 4.41.2 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the construction of, firstly, a seasonal dwelling providing a high water mark setback of 20.0m, 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, and secondly, a detached garage providing a maximum height of 8.3m, 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 3, 2024**



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
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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): Brodhagen, Kira; Brodhagen, Ryan	Email: [REDACTED]
Mailing Address: 570 Church Crescent Mount Forest	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City: Mount Forest	Postal Code: N0G 2L2
	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: TULLOCH	Email: [REDACTED]
Mailing Address: 1942 Regent Street, Unit L	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City: Sudbury	Postal Code: P3E 5V5
	Fax Phone: [REDACTED]

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

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

Name: None
Mailing Address: None
City: None
Postal Code: None

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

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

Variance To	By-law Requirement	Proposed	Difference
Minimum Lot Area (Table 6.4)	140m <sup>2</sup> /unit	110m <sup>2</sup> /unit	30m <sup>2</sup> /unit
Minimum Corner Side Yard Setback (Table 6.4)	4.5m	3.0m	1.5m
Parking Reduction (%) when tied to an affordable housing agreement with CGS (Table 5.5)	25% (4 spaces)	100% (0 spaces)	75% (4 spaces)
Minimum Lot Frontage (Table 6.4)	18.0m	14.79m	3.21m

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

c) Description of Proposal:  
 Application for Minor Variance to facilitate the development of a four unit affordable housing multiple dwelling.  
 See planning justification

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
 Existing topographic constraints to the subject property, lot area, proximity to unopened road allowance.

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

PIN(s): 021340175		Township:	
Lot No.: 51	Concession No.:	Parcel(s): 14314	
Subdivision Plan No.: M26	Lot:	Reference Plan No.:	Part(s):
Municipal Address or Street(s): 95 Beatty Street, Sudbury, ON			

7) Date of acquisition of subject land, January 4th, 2022

8) Dimensions of land affected.

Frontage 14.8m (14.79 m) Depth 30.5 (m) Area 451.9 (m<sup>2</sup>) Width of Street 20 (m)

9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	<u>±85.6</u>	<u>(m<sup>2</sup>)</u>	<u>±156.25</u>	<u>(m<sup>2</sup>)</u>
Gross Floor Area:	<u>±171</u>	<u>(m<sup>2</sup>)</u>	<u>±312.5</u>	<u>(m<sup>2</sup>)</u>
No. of storeys:	<u>2</u>		<u>2</u>	
Width:	<u>±7.4</u>	<u>(m)</u>	<u>±10</u>	<u>(m)</u>
Length:	<u>±12.3</u>	<u>(m)</u>	<u>±15.6</u>	<u>(m)</u>
Height:	<u>2 storeys (15m max)</u>	<u>(m)</u>	<u>2 storeys (11m max)</u>	<u>(m)</u>

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>±4.58</u>	<u>(m)</u>	<u>±7.3</u>	<u>(m)</u>
Rear:	<u>±18.78</u>	<u>(m)</u>	<u>±7.5</u>	<u>(m)</u>
Side:	<u>±2.93</u>	<u>(m)</u>	<u>±1.8</u>	<u>(m)</u>
Side:	<u>0</u>	<u>(m)</u>	<u>±3</u>	<u>(m)</u>

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

What type of access to the land?

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

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

Unknown

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

Use(s): Single Detached Dwelling Length of time: Unknown

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

Same as #13  or, 4 Unit Multiple Dwelling

15) What is the number of dwelling units on the property? Currently One (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: Low to Medium Density Residential, Commercial, Open Space, Downtown

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

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

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

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

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

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

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

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

**PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, Brodhagen, Kira; Brodhagen, Ryan (please print all names), the registered owner(s) of the property described as PCL 14314 SEC SES LOT 51, PLAN M26 CITY OF 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

X Signature: Aaron Ariganello Signature: Kira Brodhagen Signature: Ryan Brodhagen  
Aaron Ariganello (Mar 1, 2024 11:34 EST) Kira Brodhagen (Mar 1, 2024 11:40 EST) Ryan Brodhagen (Mar 1, 2024

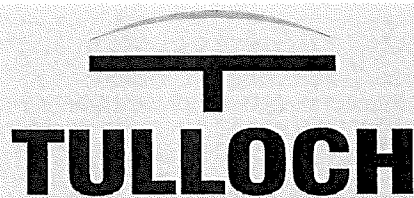
(witness) Email: \_\_\_\_\_ Signature of Owner(s) \_\_\_\_\_ Email: \_\_\_\_\_

Print Name: \_\_\_\_\_

\*I have authority to bind the Corporation

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Planners | Surveyors | Biologists | Engineers

March 18, 2024  
Project #231246

**Attn: Committee of Adjustment**

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

Re: 95 Beatty Street, Sudbury - Minor Variance Application Grading Letter

Dear Committee of Adjustment,

**Introduction**

I write to you today in support of a minor variance application for the consideration of a parking exemption for a proposed fourplex development at 95 Beatty Street, Sudbury ON (Property Identification Number 02134-0175). Due to the current topography of the Subject Property, significant blasting would be required to construct a driveway to facilitate parking on the Subject Property.

A high-level grading was completed to calculate the estimated rock blasting cut quantity to determine an Opinion of Probable Cost to meet the *City of Greater Sudbury's Lot Grading Policy* and *Site Plan Control Guide*. The results of such grading determined that the rock blasting required would be prohibitive to development.

In the following pages, I aim to explain the rationale and calculations behind this variance application from an engineering perspective.

**Rock Blasting required for Driveway**

A high-level civil design of the existing grades and the requirements to construct a driveway per the City of Greater Sudbury Lot Grading Policy, dated January 27<sup>th</sup>, 2005 (herein referred to as the Lot Grading Policy) and the Site Plan Control Guide, dated January 13, 2022 was completed based on TULLOCH completing the topographic survey, dated November 27<sup>th</sup>, 2023. A copy of the topographic survey PDF with markups are attached to this letter.

A002812024

The current grades between Beatty St. and the Subject Property are approximately 45% to 55% and would require blasting to decrease the slope of the driveway from 2% to 10%. This would require rock blasting on the entire subject site to continue to meet the grades as per the *Lot Grading Policy*. A summary of the existing conditions and the required slopes is presented in *Table 1* below.

Table 1: Existing Grade Conditions and Requirements to Construct a Driveway for Parking on 95 Beatty Street

Item	Existing Conditions	Required Slopes	City of Greater Sudbury References
Driveway	Back of Curb along Beatty Street to the East Property Line ranges from 45% to 55%	2% to 10%	Lot Grading Policy Section 3.2
Parking Lots	Slopes generally range on the Subject Property from 5% to 20%	Maximum 4% to 8%	Site Plan Control Guide, Appendix D, Section 7.1. 8)
Front Yard and Rear Yard Slopes		2% to 7%	Lot Grading Policy Section 3.1
Side Yard Slopes		5% to 33%	Lot Grading Policy Section 3.1

Based on the grading criteria above, the required rock blasting cut elevation was estimated at each of the four property corners and ranges from 2.52 m to 4.71 m (8.3 ft to 15.5 ft), resulting in an approximate volume of 1,800 m<sup>3</sup> (63,558 ft<sup>3</sup>). A summary of the estimated rock blasting cut elevation at each of the four property corners is presented in *Table 2* below.

The rock blasting cut volumes only consider the grading and not any additional blasting that may be required for the building foundation. The calculations are attached to this letter.

Table 2: Estimated Rock Cut Elevations at Property Corners

Property Corner	Estimated Rock Blasting Cut Elevation
Northwest	2.52 m (8.3 ft)
Northeast	2.60 m (8.5 ft)
Southeast	2.76 m (9.0 ft)
Southwest	4.71 m (15.5 ft)

### Opinion of Probable Cost

Based on the above, the Class D Opinion of Probable Cost to complete this rock blasting to construct the driveway (only) is **\$167,000**, which includes the cost of Rock Blasting, Offsite Disposal & Rock Face Certification and the Engineering costs associated with obtaining a Site

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Alteration Permit. Such costing does not include any site alteration required to construct a physical parking area or retaining walls.

## Recommendation and Closure

The Owner of 95 Beatty St. wants to contribute to addressing our city's pressing need for affordable housing. However, a critical obstacle stands in the way – the additional finances associated with providing parking spaces to meet the *City of Greater Sudbury's Lot Grading Policy* and *Site Plan Control Guide* for the driveway. Based on a high-level grading design, it would be cost prohibitive to blast 1,800 m<sup>3</sup> (63,558 ft<sup>3</sup>) of rock in order to construct a driveway that meets the *City of Greater Sudbury's Lot Grading Policy* and *Site Plan Control Guide* in order to accommodate parking spaces for the proposed fourplex affordable housing at 95 Beatty Street.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Sincerely yours,



**Kayla Schmidt, M.A.Sc., P.Eng.**  
Project Manager | Civil Engineer

Attached:

- i. High-Level Rock Cut Blasting Volume to Construct a Driveway for Parking at 95 Beatty Street
- ii. Topographic Plan of Survey Grading Needs Sketch

ADD 28/2024

High-Level Rock Cut Blasting Volume to Construct a Driveway for Parking at 95 Beatty Street

Property Address: 95 Beatty Street, Sudbury ON  
 Property Identification Number: 02134-0175  
 Notes: In Support of Minor Variance

Created By: K. Schmidt  
 Date: March 1, 2024

Design Criteria per City of Greater Sudbury Lot Grading Policy and Site Plan Control Guide  
 Front & Rear Yards to have a slope of 2 to 7%  
 Sideyards have a slope of 5% to 33%  
 Minimum 2% from the building  
 Driveway is 2 to 10%

Slope & Grade Formula

$$m = \frac{\Delta y = y_2 - y_1}{\Delta x = x_2 - x_1}$$

$$y_2 = (m \cdot \Delta x) + y_1$$

$$y_1 = y_2 - (m \cdot \Delta x)$$

Where:

m = slope  
 $\Delta y$  = change in vertical elevation (rise)  
 $y_2$  = Vertical Elevation Point 1  
 $y_1$  = Vertical Elevation Point 2  
 $\Delta x$  = change in horizontal distance (run)  
 $x_2$  = Horizontal Elevation Point 1  
 $x_1$  = Horizontal Elevation Point 2

Abbreviations	
m	meters
m3	cubic meters
mASL	meters above sea level
ft	feet
ft3	cubic feet

Table 1: Existing Elevations & Lengths						
Elevations		Length of Property Lines			Slopes	
Description	Elevation (mASL)	Description	Length (m)	Length (ft)	Description	Slopes (also know as Grades)
NE Corner	274.30	North	30.59	100.3	North	5%
NW Corner	276.75	West	14.80	48.5	West	19%
SW Corner	278.50	South	30.59	100.3	South	9%
SE Corner	275.63	East	14.80	48.5	East	9%
Back of Curb (perpendicular to the NE Corner)	271.12	Back of Curb (perpendicular to the NE Corner)	5.84	19.2	Back of Curb (perpendicular to the NE Corner)	54%
Back of Curb (perpendicular to the SE Corner)	272.75	Back of Curb (perpendicular to the SE Corner)	6.06	19.9	Back of Curb (perpendicular to the SE Corner)	48%

Proposed Grades and Elevations (to Meet City's Requirements if Parking is required)																	
SE Corner to Back of Curb			NE Corner to Back of Curb			NE Corner to NW Corner			SE Corner to SW Corner			SW Corner to NW Corner			SE Corner to NE Corner		
Description	Value	Unit	Description	Value	Unit	Description	Value	Unit	Description	Value	Unit	Description	Value	Unit	Description	Value	Unit
Ex. SE Back of Curb	272.75	mASL	Ex. NE Back of Curb	271.12	mASL	Proposed NE Corner	271.70	mASL	Proposed SE Corner	272.87	mASL	Proposed SW Corner Elevation	273.79	mASL	Proposed SE Corner Elevation	272.87	mASL
Proposed Grade from Back of Curb to SE Corner	2%		Proposed Grade from Back of Curb to NE Corner	10%		Proposed Grade NE to NW Corner	5%		Proposed Grade SE to SW Corner	3%		Proposed NW Corner Elevation	273.23	mASL	Proposed NE Corner Elevation	271.70	mASL
Length	6.06	m	Length	5.84	m	Length	30.59	m	Length	30.59	m	Length	14.80	m	Length	14.80	m
Elevation difference ( $\Delta y$ )	0.1212	m	Elevation difference ( $\Delta y$ )	0.584	m	Elevation difference ( $\Delta y$ )	1.5295	m	Elevation difference ( $\Delta y$ )	0.9177	m	Elevation difference ( $\Delta y$ )	0.56	m	Elevation difference ( $\Delta y$ )	1.17	m
Ex. SE Corner Elevation	275.63	mASL	Ex. NE Corner Elevation	274.30	mASL	Ex. NW Corner Elevation	276.75	mASL	Ex. SW Corner Elevation	278.50	mASL	Grade	4%		Grade	8%	
Proposed SE Corner Elevation	272.87	mASL	Proposed NE Corner Elevation	271.70	mASL	Proposed NW Corner Elevation	273.23	mASL	Proposed SW Corner Elevation	273.79	mASL						
SE Cut Elevation	2.75	m	NE Cut Elevation	2.60	m	NW Cut Elevation	2.52	m	SW Cut Elevation	4.71	m						
	9.0	ft		8.5	ft		8.3	ft		15.5	ft						

High-Level Rock Blasting Volume Required For Parking					
Subject Property Only (assume average cut height and right rectangular prism for high level volume calculations)			Estimated Extra Average depth required for finished grading (sub-base fill and final grades)		
Description	Value	Unit	Description	Value	Unit
Length of Property	30.59	m	Estimated Extra Average depth required for grading + house	0.3	m
Width of Property	14.80	m	Area of Site	452.73	m <sup>2</sup>
Average Height (SE to SW)	3.73	m	Area of ROW Infront of the Site	89.69	m <sup>2</sup>
Average Height (NE to NW)	2.56	m	Total Area	542.42	m <sup>2</sup>
Average Cut Height	3.15	m	Extra Blasting Volume	162.73	m <sup>3</sup>
Cut Rock Blasting Volume for 95 Beatty Property	1424.11	m <sup>3</sup>	<b>TOTAL ESTIMATED ROCK BLASTING CUT VOLUME (Round up to nearest 100)</b>	<b>1,800</b>	<b>m<sup>3</sup></b>
Between Subject Property and Back of Curb (City's Right of Way) (assume triangular prism for high level volume calculations)				63,558	ft <sup>3</sup>
Description	Value	Unit			
a	14.80	m			
b	5.84	m			
c	6.06	m			
h	2.75	m			
Cut Rock Blasting Volume on City's Right of Way	195.50	m <sup>3</sup>			

Right rectangular prism  
 Solve for volume -

$$V = whl$$

l Length Enter value  
 w Width Enter value  
 h Height Enter value

Triangular prism  
 Solve for volume -

$$V = \frac{1}{2} h \sqrt{a^2 - (a-b)^2 + 2(a-c)^2} \cdot b + 2 \cdot (h \cdot c)^2$$

a Base side Enter value  
 b Base side Enter value  
 c Base side Enter value  
 h Height Enter value

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# PLANNING JUSTIFICATION

## BRIEF

95 BEATTY STREET, GREATER SUDBURY  
MINOR VARIANCE

MARCH 2024

Prepared for: BRODHAGEN, KIRA JOHANNA MONA; BRODHAGEN, RYAN JAMES  
Prepared by: TULLOCH

A0028/2024

## 1.0 INTRODUCTION

TULLOCH is retained by the owner(s) of 95 Beatty Street (being PIN 02134-0175) in the City of Greater Sudbury to facilitate the submission of an application for minor variance in relation to the development of a four (4) unit, two (2) storey multiple dwelling at 95 Beatty Street in Sudbury. The multiple dwelling is intended to be developed as affordable housing units, and therefore an affordable housing agreement with the City would be required.

The following variances from *Zoning By-Law 2010-100Z* are being sought to facilitate the proposed development:

1. Relief from **Table 5.5: Residential Parking Requirements For All Zones Except the Downtown Commercial (C6) Zone** to permit a 100% parking reduction for units subject to an affordable housing agreement with the City of Greater Sudbury, *whereas a 25% reduction is permitted.*
2. Relief from **Table 6.4 – Standards for Low Density Residential Two Zone: R2-3** to permit a minimum lot area of  $\pm 110\text{m}^2/\text{unit}$ , where  $140\text{m}^2/\text{unit}$  is required.
3. Relief from **Table 6.4 – Standards for Low Density Residential Two Zone: R2-3** to permit a 3.0 metre (m) minimum corner side yard setback, where 4.5 metres (m) is required.
4. Relief from **Table 6.4 – Standards for Low Density Residential Two Zone: R2-3** to permit a minimum frontage of 14.8m for a multiple dwelling where 18.0m is required.

## 2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT

The subject property is located along Beatty Street in Sudbury, just north of Elm Street, and  $\pm 230\text{m}$  west of Sudbury's 'Downtown' Official Plan (OP) land use designation (see *Figure 1*). The property currently features a single detached dwelling. The property is legally described as follows:

*PCL 14314 SEC SES LOT 51, PLAN M26 CITY OF SUDBURY*

The parcel has a total area of  $\pm 452\text{m}^2$  with  $\pm 14.79\text{m}$  of road frontage along Beatty Street, and a depth of  $\pm 30.54\text{m}$ . The property is topographically constrained, with a considerable grade change between the subject lands and the Beatty Street right-of-way (see *Figure 3*).

The property is currently zoned R2-3 (Low Density Residential Two) in Zoning By-law 2010-100z and designated Living Area I in *Schedule 1b* of the City of Greater Sudbury's Official Plan (OP). Beatty Street is fully serviced by municipal water and sanitary sewer and classified as a 'Collector' road on OP *Schedule 7*. The nearest transit stop is located  $\pm 250$ -metres from the property and is serviced via GOVA Transit Route 104. Street parking is presently prohibited along both sides of Beatty Street per *By-Law 2010-1*.

The surrounding area largely comprises of low to medium density housing types. The immediate surrounding area can be described as follows:

**NORTH:** Low and medium density housing types

**EAST:** Low and medium density housing types, service and office commercial

**SOUTH:** Low density housing types, mix of commercial uses

**WEST:** Low and medium density housing types, medical (commercial)

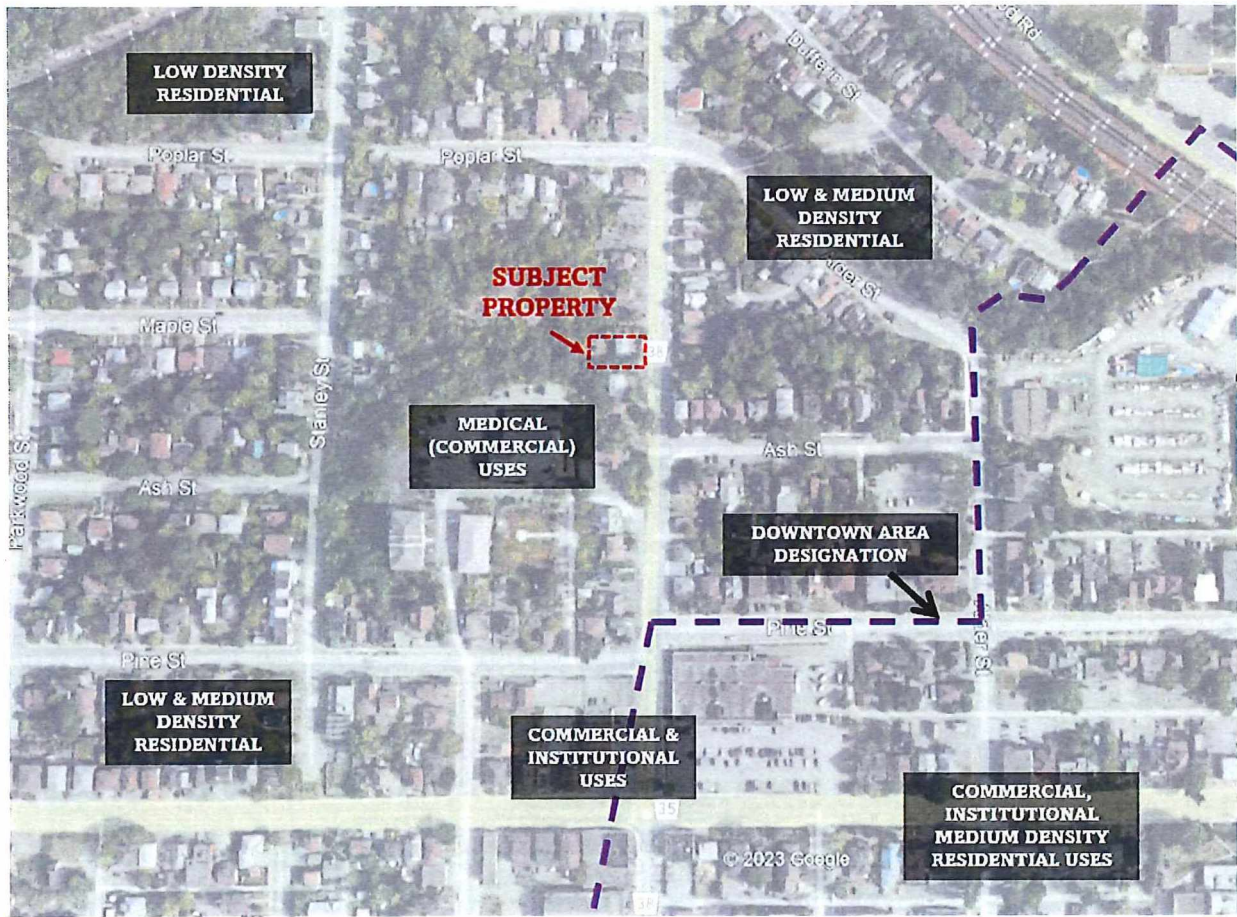


Figure 1: Location of Subject Lands and Surrounding Land Uses



*Figure 2: Subject Property as seen from 336 Pine Street Parking Lot, facing east*



*Figure 3: View of Subject Property from Beatty Street*



*Figure 4: View of subject property looking south-west*



*Figure 5: View of the subject property & CGS unopened road allowance facing west*

### 3.0 PROPOSED DEVELOPMENT & ZONING RELIEFS

The owner is proposing to demolish the existing single detached dwelling to construct a two (2) storey multiple dwelling, featuring four (4) affordable housing units. The multiple dwelling would be approximately 16-metres long by 10-metres wide and have a ground floor area of approximately 312.5m<sup>2</sup> (See Figure 6).

