

Tom Davies Square
200 Brady St

Wednesday, September 11, 2024

PUBLIC HEARINGS

A0081/2024

**BRIAN GATES
MICHAEL FULCHER**

Ward: 11

PINs 73582 0145 & 73582 0155, Parcels 26305 SEC SES & 35600 SEC SES, Lot(s) 127, Subdivision M-131, Lot Part 3, Concession 3, Township of McKim, 891 Howey Drive, 893 Howey Drive, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 4, Section 4.3 and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to approve the lands to be retained, subject of Consent Application B0060/2024, providing no frontage onto an assumed road and a minimum lot frontage of 0.0m, whereas no person shall erect any building on any lot that does not have frontage on an assumed road and where a minimum lot frontage of 15.0m is required.

ALSO SUBJECT TO CONCURRENT CONSENT APPLICATION B0060/2024

**A REMINDER... THE NEXT SCHEDULED MEETING IS
WEDNESDAY, SEPTEMBER 25, 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	
A 008112024	
S.P.P. AREA	
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
NDCA REG. AREA	
YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

City of Greater Sudbury

APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,360.00 (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): Brian Gates & Michael Fulcher Email: [REDACTED]
 Mailing Address: 655 Kirkwood Drive Home Phone: [REDACTED]
 Business Phone: [REDACTED]
 City: Sudbury ON Postal Code: P3E6J6 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: Brian Gates Email: [REDACTED]
 Mailing Address: 655 Kirkwood Drive Home Phone: [REDACTED]
 Business Phone: [REDACTED]
 City: Sudbury ON Postal Code: P3E6J6 Fax Phone: [REDACTED]

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

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

- 4) 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
Frontage on an assumed road	4.3 road access	0	15m
	15m required		

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

c) Description of Proposal:

The lot is a subject of a Consent application (attached). There currently is a dwelling known as 893 Howey Drive which is located at the rear of the property know at 891 Howey Drive.

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

There is currently a right of way on the deed of the two properties in front which are 887 & 891 in order for 893 to access Howey Drive. There is a dwelling on each of these 3 properties the newest at 891 which was build in 1966 and is currently being renovated including removing weeping tile from the sanitary sewer and installation of a sump pump. With the minor variance in place we will be able to obtain proceed with the consent application and if granted will obtain the financing required to reno or replace the dwelling at 893.

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

PIN(s): 73582-0155 Township: McKim
 Lot No.: Pt 127 3 Concession No.: 3 Parcel(s): 35600
 Subdivision Plan No.: M131 Lot: Pt 127, Row Pts 127 & 128 Part(s):
 Municipal Address or Street(s): 891 & 893 Howey Drive

7) Date of acquisition of subject land. March 2023

8) Dimensions of land affected.

Frontage 0.0 (m) Depth 46 (m) Area 561 (m²) Width of Street 18+/- (m)

9) Particulars of all buildings:

	Existing		Proposed
Ground Floor Area:	<u>house - 72</u>	<u>garage - 94</u>	<u>see proposed in Question 10)</u>
		<u>(m²)</u>	<u>(m²)</u>
Gross Floor Area:	<u>- 120</u>	<u>- 160</u>	
		<u>(m²)</u>	
No. of storeys:	<u>- one</u>	<u>- one</u>	
Width:	<u>- 8.7</u>	<u>- 7.7</u>	
		<u>(m)</u>	<u>(m)</u>
Length:	<u>- 12</u>	<u>- 10.4</u>	
		<u>(m)</u>	<u>(m)</u>
Height:	<u>- 6</u>	<u>- 7</u>	
		<u>(m)</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>house - 2.3</u>	<u>garage - 27.1</u>	<u>Both building will be demolished</u>
		<u>(m)</u>	<u>(m)</u>
Rear:	<u>- 29.0</u>	<u>- 12.0</u>	<u>once the minor variance and</u>
		<u>(m)</u>	<u>(m)</u>
Side:	<u>- 4.0</u>	<u>- .6</u>	<u>consent apps are approved</u>
		<u>(m)</u>	<u>(m)</u>
Side:	<u>- 1.4</u>	<u>- 4.5</u>	<u>Permit B23-0513</u>
		<u>(m)</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 type="checkbox"/> |
| Individual Well | <input type="checkbox"/> | Maintained Seasonal | <input type="checkbox"/> |
| Communal Well | <input type="checkbox"/> | Right-of-way | <input checked="" 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:

891 Howey was build in 1966 893 house est 1960's Garage 1972

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

Use(s): Residential Length of time: since built

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

Same as #13 or, _____

15) What is the number of dwelling units on the property? @893 - one @891 - one

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

If "yes", how many? @893 - one

17) Existing uses of abutting properties: residential + railway

A008112024

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): B006012024 pending this application

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, Brian Gates & Michael Fulcher (please print all names), the registered owner(s) of the property described as 893 & 891 Howey Drive 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 Brian Gates (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 9th day of August, 2024

[Signature]
(witness)