The proposed development will require some relief from the *City of Greater Sudbury Zoning By-Law 2010-100Z*. These reliefs include a reduction in the minimum lot area per unit, a reduction in frontage requirements for multiple dwellings, a reduction in the minimum required corner side yard setback (adjacent to the unopened road allowance), and permission to allow a 100% parking reduction for up to 4-units subject to an affordable housing agreement with the City of Greater Sudbury. The need for the reliefs is primarily the result of the property's size, the abutting unopened road allowance and existing topographic constraints.

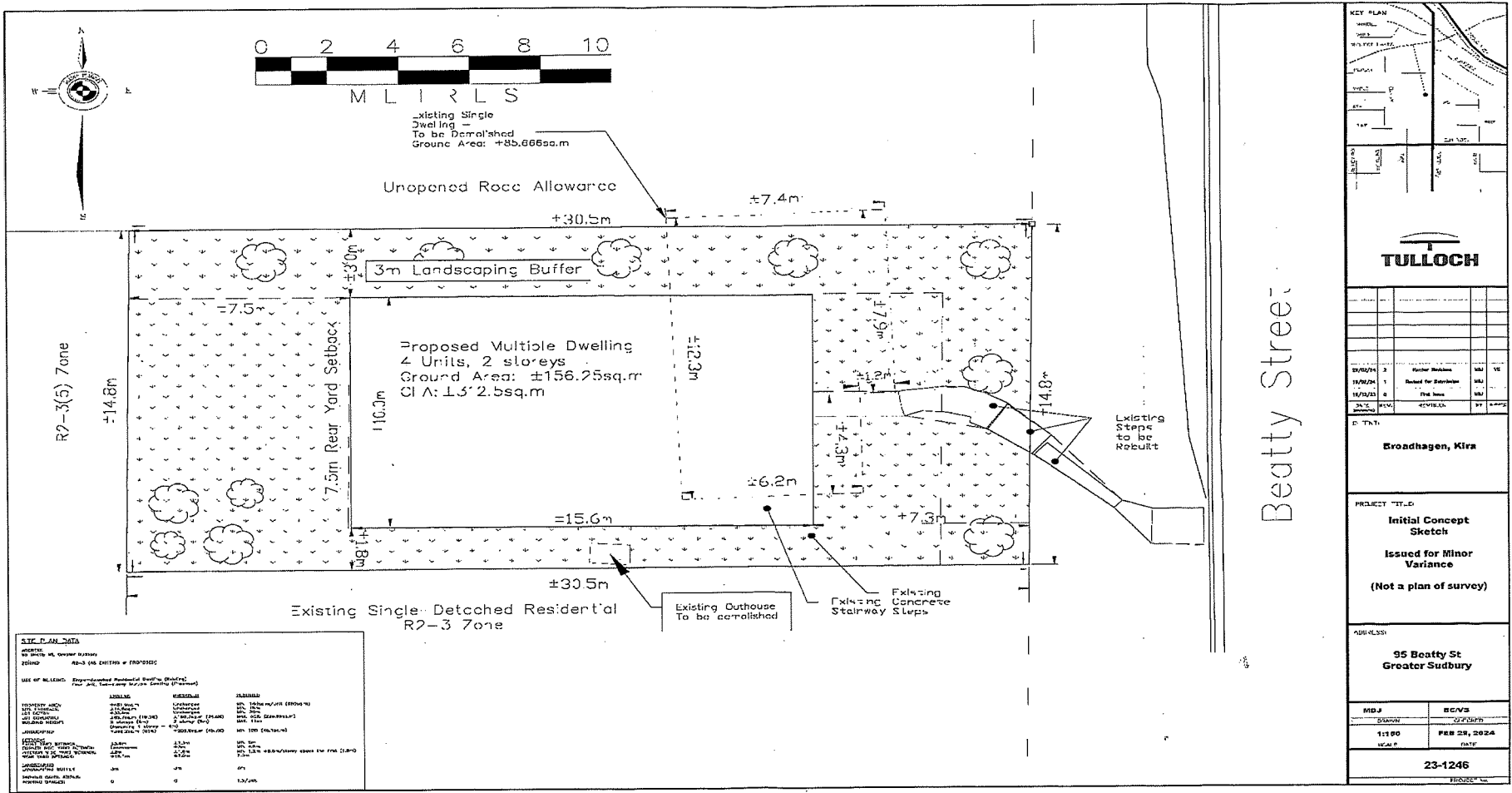
As part of the application, a preliminary grading assessment was undertaken to investigate the feasibility of providing the required parking given the site's existing topographic constraints and the City's *Lot Grading Policy*. The conclusions of the grading letter are discussed in *Section 5.0* of this report.

Table 1 provides a summary of the reliefs required for the proposed development in comparison to the requirements of the *City of Greater Sudbury Zoning By-Law 2010-100Z*.

**Table 1: Proposed Reliefs from Zoning By-law 2010-100Z**

Variance To	Zoning By-Law	By-Law Requirement	Proposed	Difference
Minimum Lot Area	R2-3 Minimum Lot Area Requirement: 140m <sup>2</sup> /unit	140m <sup>2</sup> /unit	±110m <sup>2</sup> /unit	±30m <sup>2</sup> /unit
Minimum Frontage	R2-3 Minimum for Multiple Dwellings: 18.0m	18.0m	14.8m	3.2m
Minimum Corner Side Yard Setback	R2-3 Corner Side Yard Setback Requirement: 4.5m	4.5m	±3.0m	1.50m
Decrease in parking requirements	Table 5.5 Residential Parking Requirements: 1.5/unit A reduction of 25% may be applied to units that are subject to an affordable housing agreement with the City of Greater Sudbury (up to 4-units)	4.5 parking spaces with a 25% reduction	0 parking spaces with a 100% reduction	4.5 parking spaces

Figure 6: Conceptual Sketch



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## 4.0 PLANNING JUSTIFICATION

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.

### 4.1 IS THE APPLICATION MINOR IN NATURE?

The test of whether the requested variance is minor in nature has been assessed by examining the applicable zoning provisions as well as how the proposed reliefs will affect the surrounding neighbourhood. 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.

#### MINIMUM LOT FRONTAGE

Per **Table 6.4** in the zoning by-law, the R2-3 'Low Density Residential Two' zone requires that lots with multiple dwellings have a minimum lot frontage of 18.0m. The existing lot has a frontage of 14.8m. Relief is requested to reduce the zoning requirement in order to facilitate the 4-unit multiple dwelling. Despite a proposed reduction in the minimum frontage the multiple dwelling can be developed and still provide for appropriate landscaped open space, planting strips, and front, interior side yard and rear yard setbacks that complement the surrounding built form. Additionally, the surrounding community provides for lot frontages similar or same as proposed.

#### MINIMUM LOT AREA

Per **Table 6.4** in the zoning by-law, the R2-3 'Low Density Residential Two' zone permits multiple dwellings provided a minimum lot area of 140m<sup>2</sup> per unit, containing not more than four (4) dwelling units.

Relief is requested to reduce this requirement to  $\pm 110\text{m}^2$  per unit. This reduction is requested to utilize the property more efficiently by achieving a density and built-form that is currently permitted as-of-right in the R2-3 zone. Despite a reduction in area per unit, appropriate landscaped open space, planting strips, and front, interior side yard and rear yard setbacks can still be achieved. Given that the application also requests a 100% parking reduction, the outdoor green space/amenity area on the property would be maximized (to the greatest extent possible) with a landscaped open space of  $\pm 46\%$  for the enjoyment and use of residents.

#### CORNER SIDE YARD SETBACK

Per **Table 6.4** in the zoning by-law, the R2-3 'Low Density Residential Two' zone requires a minimum corner side yard setback of 4.5 metres. Given the property's existing constraints, the reduction in the corner side yard setback from 4.5 metres to 3.0 metres is requested to make the most efficient use of the existing property. It is noted that this relief is largely technical in nature due to the unopened road allowance adjacent to the property. Should the construction of a road occur in the future, sufficient setbacks, and landscaped strips can still be provided.

## **PARKING**

Per **Table 5.5** in the zoning by-law, multiple dwellings are required to provide 1.5 parking spaces per unit and a 25% reduction may be applied for units subject to an affordable housing agreement. The application proposes a 100% parking reduction for the four (4) units, which would be subject to an affordable housing agreement with the City. Given the topographic constraints/ grading challenges discussed throughout the Grading Letter and the locational context of the area which is transit supportive, walkable and in proximity to the Downtown and the Kathleen Street Commercial Corridor, the 100% parking reduction is appropriate, and minor in nature.

Given all the above, the requested reliefs can be considered minor in nature as they are unlikely to produce adverse impact to surrounding uses.

The lot area, frontage, and corner side yard setback reductions are largely technical in nature and will not impact the surrounding neighbourhood or its built form given the proposal provides for a similar built form, housing type (up to 4-units), height, landscaped open space and setbacks as surrounding uses provide.

The parking reduction can be considered minor given that the potential for adverse impacts have been mitigated through the property being located in an area supportive of alternative transportation methods and car-free living, and through tying the development to an affordable housing agreement. Further the prohibition of on-street parking on Beatty Street will aid in mitigate any concerns regarding street parking.

### **4.2 IS THE APPLICATION DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OF THE LANDS?**

The requested reliefs are necessary for the development of the four-unit multiple dwelling and to proceed through the Affordable Housing Agreement process given that 4-units is the minimum unit count to required to be eligible for the program.

Beyond this, the reliefs required to facilitate the development are appropriate given such reliefs provide for the highest and best use of the property, cognizant of the 4-unit max permitted in the R2-3 zone. Given the subject property's proximity to the Downtown designation and public transit (primarily along Elm Street), it is the author's opinion that a reduction in the Greater Sudbury Zoning By-law Residential Parking requirements is appropriate for the best development and use of the property. More specifically,

- The parking relief is predicated on the proximity to the Central Business District, availability of public transit, and its walkable location which thereby reduces the need for tenants to have a personal automobile;
- The development provides increased density in a central city location that aligns with the housing objectives of the City and further strengthens the Downtown core;
- The development provides for a similar built form, lot frontage, height, landscaped open space and setbacks as surrounding uses provide; and,
- The grading challenges and financial implications of providing the required parking given existing topographic constraints.

As discussed in the accompanying Grading Letter, the topographic survey completed by TULLOCH revealed that the existing slope on the east side of the property ranges from 45% to 55% whereas, a maximum of 10% for new driveways is required, per **Section 3.2** of the *City of Greater Sudbury Lot Grading Policy*. To meet City requirements to accommodate a proper driveway, the cost to lower the site would be prohibitive to redevelopment. Therefore, it is the author's opinion that a 100% reduction in parking is desirable for the appropriate development of the subject property, with respect to feasibility, constructability, and desire to develop affordable housing units in this appropriate location.

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

The requested variances conform to the general intent of the Zoning By-law. The property is zoned R2-3 'Low Density Residential Two' per the zoning by-law. Multiple dwellings, with a maximum of 4 dwelling units, are permitted in the R2-3 zone. As demonstrated under *subsection 5.1*, the proposed variances are minor and maintain screening/buffering to maintain compatibility, as intended by the Zoning By-law. The unique topography of this property requires some flexibility from zoning standards in order to develop the parcel with a highest and best use of lands. Moreover, it remains the intent of the Zoning By-law to promote parking reductions for developments subject to affordable housing agreements. Therefore, it is the author's opinion that the application conforms to the general intent of the City of Greater Sudbury Zoning By-law.

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

The proposed variances conform to the general intent of the OP. The subject property is designated Living Area 1 per *Schedule 1A* of the OP. The below policies are applicable when evaluating if the application conforms to the general intent of the OP:

**3.2.1** *Low density housing is permitted in all Living Area designations...*

**3.2.3** *New residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law.*

The development is consistent with the intent of the Living Area 1 designation as it would facilitate the introduction of affordable dwelling units within the existing residential area, with access to public transit, and other amenities (as discussed throughout this brief). The development maintains the existing neighbourhood character given it provides for setbacks, height, and built form that is similar to existing dwellings in the surrounding area, and provides a use (4-units) that is both common and compatible with the existing physical character of the established neighbourhood, per **Section 3.2.3**.

**Section 11.3.2** provides policies that require land use to support transit needs within the City of Greater Sudbury. Its policies include:

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

**11.3.2.2**

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

The application is consistent with OP policy **11.3.2**, which supports development that facilitates the increased and effective use of the existing transit system. The proposed 4-unit development is located within 250-metres to transit stops on Elm Street, which are serviced by GOVA transit route 104 and is in proximity to the Central Business District.

**Section 14.3** of the OP outlines considerations for good community and neighbourhood design. It promotes design features such as:

**14.3.1**

*The city will encourage community and neighbourhood design that:*

*c) fosters active transportation and public transit;*

Given the requested parking relief, the application promotes active transportation and public transit usage, per **Section 14.3.1(c)**, by directing intensification to walkable areas in proximity to public transit stops, and pedestrian friendly sidewalk infrastructure.

**Section 17.1** of the OP outlines policies designed to improve the availability of housing for current and future residents in Greater Sudbury.

**17.1(b)**

*Encourage diversity in the supply of housing by promoting a full range of housing types, including housing that is affordable and appropriate to low income groups and people with special needs;*

The City's Official Plan and Affordable Housing Community Improvement Plan seek to facilitate the development of affordable housing units and direct those units to locations where they will benefit from proximity to public and private facilities and services as well as maximize the use of existing infrastructure. The proposed development aims to integrate and encourage diversity in housing supply by strategically developing affordable housing units that are appropriate for low-income groups, and people with special needs in a location suitable for such. The requested parking reduction conforms to the intent of the Official Plan by facilitating an affordable housing agreement with the City of Greater Sudbury.

## 5.0 CONCLUSION

Given the analysis contained herein, the requested reliefs and proposed four-unit dwelling are appropriate and compatible with both the immediate surrounding area and the broader context of the nearby commercial areas. The development is located in an area with full municipal sewer and water infrastructure, near transit and the proposed use is permitted in the policy framework of the Official Plan and Zoning By-law. The Official Plan supports achieving the highest and best use of residential land in close proximity to Downtown while optimizing the usage of the nearby active transportation and public transportation networks. They are necessary to enable the feasible development of 4 affordable housing multiple dwelling units in this location, as desired through Official Plan intent.

As such, it is the author's opinion that the proposed variances are appropriate for the subject property, given that:

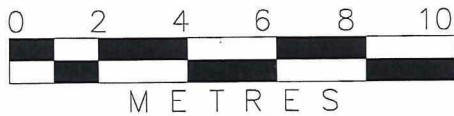
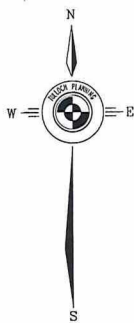
1. The proposed variances are minor in nature;
2. The proposed development and variances are an appropriate use of lands;
3. The proposed variances meet the general intent and purpose of the Zoning By-law; and
4. The proposed variances meet the general intent and purpose of the Official Plan

Respectfully submitted,



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





Existing Single Dwelling - To be Demolished  
Ground Area: ±85.666sq.m

Unopened Road Allowance ±30.5m

±7.4m

3m Landscaping Buffer

Proposed Multiple Dwelling  
4 Units, 2 storeys  
Ground Area: ±156.25sq.m  
GFA: ±312.5sq.m

R2-3(5) Zone

±14.8m

7.5m Rear Yard Setback

±10.0m

±12.3m

±7.9m

±1.2m

±4.3m

±14.8m

Existing Steps to be Rebuilt

±6.2m

±7.3m

±15.6m

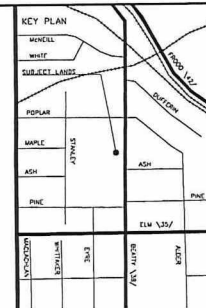
±30.5m

Existing Single-Detached Residential R2-3 Zone

Existing Outhouse To be demolished

Existing Concrete Stairway Steps

Beatty Street



DATE	REV.	REVISION	BY	APP'D
26/05/24	2	Further Revisions	MDJ	YS
15/02/24	1	Revised for Submission	MDJ	
15/12/23	0	Final Issue	MDJ	

CLIENT:  
**Broadhagen, Kira**

PROJECT TITLE:  
**Initial Concept Sketch**  
**Issued for Minor Variance**  
**(Not a plan of survey)**

ADDRESS:  
**95 Beatty St  
Greater Sudbury**

MDJ	BC/VS
DRAWN	CHECKED
1:150	FEB 29, 2024
SCALE	DATE
<b>23-1246</b>	
PROJECT No.	

SITE PLAN DATA			
ADDRESS: 95 Beatty St, Greater Sudbury			
ZONING: R2-3 (AS EXISTING & PROPOSED)			
USE OF BUILDING: Single-detached Residential Dwelling (Existing) Four Unit, Two-storey Multiple Dwelling (Proposed)			
	EXISTING	PROPOSED	REQUIRED
PROPERTY AREA	±451.8sq.m	Unchanged	MIN: 149sq.m/Unit (36sq.m)
LOT FRONTAGE	±14.8m	Unchanged	MIN: 18m
LOT DEPTH	±32.5m	Unchanged	MIN: 30m
LOT COVERAGE	±85.7sq.m (19.0%)	±156.25sq.m (34.6%)	MAX: 50% (225.95sq.m)
BUILDING HEIGHT	2 storeys (6m)	2 storeys (6m)	MAX: 11m
LANDSCAPING	(Average) 1 storey = 40)	±206.6sq.m (45.7%)	MIN: 10% (45.1sq.m)
SETBACKS			
FRONT YARD SETBACK:	±3.0m	±7.5m	MIN: 6m
CORNER SIDE YARD SETBACK:	±3.0m	±3.0m	MIN: 4.3m
REAR SIDE YARD SETBACK:	±7.5m	±10.0m	MIN: 1.2m + 0.6m/storey above the first (1.8m)
REAR YARD SETBACK:	±19.1m	±7.5m	7.5m
LANDSCAPING	3m	3m	3m
PARKING CALCULATIONS:			
PARKING SPACES:	0	0	1.5/Unit

A0028/2024  
Sketch 2



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

Office Use Only  
 2024.01.01  
 A0056/2024  
 S.P.P.  
 NSD ✓

**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]  
 City: Whitefish Postal Code: P0M3E0 Business: [Redacted]  
 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: Dennis Simeoni Email: [Redacted]  
 Mailing Address: 1878 Fairbank East Rd Home: [Redacted]  
 City: Whitefish Postal Code: P0m3E0 Business: [Redacted]  
 Fax Phone: [Redacted]

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

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

Name: 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 900sqft 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.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 1878 Fairbank East Rd

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

	<i>CAMP</i>	<i>Existing</i>	<i>BH</i>	<i>GARAGE</i>	<i>Proposed</i>
Front:	<u>60.95</u>	<u>72.56</u>	<u>91.43</u> (m)	<u>24.38</u>	(m)
Rear:	<u>22.86</u>	<u>14.02</u>	<u>13.72</u> (m)	<u>57.91</u>	(m)
Side:	<u>17.68</u>	<u>9.13</u>	<u>34.4</u> (m)	<u>24.38</u>	(m)
Side:	<u>34.14</u>	<u>47.87</u>	<u>22.87</u> (m)	<u>18.29</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 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

*Approved/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

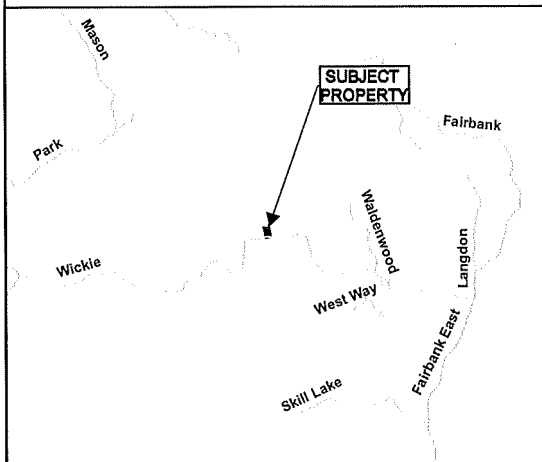
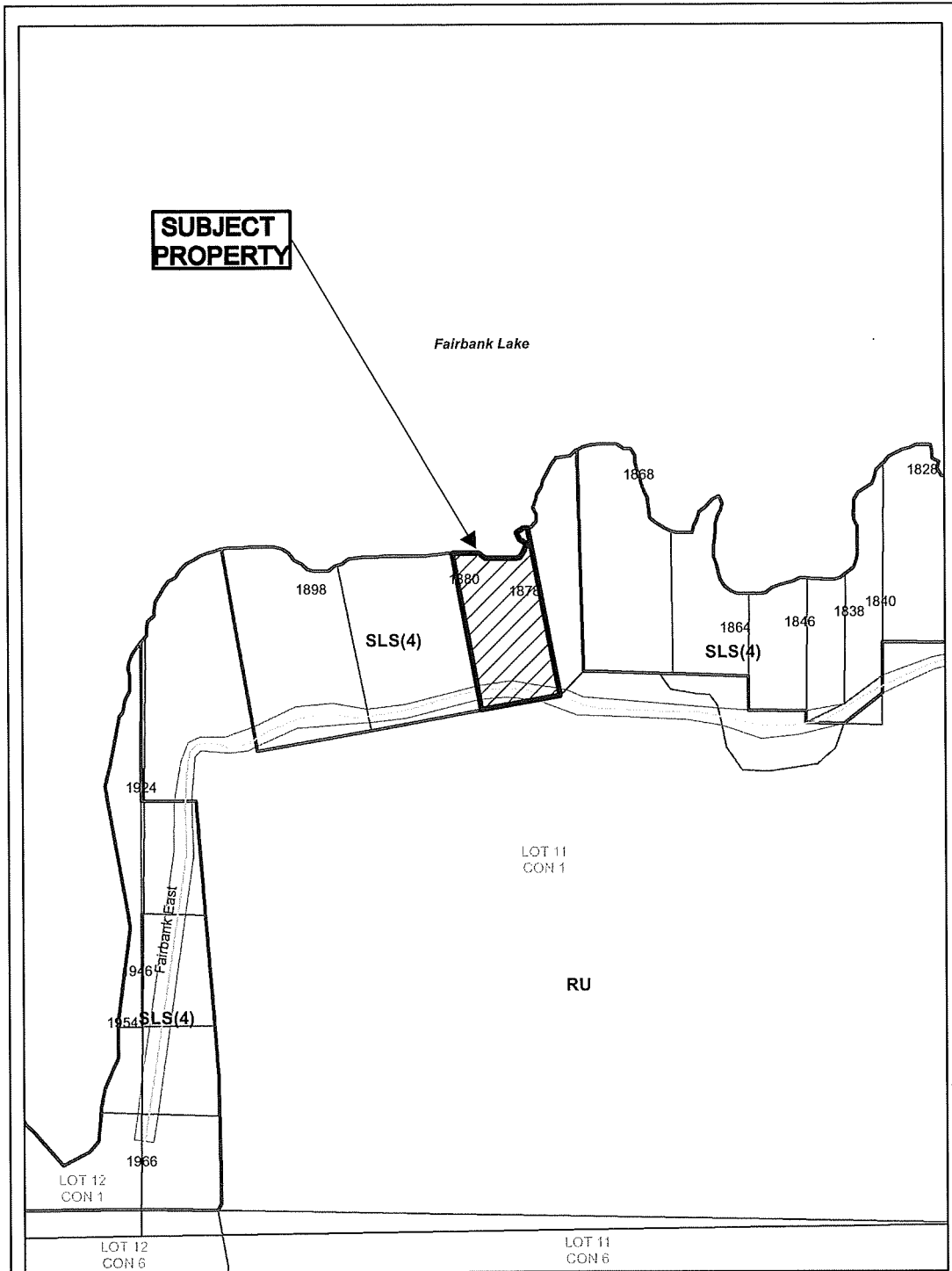
[Signature]  
(witness)

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent  
Print Name: Dennis Simeoni Luciana Simeoni

A0556/2024

\*I have authority to bind the Corporation





**Application for Minor Variance or Permission**

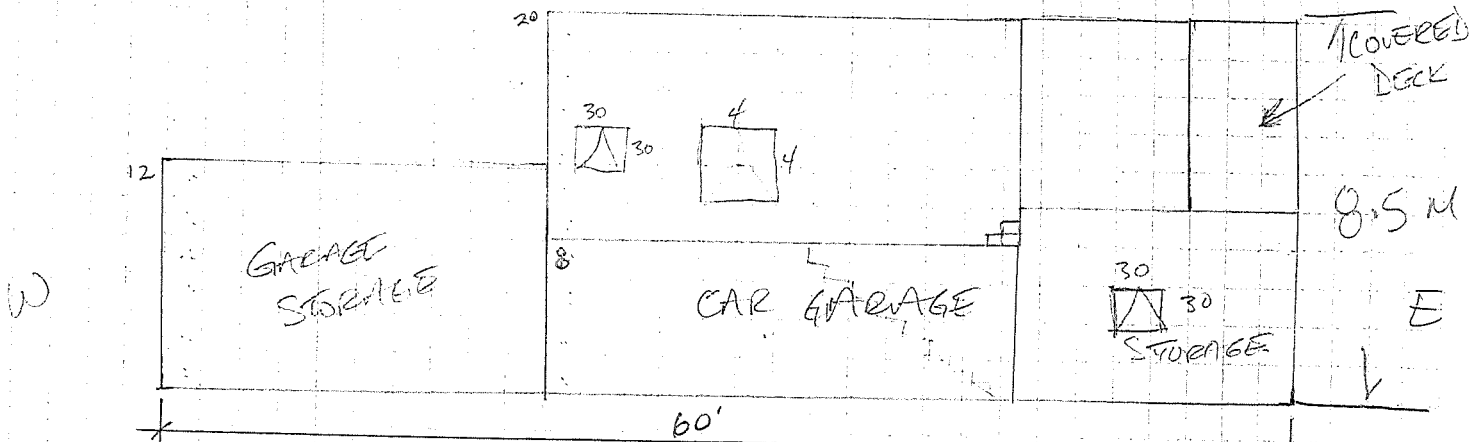


Subject Property being PIN 73366-0008,  
 Parcel 10787 SEC SWS,  
 Part Broken Lot 11, Concession 1,  
 Township of Fairbank,  
 1878 Fairbank East Road, Whitefish,  
 City of Greater Sudbury

Sketch 1, NTS  
 NDCA

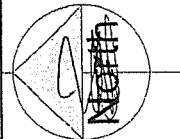
A0056/2024  
 Date: 2024 05 21

DENNIS SIMEONI GARAGE,  
1878 FAIRBANK EAST RD.

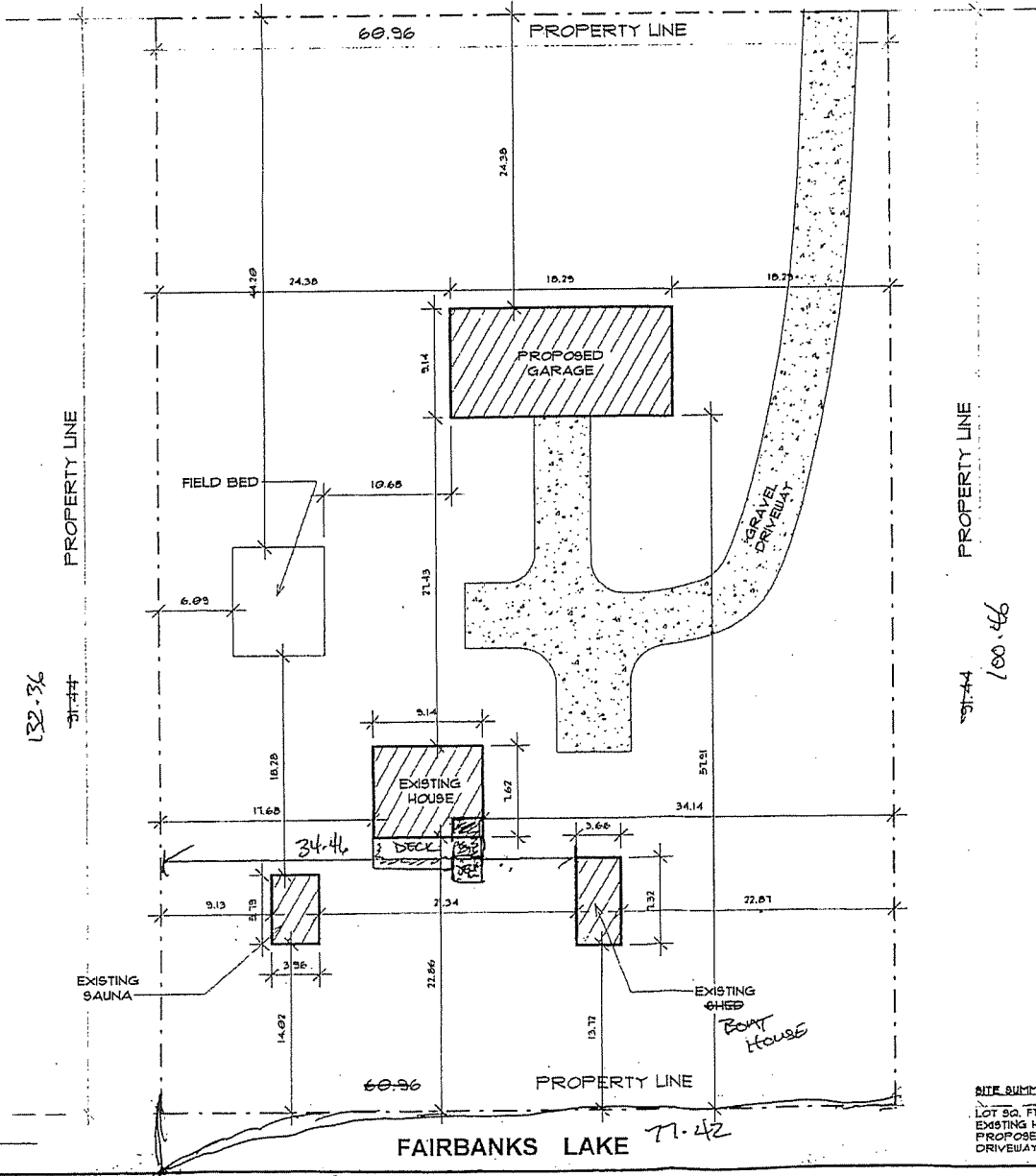


STREET FACING BACK (SOUTH) ELEVATION

A0056/2024  
Sketch 2



FAIRBANKS RD EAST



Notes		
NO	REVISIONS	DATE
NO	DRAWING REFERENCES	DATE

**AP** APEX ARCHITECT  
 EMAIL: [REDACTED]

Project/Location  
 Fairbanks Road East

Client

DESIGNED :  
 DRAWN : Apex\_A

TITLE: SITE PLAN

SCALE: 1:360 DATE: 05/09/2024

A01

North  
 ↓

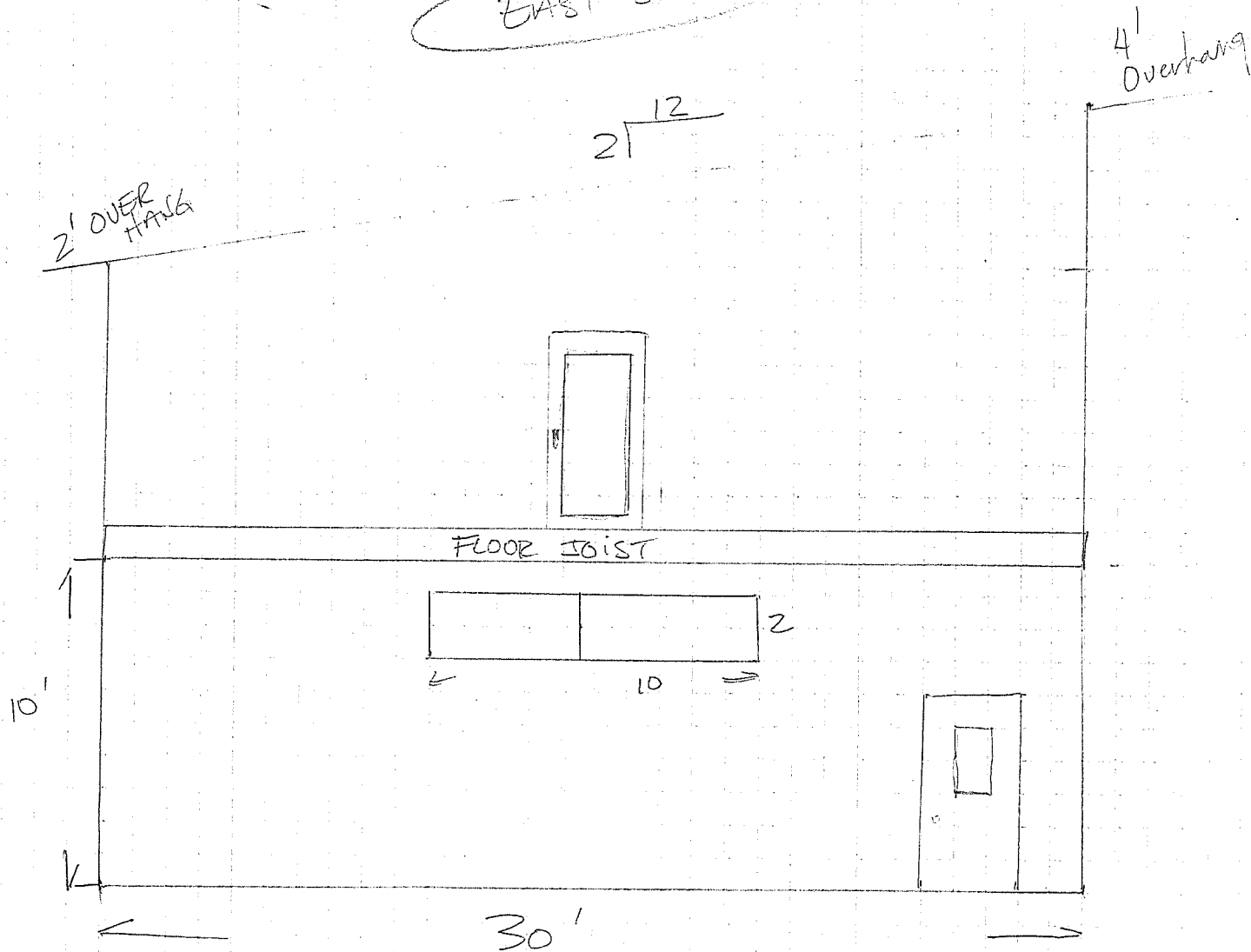
**SITE SUMMARY**

LOT SQ. FTG.	5,574.16 SQ.M.
EXISTING HOUSE	69.69 SQ.M.
PROPOSED GARAGE	161.23 SQ.M.
DRIVEWAY	462.5 SQ.M.

1 Site Plan  
 1:360

A0056/2024  
 sketch 3

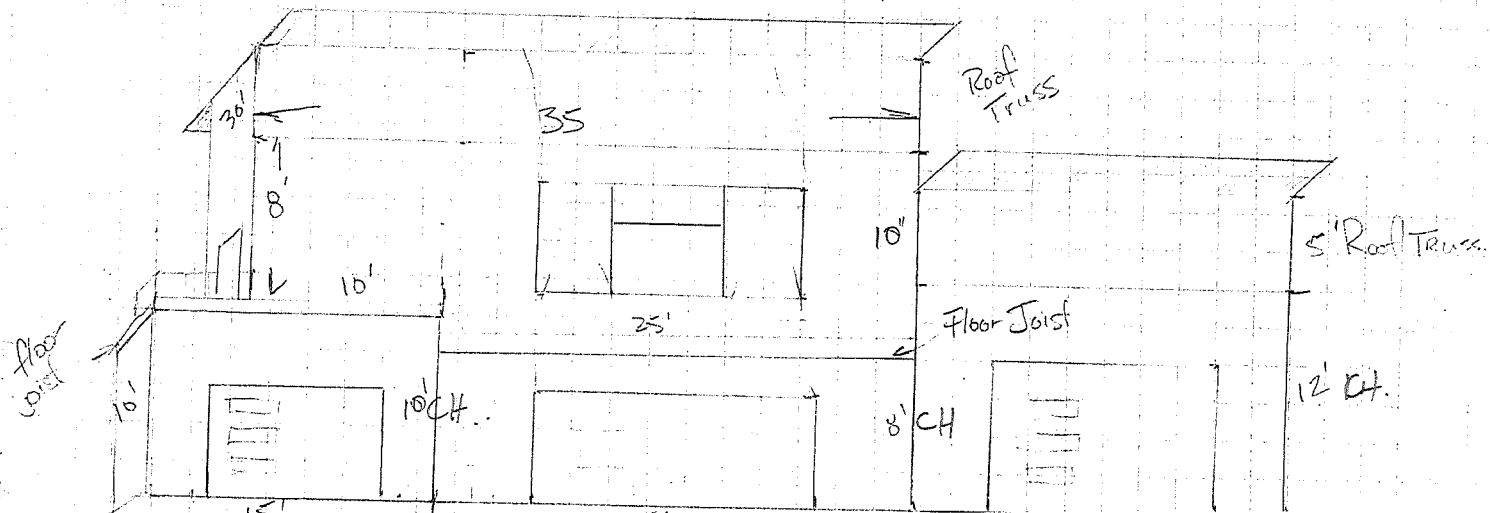
EAST SIDE



A0056/2024  
Sketch 4

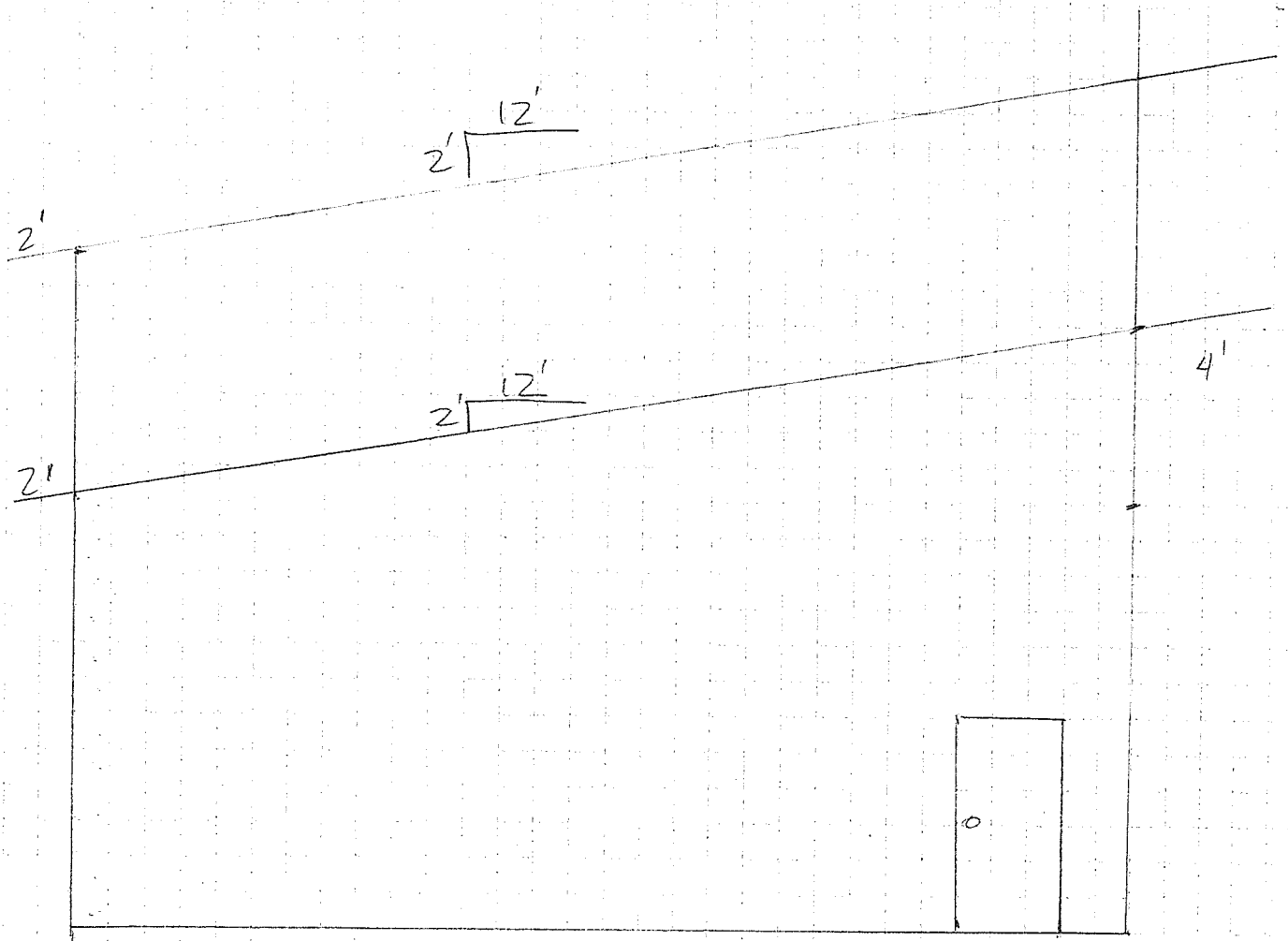
Index - 1 square = 2'