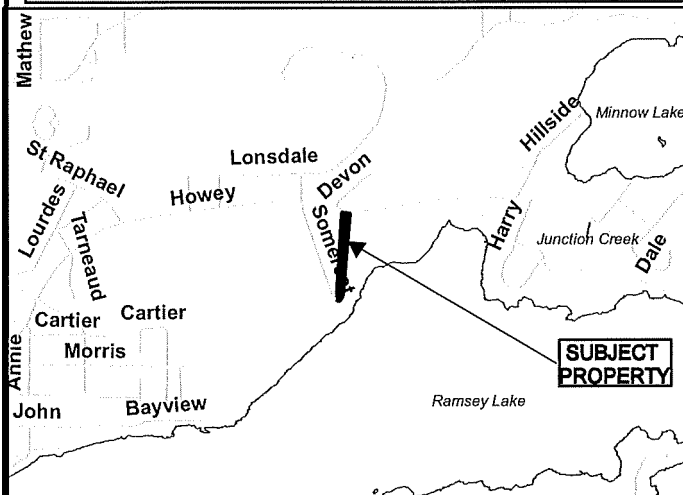
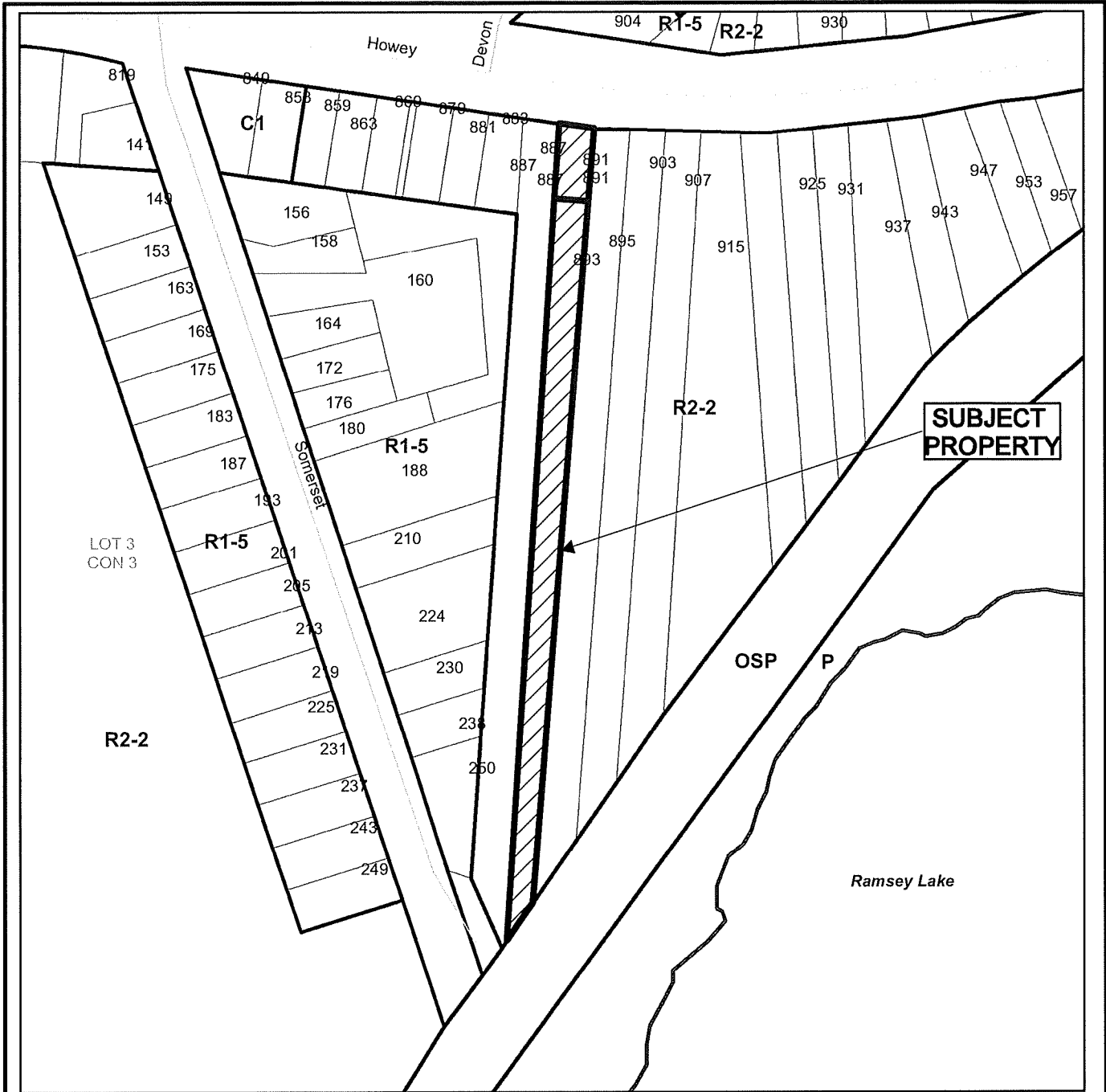
[Signature]
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Brian Gates Michael Fulcher