# FRONT (NORTH) ELEVATION



HOOSLE/2024  
sketch 5

WEST SIDE



A0050/2024  
Sketch 6

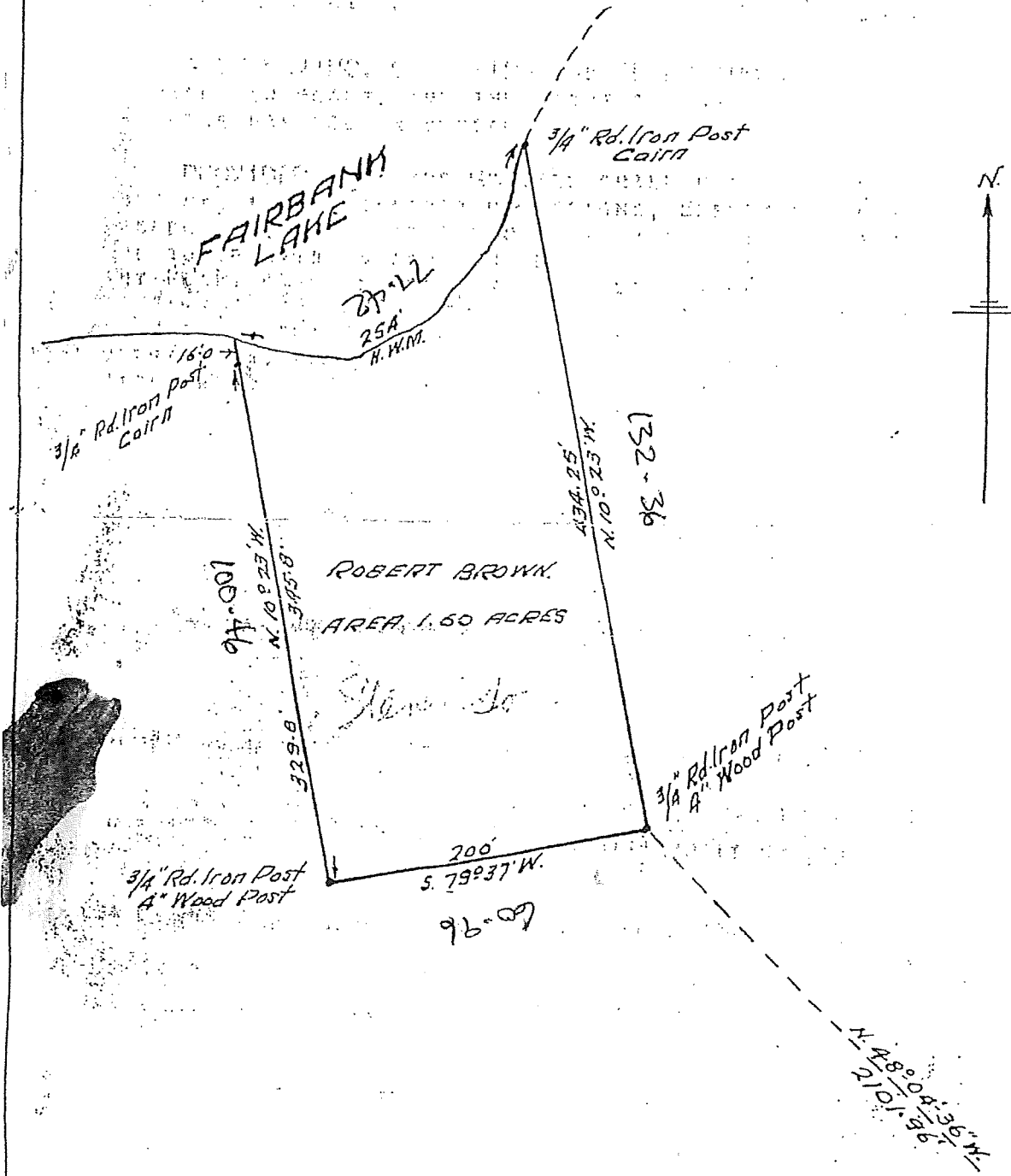
# SUMMER RESORT LOCATION

LOT II - CON. I

TOWNSHIP of FAIRBANK

DISTRICT of SUDBURY

Scale: 1" = 100'



I hereby certify that the foregoing Plan and Field Notes are correct and are prepared from actual survey, performed in my personal supervision, and that I am a duly licensed surveyor in the State of Alaska.

A0056/2024  
Sketch 7



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	
A 0059/2024	
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: \$1,180.00 (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): Jillian Komunko Email: [REDACTED]  
 Mailing Address: 80 Edward Ave PO Box 947 Home Phone: [REDACTED]  
 Business Phone: [REDACTED]  
 City: Coniston Postal Code: P0M 1M0 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: Judy Duchesne Email: [REDACTED]  
 Mailing Address: 9 Kollande St Home Phone: [REDACTED]  
 Business Phone: [REDACTED]  
 City: Markham Postal Code: P0M 2G0 Fax Phone: [REDACTED]

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

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

Name: Jillian Komunko  
 Mailing Address: 80 Edward Ave PO Box 947  
 City: Coniston Postal Code: P0M 1M0

- 4) Current Official Plan designation: TOWN CENTRE Current Zoning By-law designation: R1-S

- 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
BUILDING ADDITION SETBACK	5.91' (1.8m)	0.9	0.9 METRE

Table 62

- b) Is there an eave encroachment?  Yes  No If 'Yes', size of eaves: 0.2 (m)

- c) Description of Proposal: BYLAW REQUIRES 5.91' (1.8m) AND OWNER HAVE 0.9m SET BACK. CHANGE 2 storey addition for secondary unit

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: DON'T HAVE 5.91' (1.8m) to accommodate appropriate living space for elderly parents

6) Legal Description (include any abutting property registered under the same ownership). Neelon  
 PIN(s): 73560-1258 Township: Greater Sudbury, K  
 Lot No.: 68 + 69 PC Concession No.: 5 Parcel(s): 3730 + 6810  
 Subdivision Plan No.: M52 Lot: 68 + 69 Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 80 Edward Ave Coniston ON R0M 1M0

7) Date of acquisition of subject land. July 27/2017

8) Dimensions of land affected.  
 Frontage 19.782 (m) Depth 24.24(m) Area 546.8 (m<sup>2</sup>) Width of Street \_\_\_\_\_ (m)

9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	<u>82.87</u>	(m <sup>2</sup> )	<u>74.81</u>	(m <sup>2</sup> )
Gross Floor Area:	<u>163.88</u>	(m <sup>2</sup> )	<u>149.62</u>	(m <sup>2</sup> )
No. of storeys:	<u>2</u>		<u>2</u>	
Width:	<u>9.716</u>	(m)	<u>9.47</u>	(m)
Length:	<u>9.5103</u>	(m)	<u>7.925</u>	(m)
Height:	<u>6.7</u>	(m)	<u>6.7</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>6.4</u>	(m)	<u>6.4</u>	(m)
Rear:	<u>8.2</u>	(m)	<u>8.2</u>	(m)
Side:	<u>1.2</u>	(m)	<u>59.14</u>	(m)
Side:	<u>8.8</u>	(m)	<u>0.9</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 checked="" type="checkbox"/>	Provincial Highway	<input type="checkbox"/>
Municipally owned & operated sanitary sewage system	<input checked="" type="checkbox"/>	Municipal Road	<input type="checkbox"/>
Lake	<input type="checkbox"/>	Maintained Yearly	<input checked="" type="checkbox"/>
Individual Well	<input type="checkbox"/>	Maintained Seasonal	<input type="checkbox"/>
Communal Well	<input type="checkbox"/>	Right-of-way	<input type="checkbox"/>
Individual Septic System	<input type="checkbox"/>	Water	<input type="checkbox"/>
Communal Septic System	<input type="checkbox"/>	If access is by water only, provide parking and docking facilities to be used.	
Pit Privy	<input type="checkbox"/>		
Municipal Sewers/Ditches/Swales	<input type="checkbox"/>		

12) Date(s) of construction of all buildings and structures on the subject land.  
2007

13) Existing use(s) of the subject property and length of time it / they have continued.  
 Use(s): single family dwelling Length of time: 17 yrs

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: FAMILY DWELING AND RENTAL UNIT.  
residential

A0059/2024

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): MINOR VARIANCE FOR SET BACK AT  
or, describe briefly, TIME OF BUILDING NEW HOUSE  
reference A0056/2006 + A0036/2007.

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, William Komarke (please print all names), the registered owner(s) of the property described as 80 Edward Ave  
Coniston ON P0M 1K0  
in the City of Greater Sudbury:

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

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
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- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
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**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 Joey Duchesne (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 28<sup>th</sup> 17<sup>th</sup> day of April May, 20 21

(witness) [Signature]

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent  
Print Name: William Komarke

\*I have authority to bind the Corporation

A0059/2024

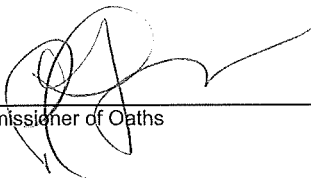
PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, Jillian Romanko (please print all names),  
the registered owner(s) or authorized agent of the property described as

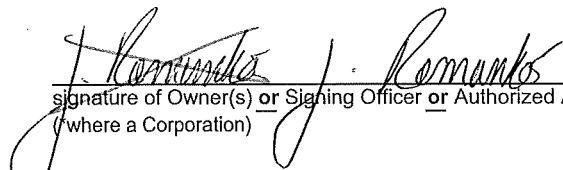
80 Edward Ave Coniston ON P0M 1M0  
in the City of Greater Sudbury:

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 28<sup>th</sup> 17<sup>th</sup> day of April May, 2021

  
Commissioner of Oaths

Paula Elizabeth Turkington-Green, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within 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)

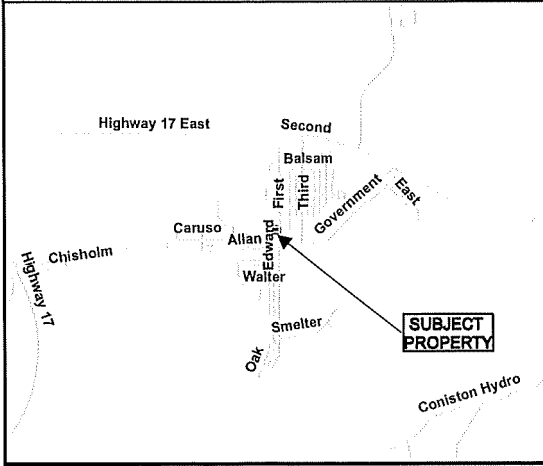
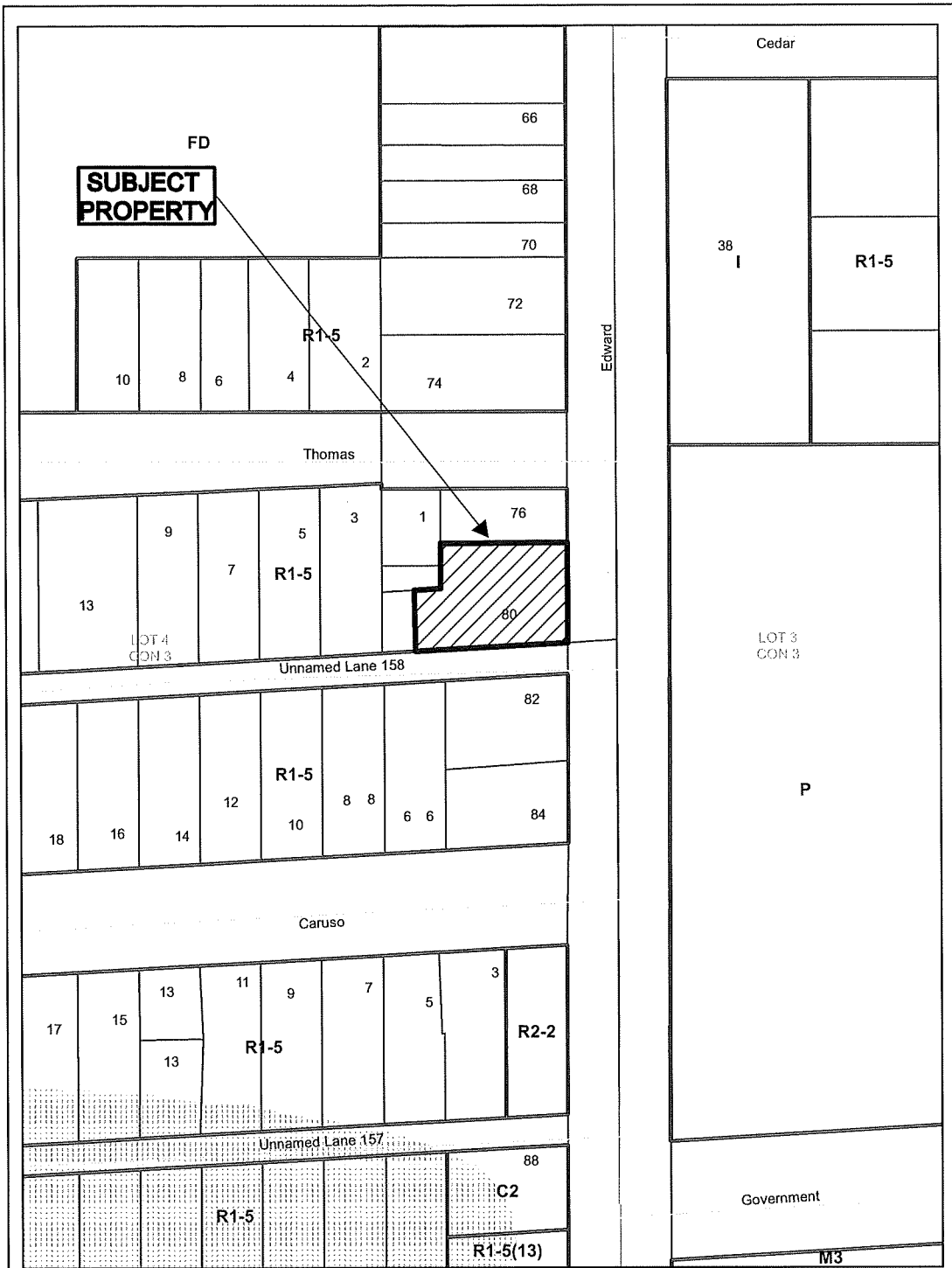
Print Name: Jillian Romanko  
\*I have authority to bind the Corporation

\* 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: May 20/24 Hearing Date: June 20, 2024 Received By: N. Lewis  
 Zoning Designation: R1-5 Resubmission:  Yes  No  
 Previous File Number(s): See below  
 Previous Hearing Date: \_\_\_\_\_  
 Notes: A0036/2007 (Apr 16/07) - south side yard 1.22  
- north side yard 1.22  
- eaves project 0.61  
A0056/2006 (Jun 26/06) - South side yard 1.22  
- eaves project 0.61

A0059/2024



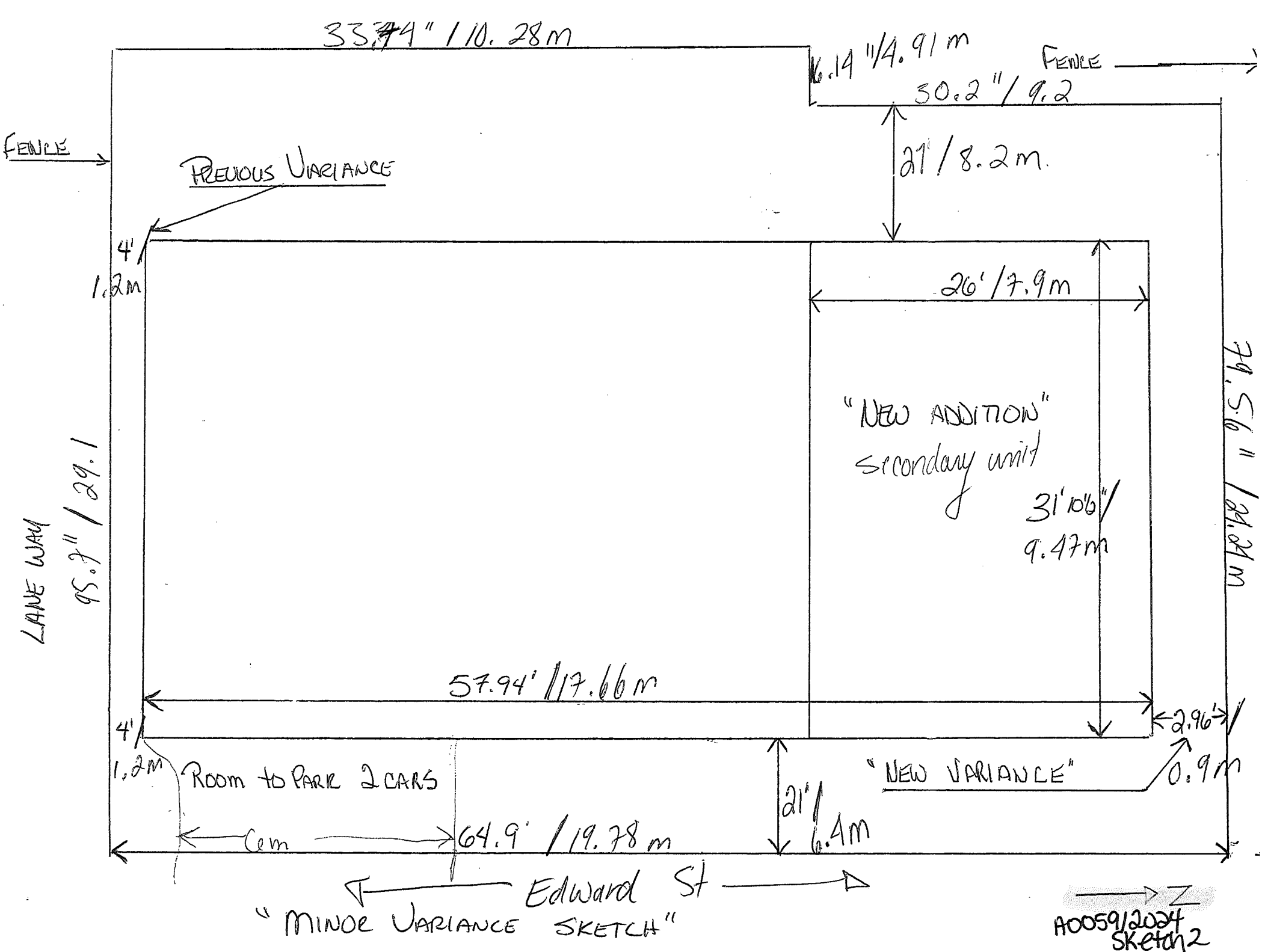
**Application for Minor Variance or Permission**



Subject Property being PIN 73560-1258,  
 Parcels 3730 and 6810,  
 Part Lots 68-69, Plan M-52,  
 Part Lot 4, Concession 3,  
 Township of Neelon,  
 80 Edward Avenue, Coniston,  
 City of Greater Sudbury

Sketch 1, NTS  
 NDCA

A0059/2024  
 Date: 2024 05 29





Greater Grand  
**Sudbury**  
 www.greatersudbury.ca  
 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	
A 006112024	
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): Chad Marshall Email: [REDACTED]  
 Mailing Address: 4350 Chief Lake rd Home: [REDACTED]  
 Business Phone: \_\_\_\_\_  
 City: Sudbury Postal Code: P3G 1K8 Fax Phone: \_\_\_\_\_

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

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

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

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

Name: CMLS Financial  
 Mailing Address: 18 York st # 1500  
 City: Toronto Postal Code: M5J 2T8

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.

1.2.4 b)

Variance To	By-law Requirement	Proposed	Difference
Building Height	6.5 m	8.077 m	1.577 m

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

c) Description of Proposal: Detached Garage - New Building with 8.077m height.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
No basement in the house - Loft required for storage space.

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

PIN(s): 73476 - 0098 Township: Broder  
 Lot No.: 6 Concession No.: 3 Parcel(s): 45082  
 Subdivision Plan No.: 53A 8171 Lot: \_\_\_\_\_ Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 4350 Chief Lake road

7) Date of acquisition of subject land. April 30, 2012

8) Dimensions of land affected.

Frontage 66.056 (m) Depth 219 (m) Area 18,049 (m<sup>2</sup>) Width of Street 8 (m)

9) Particulars of all buildings:

	Existing House	Proposed Garage
Ground Floor Area:	<u>221 (m<sup>2</sup>)</u>	<u>119 (m<sup>2</sup>)</u>
Gross Floor Area:	<u>221 (m<sup>2</sup>)</u>	<u>171 (m<sup>2</sup>)</u>
No. of storeys:	<u>1</u>	<u>2</u>
Width:	<u>10.36 (m)</u>	<u>9.754 (m)</u>
Length:	<u>21.34 (m)</u>	<u>12.192 (m)</u>
Height:	<u>4.27 (m)</u>	<u>8.077 (m)</u>

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>185.5 (m)</u>	<u>159.57 (m)</u>
Rear:	<u>12.192 (m)</u>	<u>44.8 (m)</u>
Side:	<u>21.36 (m)</u>	<u>46.95 (m)</u>
Side:	<u>66.797 (m)</u>	<u>37.8 (m)</u>

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.

1990

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

Use(s): Residential SFD Length of time: 34 years

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 - rural

A0061/2024

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, Chad Marshall (please print all names), the registered owner(s) of the property described as 4350 Chief Lake road 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 24th day of May, 2024

[Signature]  
(witness)

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent  
Print Name: Chad Marshall

\*I have authority to bind the Corporation

AP06/1/2024

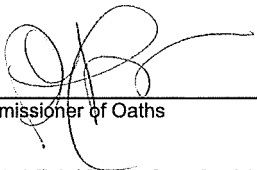
PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, Chad Marshall (please print all names),  
the registered owner(s) or authorized agent of the property described as 4350 Chief Lake road

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> 22<sup>nd</sup> day of May, 2024

  
Commissioner of Oaths

Paula Elizabeth Turkington-Green, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within 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: Chad Marshall  
\*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: May 21/24 Hearing Date: June 20, 2024 Received By: N. Lewis

Zoning Designation: RU Resubmission:  Yes  No

Previous File Number(s): See below

Previous Hearing Date:

Notes:

B0222/1978 (Jul 31/78) LC Pt 1, 53R-8171

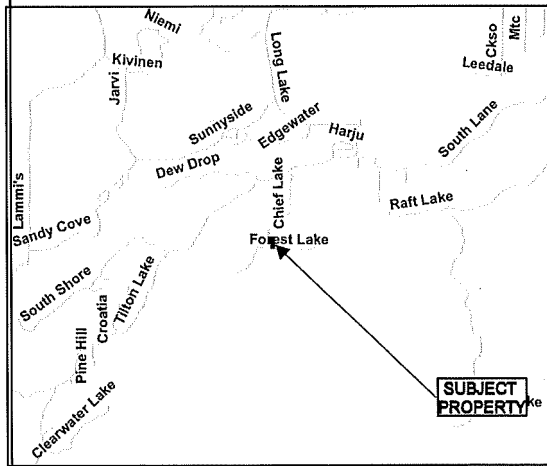
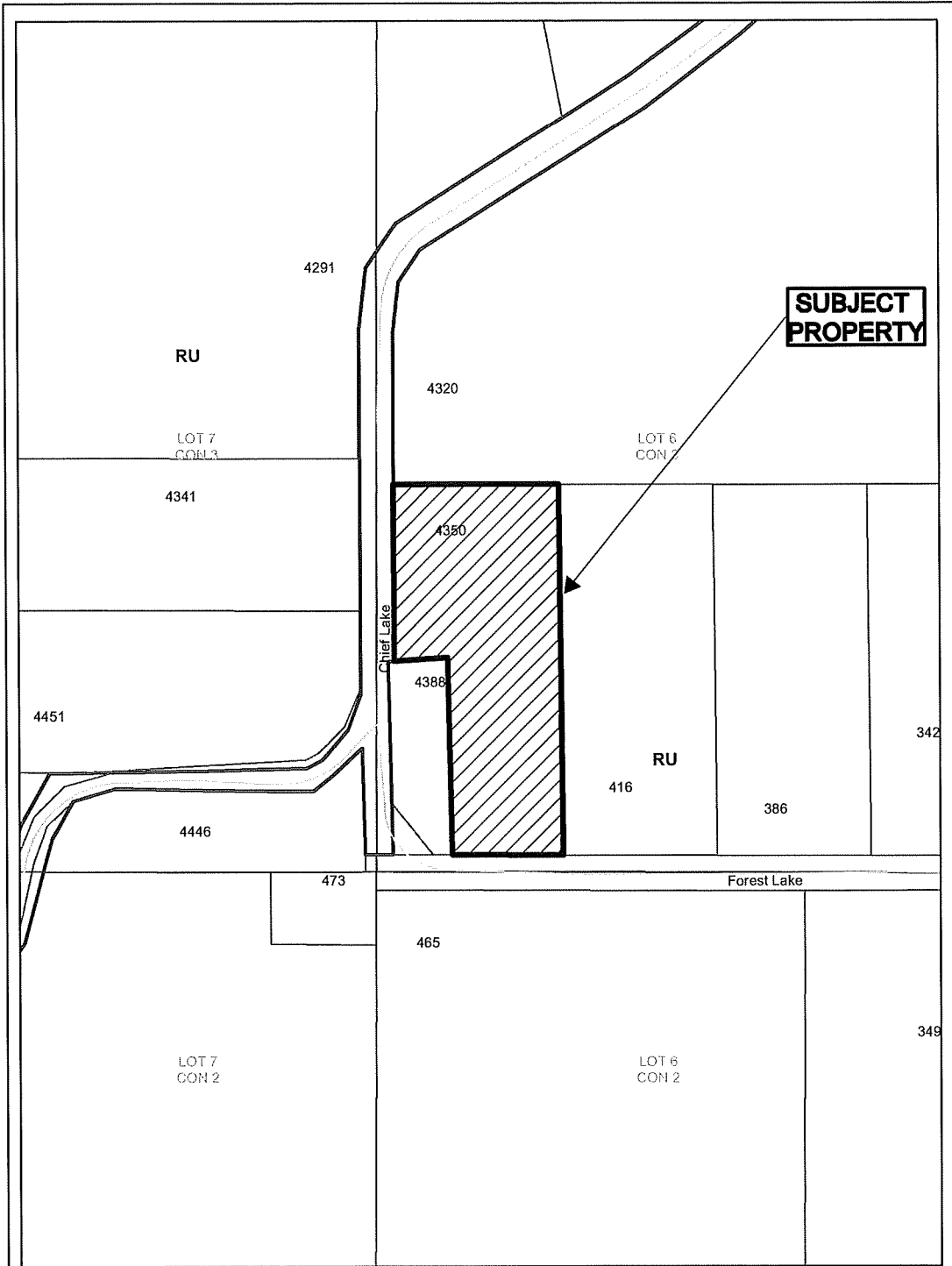
B0223/1978 ( " ) LC Pt 2, 53R-8171


B0224/1978 ( " ) LC Pt 3, 53R-8171

B0225/1978 ( " ) LC Pt 4, 53R-8171

A0092/1979 - (Jun 4/79) Lot Area of 1.79 ha for Pt 1, 53R-8171

A0061/2024



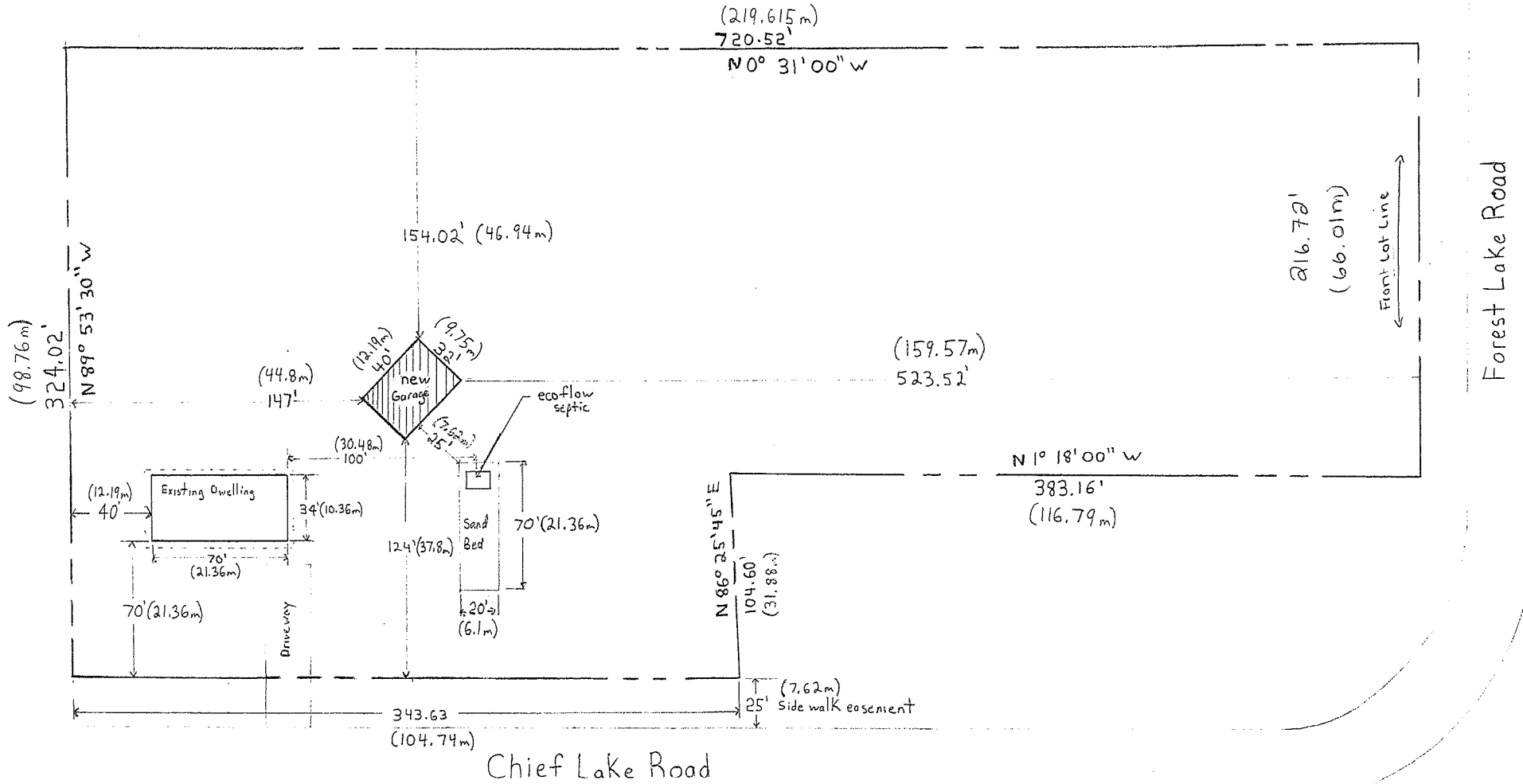
**Application for Minor Variance or Permission** 

Subject Property being PIN 73476-0098,  
 Parcel 45082 SEC SES, Part 1, Plan 53R-8171,  
 Part Lot 6, Concession 3,  
 Township of Broder,  
 4350 Chief Lake Road, Sudbury,  
 City of Greater Sudbury

Sketch 1, NTS  
 NDCA

A0061/2024  
 Date: 2024 05 31

# 4350 Chief Lake Road Site Plan



Scale: 1" = 50'-0"

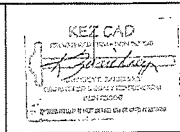
A006112024  
Sketch 2

**GENERAL NOTES**

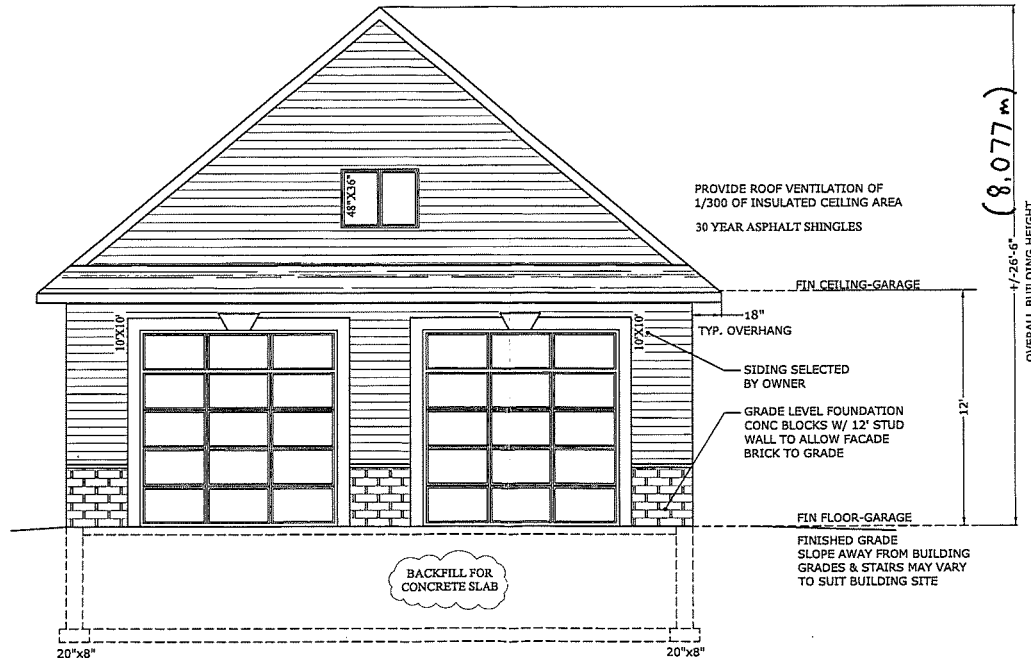
- ALL DIMENSIONS ARE SUBJECT TO CHANGE
- ALL DETAILS ARE THE ARTISTS CONCEPTION AND MAY VARY UPON CONSTRUCTION
- CONSTRUCTOR/OWNER SHALL CHECK AND VERIFY ALL DIMENSIONS AND ADVISE THE CONSULTANT OF ANY DISCREPANCY PRIOR TO COMMENCING

ELEVATIONS SHOWN ARE APPROXIMATELY ARTISTS CONCEPTS. GRADES & BRICKLINES WILL VARY WITH SITE CONDITIONS. WINDOW STYLES TO BE SELECTED BY OWNER

WINDOW LOCATIONS & SIZES MUST BE CONFIRMED BY OWNERS



**CHAD MARSHALL**  
**FRONT & BACK ELEVATIONS**



**FRONT ELEVATION**  
3/16"=1'0"

2023\_013  
APRIL 2023

**G3**

A00601/2024  
Sketch 3





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

Office Use Only 2024.01.01	
A0064/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES <input checked="" type="checkbox"/>	NO

## City of Greater Sudbury APPLICATION FOR 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):	Giovanni Lagacis & Alison Roy	Email:	[REDACTED]
Mailing Address:	2344 FIRE ROUTE N	Home P	[REDACTED]
		Business	[REDACTED]
City:	AZILDA, ONT	Postal Code:	P0M1B0

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:	GIOVANNI LAGACIS	Email:	
Mailing Address:	SEE ABOVE	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:	ROYAL BANK OF CANADA
Mailing Address:	10 YORK MILLS RD
City:	TORONTO, ONT
Postal Code:	M2P 0A2

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

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.

Section 4.2.4 (B)

Variance To	By-law Requirement	Proposed	Difference
GARAGE HEIGHT	6.5m	9m	2.5m
GARAGE REAR	1.2m	0.6m	0.6m

b) Is there an eave encroachment?  Yes  No If 'Yes', size of eaves: 0.6 (m)

c) Description of Proposal: 40 Feet length (12.192m), by 30 Feet width (9.144m)  
By 9m high GARAGE (2) Put the GARAGE as close to  
the rear lot line as possible because I want to put a

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
PLEASE SEE REASONING ATTACHED TO APPLICATION

#### 5 d. Garage Height Variance

The reason why It is very difficult to comply with the 6.5M height allowance is because I would like a 10 foot high ceiling on the ground floor to allow for equipment such as tractors and a boat. A 6.5m height allowance with a 10 foot ceiling on the ground floor would leave very little usable square feet for storage on the second floor loft. An additional 2.5m height allowance would allow me to build a full sized storage loft on the second floor and increase storage space substantially. My home is slab on grade and the storage capacity is very limited.

Given that I am the only lot on top of the hill and that I am surrounded by nature, I strongly believe that a proposed 2.5m variance (for a total 9m height) will not disturb the view of anybody around me.

#### 5 d. Lot line variance

The reason why I am requesting a side variance (garage closer to rear lot line) is related to two main variables. Firstly, there is really only one area adjacent to my home where I can build a garage (the other side has a septic field) and this area contains a large segment of solid rock. Being closer to the lot line would avoid having the garage very close to the solid rock. Secondly, due to the fact that I own abutting block 6 and the proposed garage is at the top of the hill surrounded by nature, this would not affect anyone.

A0064/2024

\* PLEASE SEE Attached document \*

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

PIN(s): 733700121 Township: SNIDER  
 Lot No.: 5 Concession No.: 3 Parcel(s): 53M1159-5  
 Subdivision Plan No.: \_\_\_\_\_ Lot: \_\_\_\_\_ Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): \_\_\_\_\_

7) Date of acquisition of subject land. APR 13, 2024

8) Dimensions of land affected.

23745.51  
 No street, Private Rd on Block 6 owned by myself.  
 Frontage 73.32 (m) Depth 124.72 (m) Area (m<sup>2</sup>) Width of Street (m)

9) Particulars of all buildings:

	Existing <sup>SEASONAL</sup> (house)	Proposed (GARAGE)
Ground Floor Area:	<u>198.25</u> (m <sup>2</sup> )	<u>111.484</u> (m <sup>2</sup> )
Gross Floor Area:	<u>221.48</u> (m <sup>2</sup> )	<u>167.23</u> (m <sup>2</sup> )
No. of storeys:	<u>1 storey with loft</u>	<u>1 storey with loft</u>
Width:	<u>20.177</u> (m)	<u>9.144</u> (m)
Length:	<u>18.898</u> (m)	<u>12.192</u> (m)
Height:	<u>8m</u> (m)	<u>9.0</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 (house)	Proposed (GARAGE)
Front:	<u>83.622</u> (m)	<u>111.328</u> (m)
Rear:	<u>22.20</u> (m)	<u>20.93</u> (m) <u>0.6</u>
Side:	<u>20.42</u> (m)	<u>49.60</u> (m)
Side:	<u>57.311</u> (m)	<u>39.59</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?

- PRIVATE ROAD
- 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.  
CGS whitewater Park

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

2021

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

Use(s): Individual (Home) <sup>SEASONAL</sup> Length of time: PERMANENT

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:

lot 4 VACANT & All other abutting properties is conservation & Block 6 owned by myself.

A0064/2024

INFORMATION REQUESTED


coco [REDACTED]

Sat 2024-04-13 3:55 PM

To: Giovanni Lagiorgia <[REDACTED]>

Cc: COCO Lozier <[REDACTED]>

I would attach the following info that contains all necessary information to correctly identify your property. I do not have access to the height of building. You may have to measure it yourself or call Rick.

Legal Description 

SURFACE RIGHTS ONLY: LT 5 AND BLOCK 6 PL 53M1159 SUBJECT TO AN EASEMENT OVER BLK 6 PL 53M1159 IN FAVOUR OF LT 4 PL 53M1159 AS IN SI GREATER SUDBURY

PIN

733700121

A0064/2024

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, Giovanni LAGIORGIA & Allison Roy (please print all names), the registered owner(s) of the property described as 2344 FINE ROUTE N AZUDA 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;
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**Authority to Enter Land and Photograph**

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- 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 Giovanni Lagiorgia (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 24 day of May, 2024

[Signature]  
(witness)

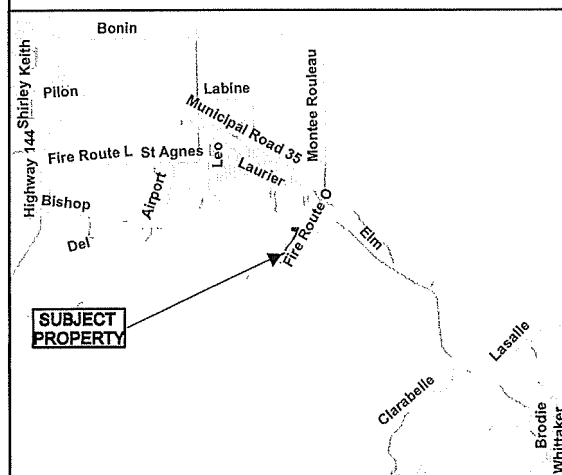
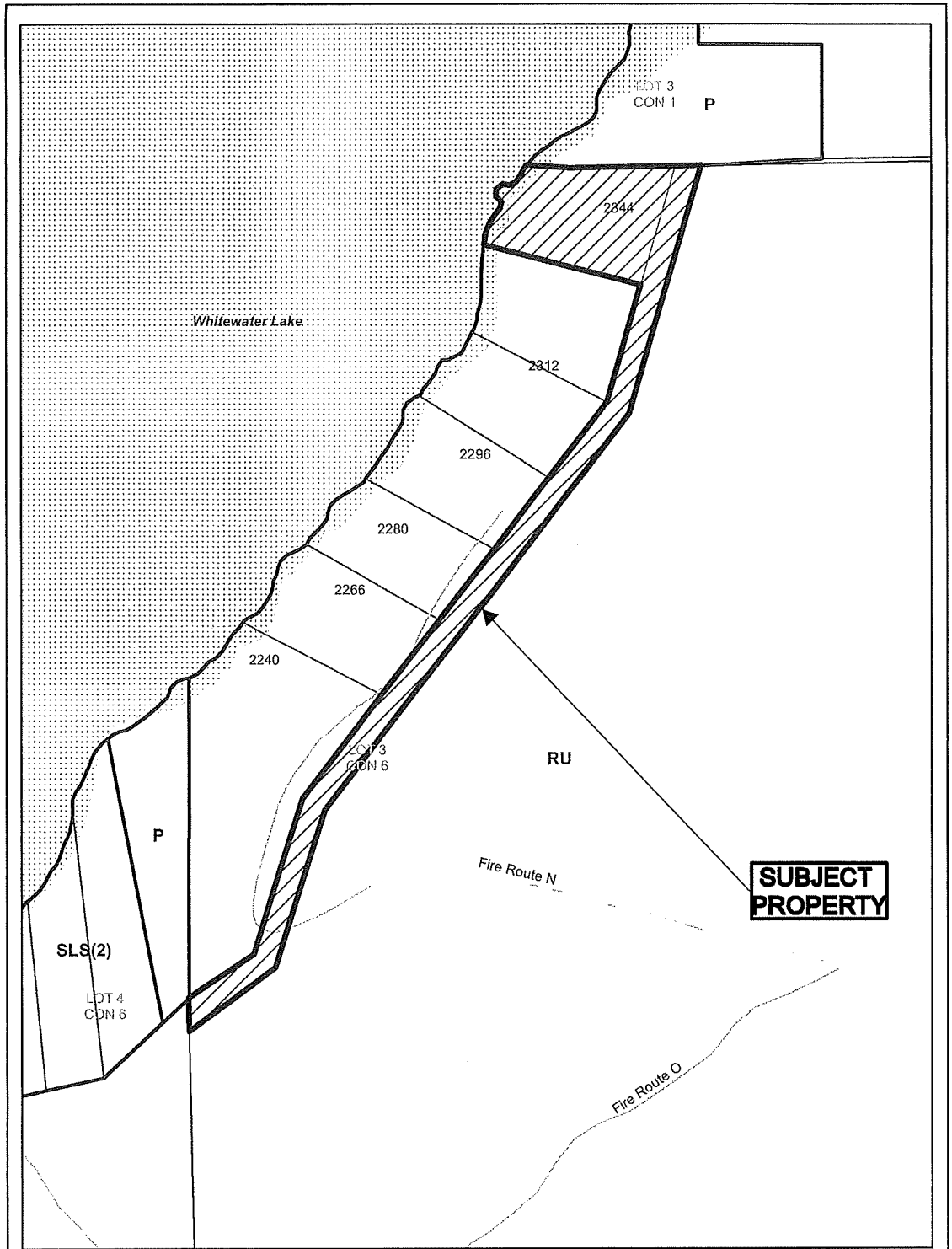
[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Giovanni Lagiorgia Allison Roy

\*I have authority to bind the Corporation

A0064/2024





Application for Minor  
Variance or Permission

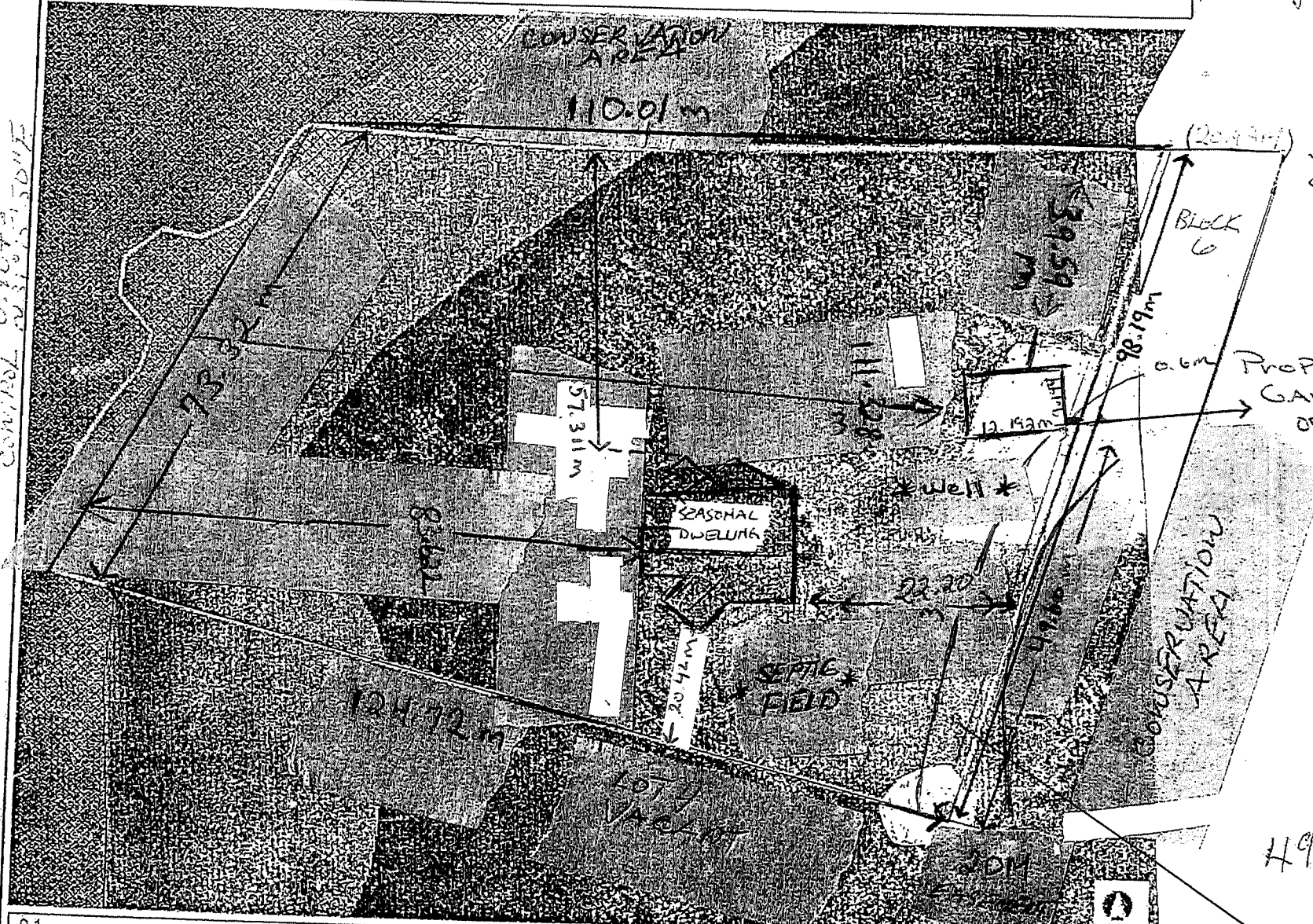
Subject Property being PIN 73370-0121, SRO,  
Parcel 53M-1159-5, Lot 5 and Block 6,  
Plan 53M-1159, Part Lot 3, Concession 6,  
Township of Snider,  
2344 Fire Route N, Azilda,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0064/2024  
Date: 2024 06 03

Change 30FE 9.144  
40FT 12.192

Plan 7 33700101  
CONTR. 30FE 9.144



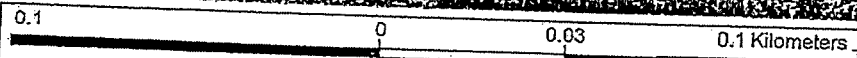
REAR SETBACK  
up to But not  
OVER Block 6

Block 6

Proposed  
GARAGE, REAR  
OF lot

49.60

DRIVEWAY



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

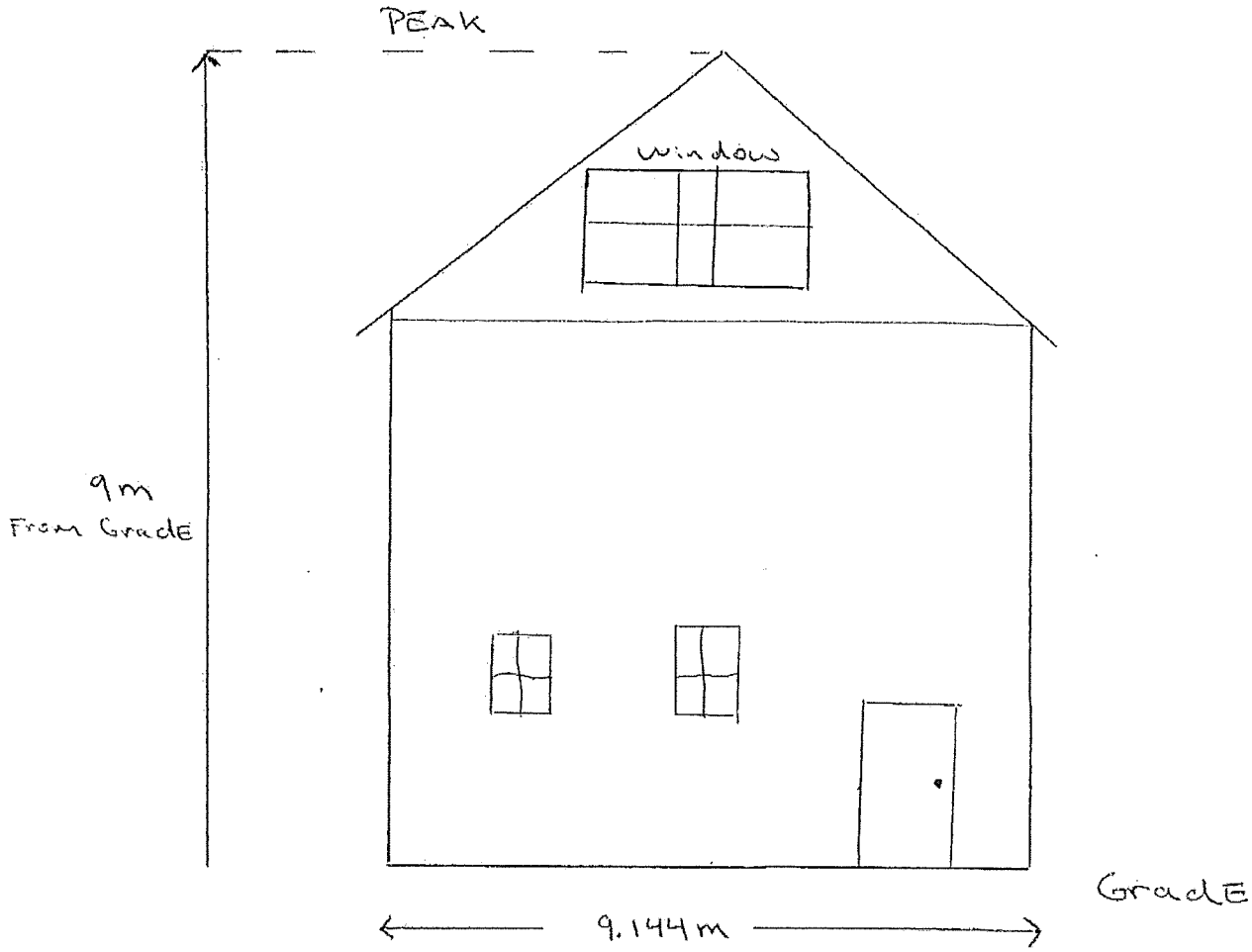
This map is a user generated static image from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be available in the current version of the software. Accuracy is not otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

PRIVATE  
RD

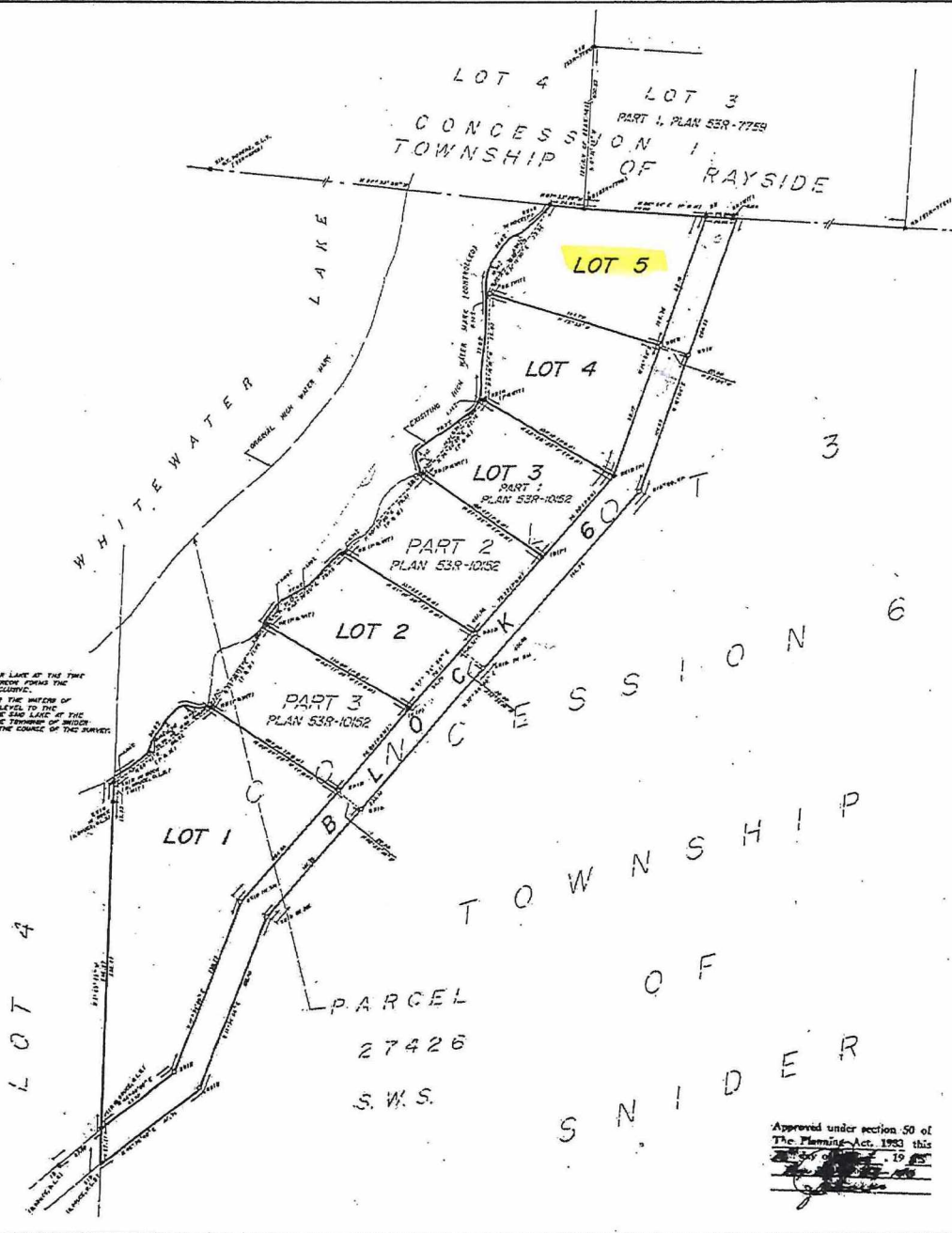
A0064/2024  
sketch 2

SIDE Elevation Facing Front lot Line (LAKE)



Grade Approx same grade as house.

Apr 6/2024  
Sketch 3



5-04-539

PLAN 53M-1159

23-185

APPROVED FOR REGISTRATION  
MARCH 27 1985  
*[Signature]*  
ASSISTANT REGISTRAR OF SURVEYS

I CERTIFY THAT THIS PLAN 53M-1159 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLED SECTION 33 OF BOUNDARY BY 2025 CONVEYANCE ON THE 22nd DAY OF MARCH 1985 AND ENTERED IN THE REGISTER FOR PARCELS 27426, 27427, 27428 WEST SECTION AND RESUBDIVISIONS COLLECTED AND AFFIDAVITS ARE REGISTERED AS PLAN DOCUMENT NO. 53-5312. *[Signature]*  
D.D. DORLAND  
D.D. LAND SURVEYOR

PLAN OF SUBDIVISION OF  
PART OF LOT 3  
CONCESSION 6  
TOWNSHIP OF SNIDER  
TOWN OF RAYSIDE BALFOUR  
REGIONAL MUNICIPALITY OF SUDBURY  
DISTRICT OF SUDBURY

SCALE = 1 : 1500  
0m 10 20 100 200

D.S. DORLAND, O.L.S. - 1984

**NOTE**

ALL BEARINGS SHOWN HEREON ARE ASTROMERIC AND ARE DERIVED FROM PART OF THE VESTERY LAYOUT OF PART 3, ACCORDING TO BE 89° 11' 30" W, IN ACCORDANCE WITH PLAN 53R-1704 OF RECORD IN THE LAND REGISTRY OFFICE OF SUDBURY.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.  
2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF NOVEMBER, 1984.

*[Signature]*  
D.S. DORLAND  
D.D. LAND SURVEYOR

**OWNER'S CERTIFICATE**

THIS IS TO CERTIFY THAT LOTS 1 TO 3 WITH INCLUDING AND BLOCK 6 HAVE BEEN Laid OUT IN ACCORDANCE WITH MY INSTRUMENTS.

*[Signature]*  
GORDON ROBERTSON  
GORDON ROBERTSON  
OWNER

**LEGEND**

- 216 DENOTES STANDARD HIGH BAR (1" x 36" x 48" LONG)
- 2316 DENOTES SHORT STANDARD HIGH BAR (1" x 20" x 24" LONG)
- 12 DENOTES HIGH BAR (3/8" x 30" x 48" LONG)
- PA DENOTES ANGLE BAR (1" x 30" x 48" LONG)
- 24 DENOTES STING MEASUREMENT
- DENOTES MONUMENT PLANTED
- DENOTES MONUMENT FOUND
- (M) DENOTES MEASURED
- S.E.S. DENOTES SOUTHERLY WEST SECTION
- (W1) DENOTES WITHICES
- (P1) DENOTES PLAN 53R-10152
- RP DENOTES PINK POST

MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048

D.S. DORLAND LIMITED  
ONTARIO LAND SURVEYOR  
190 LACON STREET  
SUDBURY, ONTARIO  
FILE NO. 2026 DATE 11/20/84  
PREPARED BY: D.S.D./J.P. DRAWN BY: D.S.D.

AS PER MY CONVEYANCE WITH A PLANNING OFFICIAL (NIA Lewis) THE 30m setback from the High water mark of the lake & the 20m setback from the shoreline buffer, was not necessary to indicate on the sketch of the proposed garage because it was very far from the water. PLEASE SEE FOLLOWING PAGE.

1006/4/2024  
Sketch 4





Fwd: 2344 Fire Route Rd N - Map from Conservation Sudbury

dan roy <[REDACTED]>

Sun 2024-04-14 3:55 PM

To: Giovanni Lagiorgia [REDACTED]

1 attachments (360 KB)  
23707 Regs Map.pdf;

----- Forwarded message -----

From: dan roy [REDACTED]

Date: Sun, Apr 14, 2024, 15:49

Subject: Fwd: 2344 Fire Route Rd N - Map from Conservation Sudbury

To: Giovanni Lagiorgia [REDACTED]

----- Forwarded message -----

From: dan roy [REDACTED]

Date: Wed, Apr 10, 2024, 16:09

Subject: Fwd: 2344 Fire Route Rd N - Map from Conservation Sudbury

To: Allison Roy-Lagiorgia [REDACTED]

----- Forwarded message -----

From: **Melanie Venne** <Melanie.Venne@conservationsudbury.ca>

Date: Wed, Apr 10, 2024, 16:05

Subject: 2344 Fire Route Rd N - Map from Conservation Sudbury

To: [REDACTED]

Hi Dan,

Please see attached map of your daughter's property showing both the areas regulated by the Conservation Authority and the floodplain. Any development within the regulated area requires permission prior to the start of development.

If you are considering a trail to the water please feel free to pre-consult with our staff with a drawing. In terms of a trail we would be looking that it does not aggravate any sort of erosion hazard and also that there is limited addition of fill within the floodplain area. If you had a proposed site plan then staff could provide some comment and advise whether a permit from us may be required.

As for a garage near the house, this is located sufficiently far from the regulated areas that we have no concerns about such.

Let me know if you have any further questions,

**Melanie Venne, MES**

Conservation Sudbury - Office and Communication Coordinator

401-199 Larch St, Sudbury ON







705-674-5249 ext 200

A0064/2024  
Sketch 7

2344 Fire Route Rd N (File no 23707)  
Township of Snider



**Legend**

-  NDCA Jurisdiction
-  Road Segments
-  Parcels (File No)
-  Floodplain
-  Regulation Limits
-  Municipal Boundary (CGS)
- World Transportation
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 30cm Resolution Metadata

**Notes**

Based on ground condition and floodplain mapping, a portion of the property is located within the flood hazard. Permission must be obtained from Conservation Sudbury under the Conservation Authorities Act for any addition to existing structure, new structures, placement or removal of fill, site grading, alteration to watercourses or interference to wetland within the Regulated Area.

A0064/2024  
Sketch 8

0.1 0 0.03 0.1 Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



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	
A0033/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES <input checked="" type="checkbox"/>	NO

## City of Greater Sudbury APPLICATION FOR 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): Jeffrey Huffman, Cindy Robert Email: [REDACTED]  
 Mailing Address: 283 Brookside Rd Home Phone: [REDACTED]  
 Business Phone: na  
 City: Chelmsford Postal Code: P0M 1L0 Fax Phone: na

- 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: 3rdLine Studio Inc Email: [REDACTED]  
 Mailing Address: 289 Cedar St., Suite 300 Home Phone: [REDACTED]  
 Business Phone: [REDACTED]  
 City: Sudbury Postal Code: P3B 1M8 Fax Phone: [REDACTED]

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

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

Name: Royal Bank of Canada  
 Mailing Address: 685 West Hastings St.  
 City: Vancouver Postal Code: V6B 1N9

- 4) Current Official Plan designation: Rural Residential Current Zoning By-law designation: SLS (Seasonal Limited Service)

- 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
4.41.2 Setback Requirements for Residential Buildings and Accessory Structures to high water mark	30.0m	20.0m	10.0m
4.2.4. Height of Accessory Building	5.0m	8.3m	3.3m

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

c) Description of Proposal:  
Demolition of existing seasonal dwelling, and construction of new dwelling 20.0m from high water mark, + detached garage with gym/studio/storage space above.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
1. Constructing a new dwelling and detached garage does not fit on the lot with the current set back of 30.0m from the high water mark and existing easement restrictions.  
2. A max height of 5.0m for an accessory building does not provide enough height above for a gym/studio/storage. The house will not have a basement, therefore storage above the garage is a necessity.

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

PIN(s): \_\_\_\_\_ Township: Dowling Ward: 3  
 Lot No.:12 Concession No.: 5 Parcel(s): \_\_\_\_\_  
 Subdivision Plan No.: \_\_\_\_\_ Lot: 2 Reference Plan No.: PCL53M-1142-2 Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 109B Northshore Road, Windy Lake

7) Date of acquisition of subject land. June 1, 2021

8) Dimensions of land affected.

Frontage 30.5 (m) Depth 65.5 (m) Area 2026 (m<sup>2</sup>) Width of Street n/a - (m)  
 private right of way  
 unmaintained

9) Particulars of all buildings:	Existing **not yet demolished**	Proposed
Ground Floor Area:	+/- 72.7m <sup>2</sup> boathouse - +/-14.7m <sup>2</sup> (m <sup>2</sup> )	dwelling - 194m <sup>2</sup> , garage - 140m <sup>2</sup> (m <sup>2</sup> )
Gross Floor Area:	+/- 72.7m <sup>2</sup> boathouse - +/-14.7m <sup>2</sup> (m <sup>2</sup> )	dwelling - 300m <sup>2</sup> , garage - 274m <sup>2</sup>
No. of storeys:	1 storey boathouse - 1 storey	dwelling - 2 storeys, garage - 2 storeys
Width:	+/- 8.2m boathouse - +/-4.4m (m)	dwelling - 18.8m, garage - 15.8m (m)
Length:	+/- 11.0m boathouse - +/-3.3m (m)	dwelling - 10.0m, garage - 8.8m (m)
Height:	+/- 5.0m boathouse - +/-2.7m (m)	dwelling - 9.0m, garage 8.2m (m)

proposed lot coverage = 16.7% clause 8 states "8. Maximum lot coverage for legal existing lots having an area of 0.42 hectares or less – 25 percent." this lot is 0.2ha

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

	Existing **not yet demolished**	Proposed
Front:	37.5m boathouse - 0m <sup>2</sup> (m)	dwelling - 31.5m, garage - 10.0m (m)
Rear:	15.3m boathouse - +/-65.5m <sup>2</sup> (m)	dwelling - 20.0m, garage - 40.1m (m)
Side:	11.7m boathouse - +/-1.6m (m)	dwelling - 8.9m, garage - 1.2m (m)
Side:	9.3m boathouse - +/-25.7m (m)	dwelling - 3.0m, garage - 20.8m (m)

existing lot coverage = 4.2%

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 checked="" type="checkbox"/> | Municipal Road   | <input type="checkbox"/>            |
| Lake  | <input checked="" type="checkbox"/> | Maintained Yearly  | <input type="checkbox"/>            |
| Individual Well                                     | <input type="checkbox"/>            | Maintained Seasonal  | <input type="checkbox"/>            |
| Communal Well                                       | <input checked="" type="checkbox"/> | Right-of-way   | <input checked="" 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.

1955

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

Use(s): Seasonal dwelling Length of time: 5 months/year

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

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

15) What is the number of dwelling units on the property? existing - 1 to be demolished  
 proposed 1 dwelling + 1 detached garage

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

If "yes", how many? n/a

17) Existing uses of abutting properties: Seasonal Dwellings

A0033/2024

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, Jeffrey Huffman, Cindy Robert (please print all names), the registered owner(s) of the property described as 109 B NORTHSHORE ROAD, ONAPING PCL 53M1142-2 SEC SWS SRO; LT2 PL 53M1142 DOWLING; S/T LT509045, LT509046; CITY OF 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 3rdLine Studio Inc. - Hailey St. Amour (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 31st day of March, 20 24

[Signature]  
(witness)

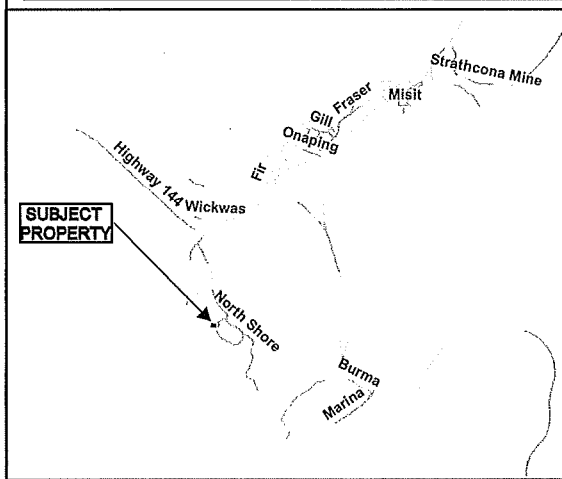
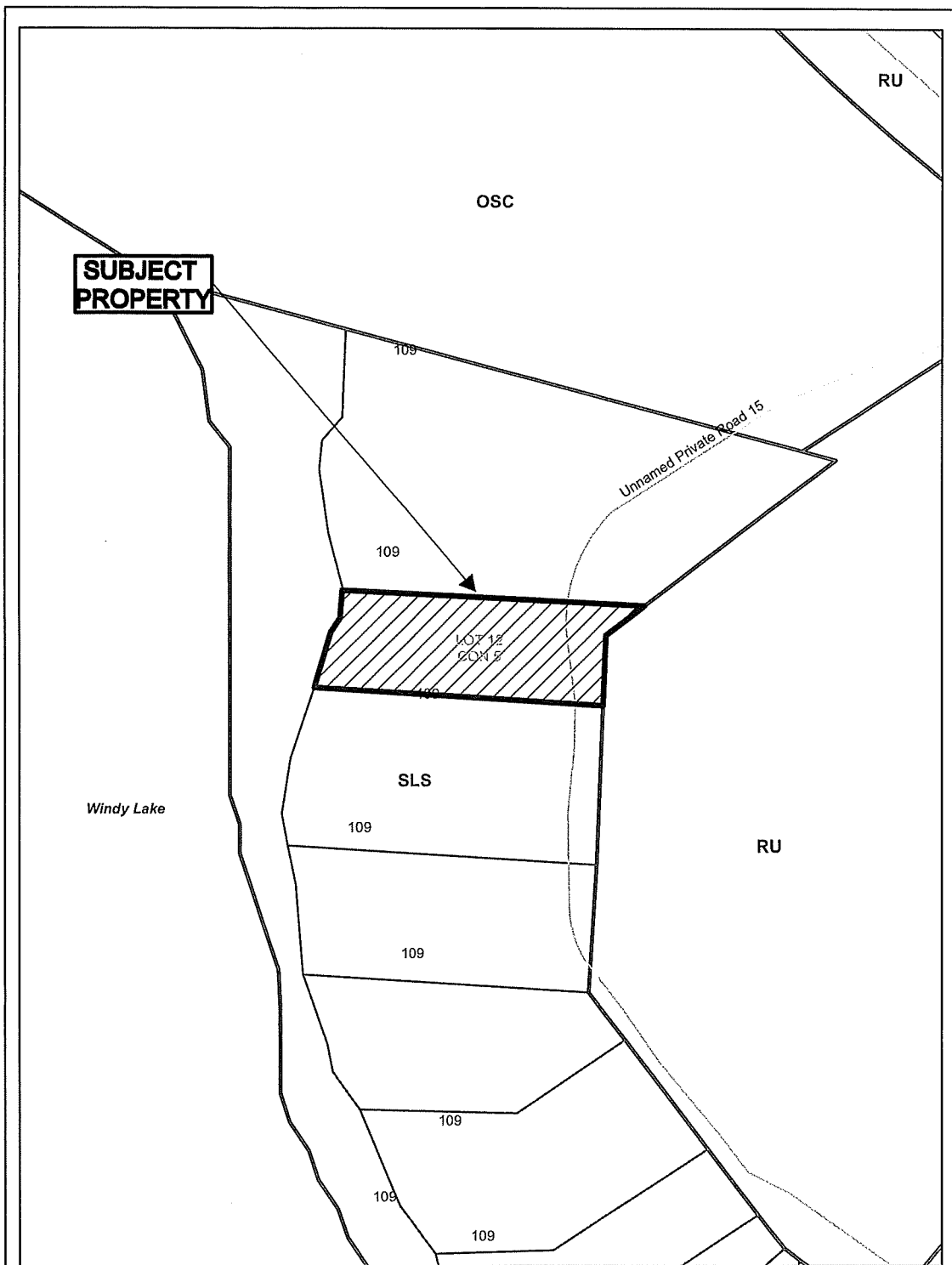
[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Jeffrey Huffman CINDY ROBERT

\*I have authority to bind the Corporation

A0033/2024





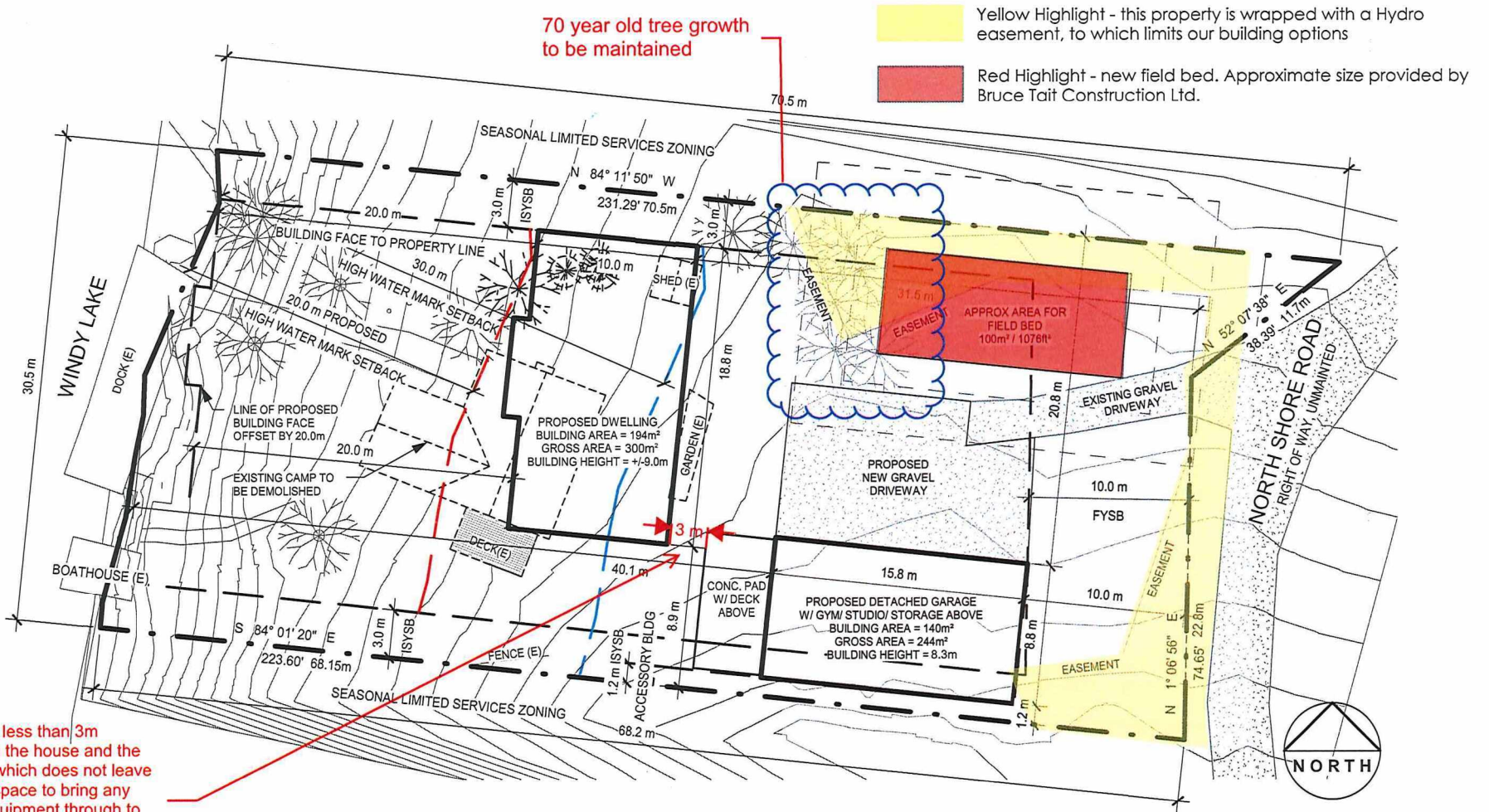
### Application for Minor Variance or Permission



Subject Property being PIN 73354-0357, Parcel 53M-1142-2 SEC SWS SRO, Lot 2, Plan 53M-1142, Part Lot 12, Concession 5, Township of Dowling, 109 B North Shore Road, Onaping, City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0033/2024  
Date: 2024 04 11



70 year old tree growth to be maintained

- Yellow Highlight - this property is wrapped with a Hydro easement, to which limits our building options
- Red Highlight - new field bed. Approximate size provided by Bruce Tait Construction Ltd.

There is less than 3m between the house and the garage which does not leave a lot of space to bring any small equipment through to access the lake. Cannot move any closer

PROPOSED SITE PLAN

1 : 300

HUFFMAN DWELLING AND GARAGE

SITE PLAN - MINOR VARIANCE



Project No: 2402  
Scale: 1 : 300

2024 06 03



REVISED June 4/24  
A0033/2024  
Sketch 2

Please see below our responses to the comments provided by staff.

P7/23 - CGS: Strategic and Environmental Planning -

"While staff of the City's Strategic and Environmental Planning Section recognize that the proposed new dwelling is to be built outside of the shoreline buffer area, the applicants have not demonstrated why more of it cannot be built outside of the 30-metre setback" Please see drawing SP-1 with comments

Main points to consider:

Property was purchased prior to the 30M setback regulation with financial investments of \$45,000 in removing overhanging hydro and Bell services from this property in order to build our dream seasonal property.  
The existing cottage is roughly 12m from the water's edge. The owner could build off this cottage and thereby keeping the cottage much closer to the shoreline. The new cottage is an improvement to the property as it locates the cottage further from the water and is providing new upgraded septic systems.  
Mature pines (old growth do not want to sacrifice – environmental benefit)  
HONI easement and 10M Setback – garage cannot go any closer to road  
Field Bed, Easement and old tree growth limit area of garage and driveway and access to property. Need sufficient space for driveway for functional access to property.

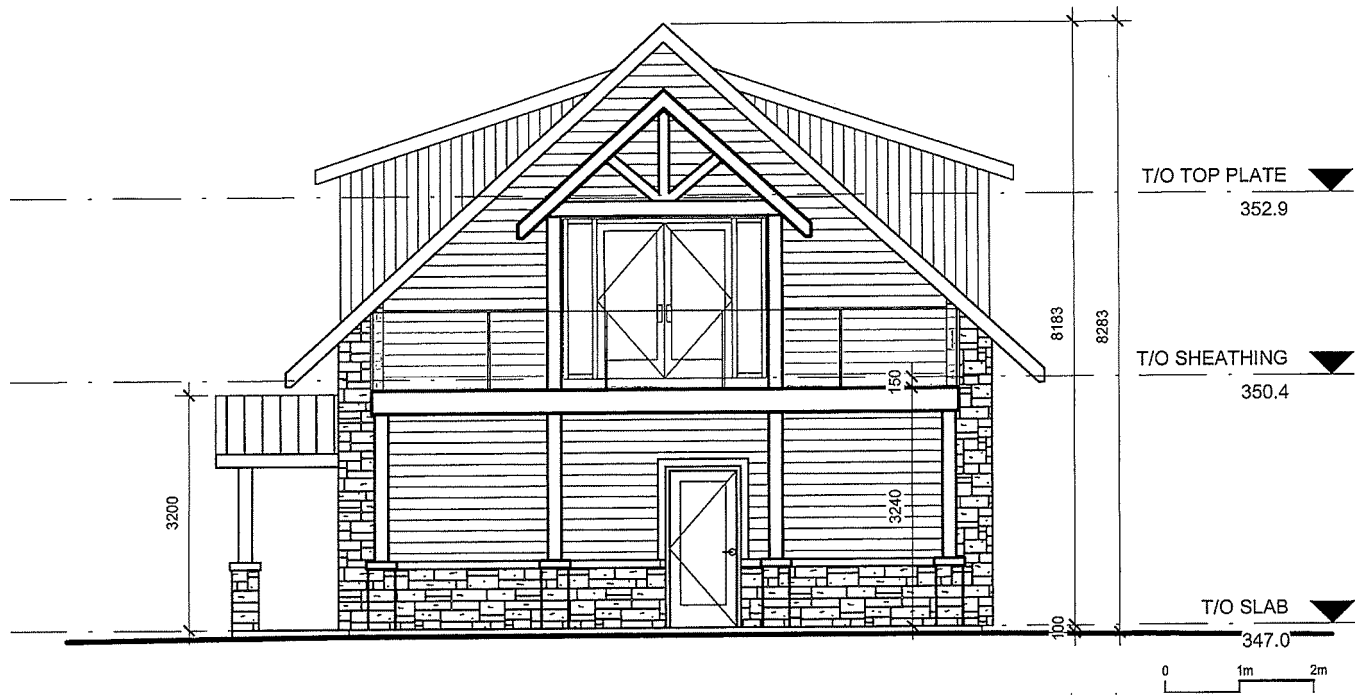
P9/23 -

"The applicant has identified the accessory building as being used for a gym/studio/storage. It is noted that a Home Occupation and other commercial business uses are not permitted within the SLS Zone. The applicant should be advised that the accessory building is to be utilized for residential accessory purposes only. Staff requests additional information on the intended use of the building prior to making a recommendation"

This will be a seasonal dwelling (cottage) for leisure not for business. The new cottage will be slab on grade with limited space for storage. The space above the garage will be used



A0033/2024  
Sketch 3



PROPOSED LAKE SIDE ELEVATION  
1 : 75

HUFFMAN DWELLING AND GARAGE

PROPOSED LAKE SIDE ELEVATION

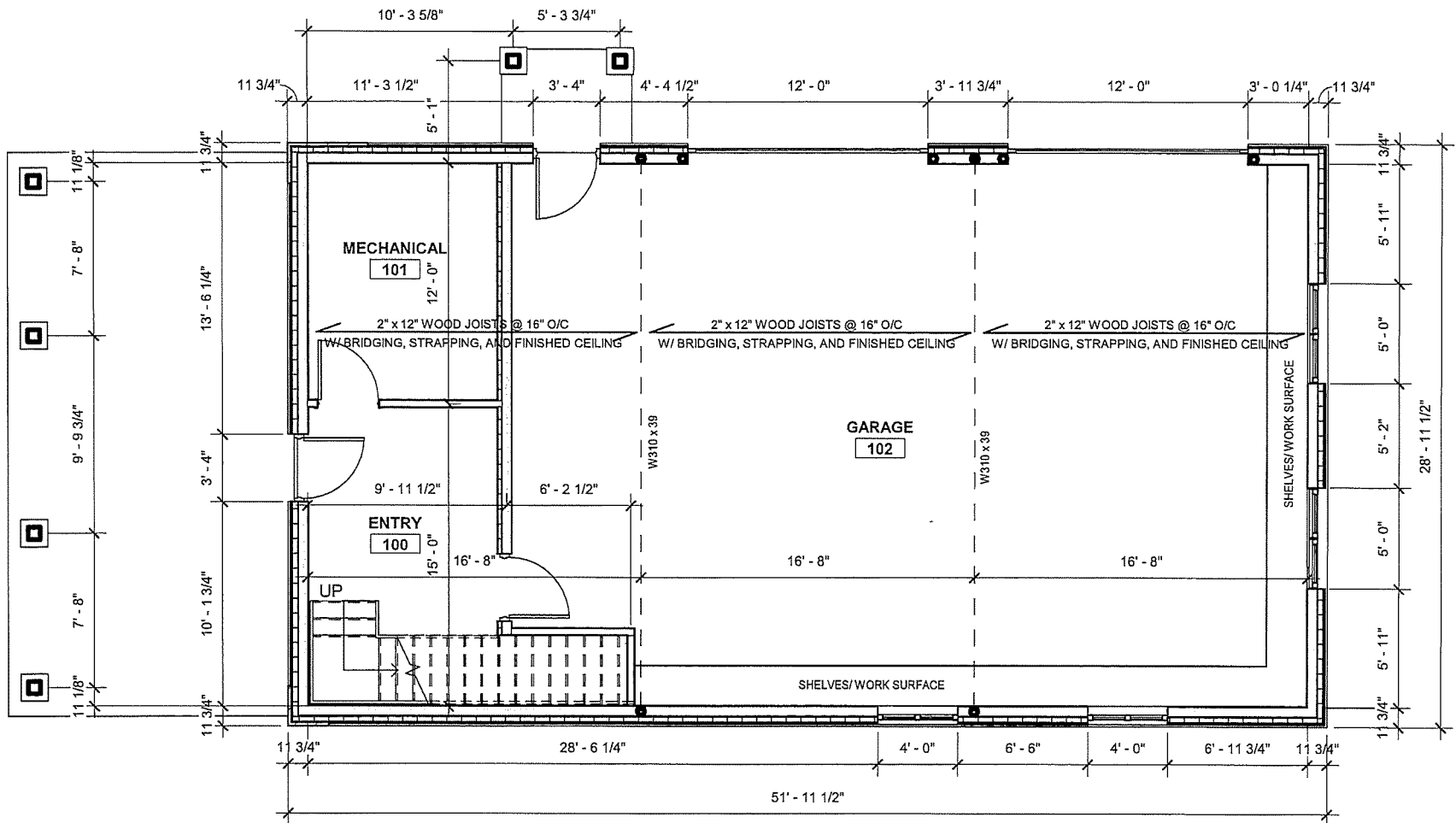
**3RDLINE.STUDIO** 369 CEDAR STREET  
SLOANVILLE, OHIO 45051

Project No: 2402  
Scale: 1 : 75

REVISED 2024 04 12



A0033/2024  
Sketch 4



PROPOSED 1ST FLOOR PLAN

1:75

PROPOSED 1ST FLOOR PLAN

2024 04 02

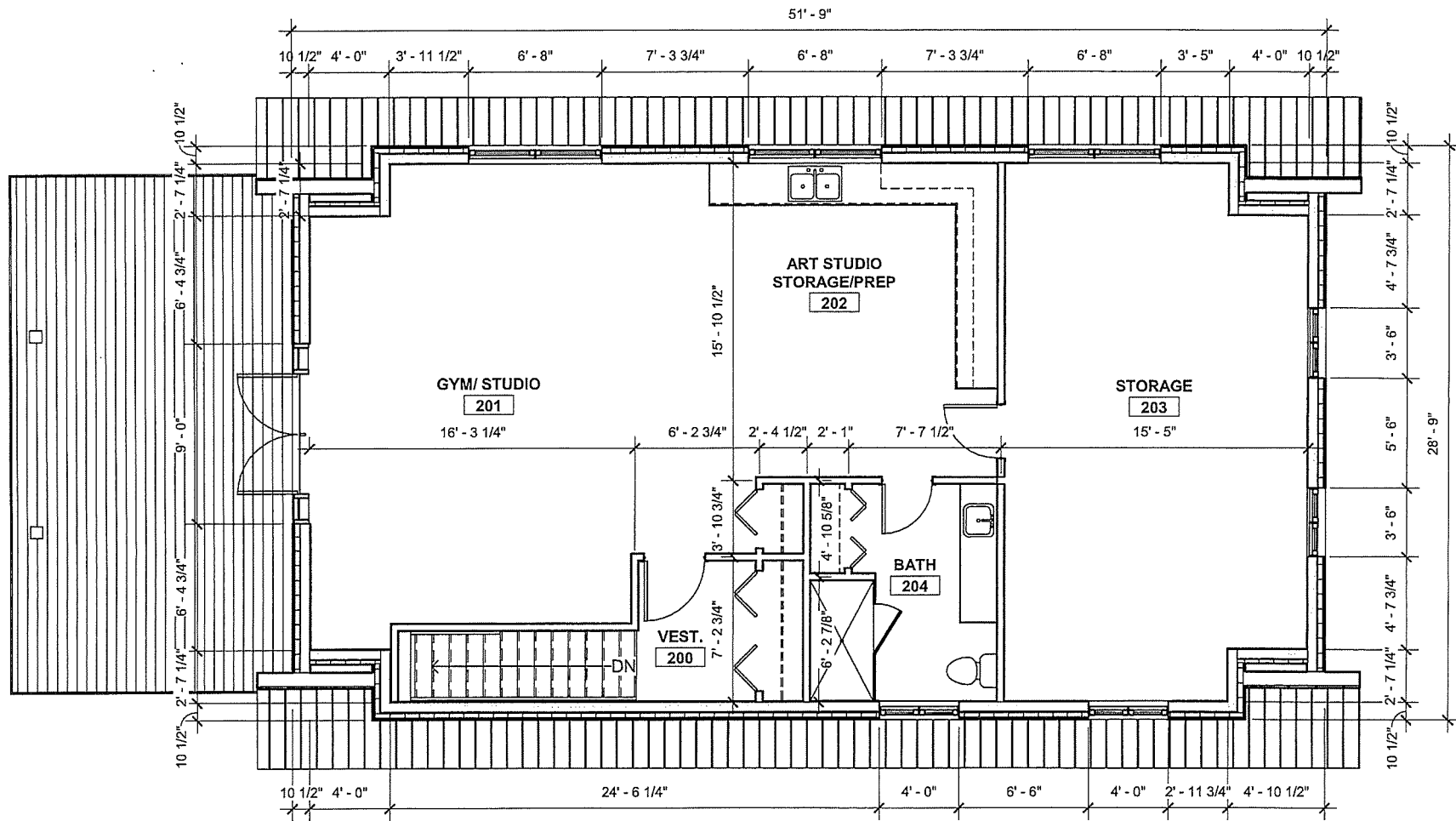
HUFFMAN DWELLING AND GARAGE

**3RD LINE STUDIO** 287 CEDAR STREET  
 ELICUIR, OH 43118

Project No: 2402  
 Scale: 1:75



A0033/2024  
 sketch 5



PROPOSED 2ND FLOOR PLAN

1 : 75

PROPOSED 2ND FLOOR

2024 04 02

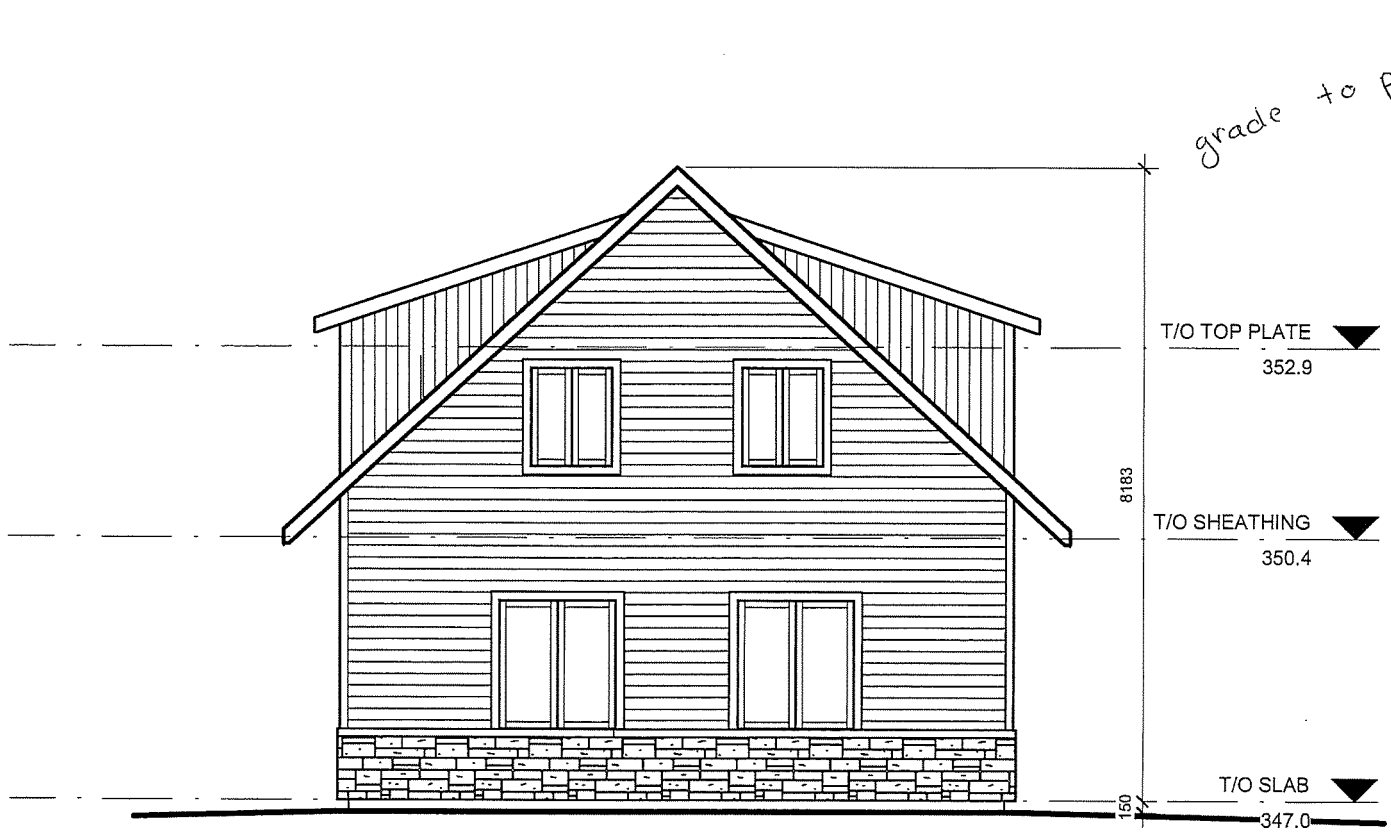


HUFFMAN DWELLING AND GARAGE

**3RDLINE.STUDIO** 289 CEDAR STREET  
SUCBURY, CN P3B 1A1B

Project No: 2402  
Scale: 1 : 75

A003312024  
Sketch 6



PROPOSED ROADSIDE ELEVATION  
1 : 75

HUFFMAN DWELLING AND GARAGE

**3RDLINE.STUDIO** 285 CEDAR STREET SUDBURY, ON P3B 1M8

Project No: 2402  
Scale: 1 : 75

PROPOSED ROADSIDE ELEVATION

2024 04 02



A0033/2024  
sketch 7



PROPOSED FRONT ELEVATION  
1 : 75

HUFFMAN DWELLING AND GARAGE

**3RDLINE.STUDIO** 289 CEDAR STREET  
SUGARBURY, ON P3B 1A8

Project No: 2402  
Scale: 1 : 75

PROPOSED FRONT ELEVATION

2024 04 02



A0033/2024  
Sketch 8



PROPOSED REAR ELEVATION

1 : 75

HUFFMAN DWELLING AND GARAGE

**3RDLINE.STUDIO** 205 CEDAR STREET  
SUDBURY, ON P3B 1A8

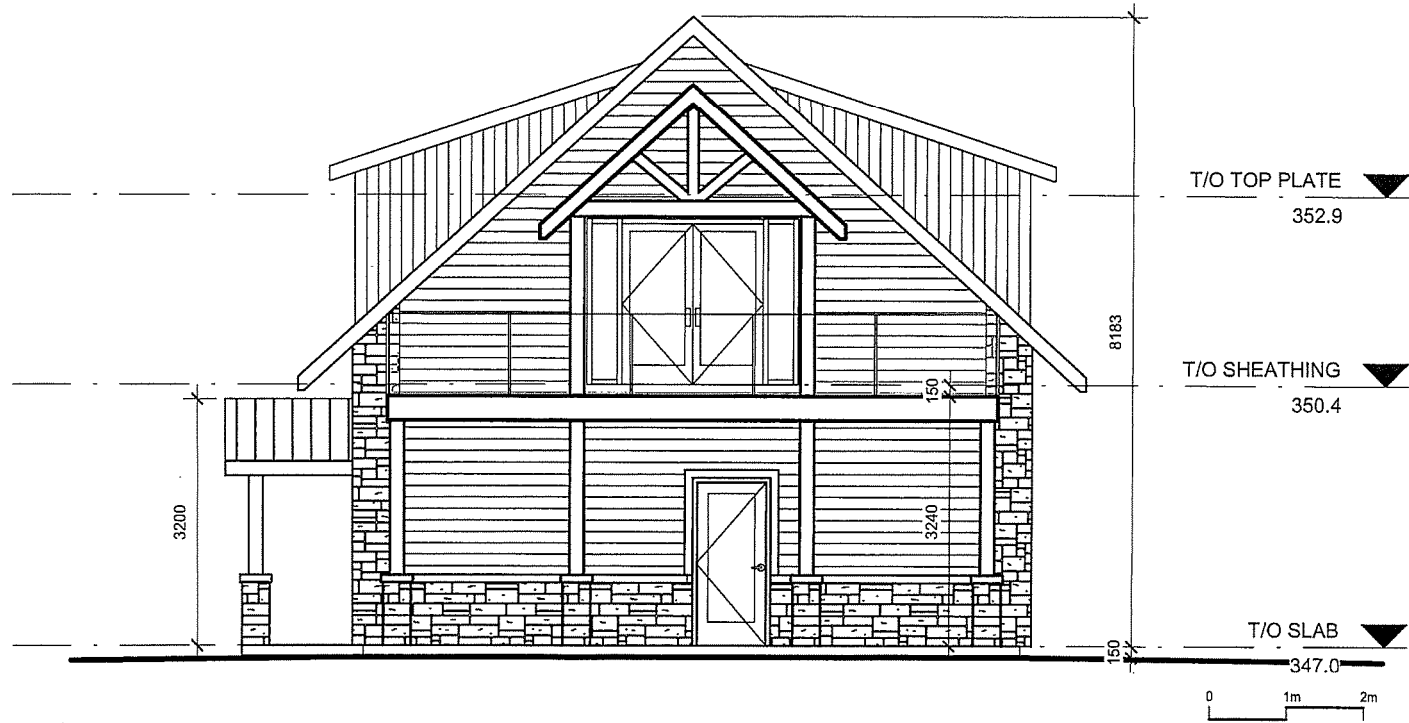
Project No: 2402  
Scale: 1 : 75

PROPOSED REAR ELEVATION

2024 04 02



A0033/2024  
Sketch 9



PROPOSED LAKE SIDE ELEVATION  
1 : 75

HUFFMAN DWELLING AND GARAGE

**3RD LINE STUDIO** 289 CEDAR STREET  
SUDBURY, ON P3B 1A8

Project No: 2402  
Scale: 1 : 75

PROPOSED LAKE SIDE ELEVATION

2024 04 02



A0033/2024  
sketch 10