*I have authority to bind the Corporation

FOR BRIAN: [Signature]

[Signature] A008/12024
Brian Gates



Application for Minor Variance or Permission



Subject Property being PINs 73582-0145 and 73582-0155, Parcels 26305 SEC SES and 35600 SEC SES, Lot 127, Plan M-131, Part Lot 3, Concession 3, Township of McKim, 891-893 Howey Drive, Sudbury, City of Greater Sudbury

NTS
Sketch 1

A0081/2024
Date: 2024 08 27

TOPOGRAPHIC PLAN OF SURVEY OF LOT 127 AND PART OF LOT 128 REGISTERED PLAN M-131 CITY OF GREATER SUDBURY DISTRICT OF SUDBURY TULLOCH GEOMATICS INC. 2023 SCALE 1:250

THE INTENDED PLOT SIZE OF THIS PLAN IS 914mm IN WIDTH BY 1219mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250.

METRIC:
DISTANCES, ELEVATIONS, AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCE NOTE:
GROUND DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.9999560.

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) GNSS OBSERVATIONS USING THE SMARTNET SERVICE AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) MAGNUS (2011.0).

ROTATION NOTE:
A ROTATION OF 0°00'25" CLOCKWISE HAS BEEN APPLIED TO THE ASTROMERIC BEARINGS OF UNDERLYING PLAN P TO ACCOUNT FOR DIFFERENT REFERENCE MERIDIANS.
A ROTATION OF 0°28'25" CLOCKWISE HAS BEEN APPLIED TO THE ASTROMERIC BEARINGS OF UNDERLYING PLAN P1 TO ACCOUNT FOR DIFFERENT REFERENCE MERIDIANS.

ELEVATION NOTE:
ELEVATIONS SHOWN HEREON ARE GEODETIC, ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM OF 1928 (CGVD88) AND ARE DERIVED FROM CITY OF GREATER SUDBURY VERTICAL CONTROL MONUMENT NO. 0016431244 USING REAL TIME NETWORK (RTN) HAVING AN ELEVATION OF 288.629m.

LOCATE NOTE:
LOCATES NOT REQUIRED FOR THIS PLAN.

- LEGEND:**
- DENOTES FOUND MONUMENT
 - DENOTES PLANTED MONUMENT
 - SB DENOTES STANDARD IRON BAR 0.025 X 0.025 X 1.22
 - SSB DENOTES SHORT STANDARD IRON BAR 0.025 X 0.025 X 0.61
 - RB DENOTES ROCK BAR 0.025 X 0.025 X 0.15
 - CP DENOTES CONCRETE PIN
 - OP DENOTES OBSERVED REFERENCE POINT
 - PP DENOTES PROPERTY IDENTIFICATION NUMBER
 - PF DENOTES FOUND PIN
 - S DENOTES SET
 - ST DENOTES STAKE
 - PL DENOTES PLANT
 - NSM DENOTES NO SIGNIFICANCE FOUND
 - NSM DENOTES NOT SUITABLE FOR MONUMENTATION
 - NSM DENOTES FIELD NOTES AND SURVEY RECORDS OF D.S. DORLAND LTD., O.L.S., DATED 1991, FILE B140.
 - P DENOTES PLAN S38-9984
 - P2 DENOTES FIELD NOTES AND SURVEY RECORDS FOR J. ANNE COLE SURVEYING LTD., O.L.S., DATED JANUARY 29 1993, FILE 480.
 - 707 DENOTES LANE AND LAKE, O.L.S.
 - 991 DENOTES I.S. WOOD, O.L.S.
 - 1400 DENOTES D.S. DORLAND LTD., O.L.S.
 - AE DENOTES ASPHALT DRIVE
 - BO DENOTES BOTTOM OF DITCH
 - BM DENOTES BENCH MARK
 - CLF DENOTES CHAIN LINK FENCE
 - CONC DENOTES CONCRETE CURB
 - CONC DENOTES CONCRETE
 - CU DENOTES CEMENT CURB
 - EM DENOTES EDGE OF MARSH
 - OF DENOTES GARAGE FLOOR
 - OW DENOTES OVERHEAD WIRE
 - RKD DENOTES ROCK OUTLINE
 - RW DENOTES RETAINING WALL
 - TS DENOTES TOE OF SLOPE
 - UP DENOTES UTILITY POLE
 - WS DENOTES WINDOW SILL

INTEGRATION COORDINATE TABLE

COORDINATES ARE DERIVED FROM GNSS OBSERVATIONS BY REAL TIME NETWORK (RTN) USING THE SMARTNET SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), MAGNUS (2011.0).

COORDINATES TO UTM ACCURACY PER SECTION 14 (2) OF OREG. 216/10.

CRP	NORTHING	EASTING
A	5148447.59	502343.26
B	5148431.13	502328.86
C	5148457.96	502258.57

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGULATIONS MADE UNDER THEM.

(2) THE SURVEY WAS COMPLETED ON THE 23 DAY OF AUGUST, 2023.

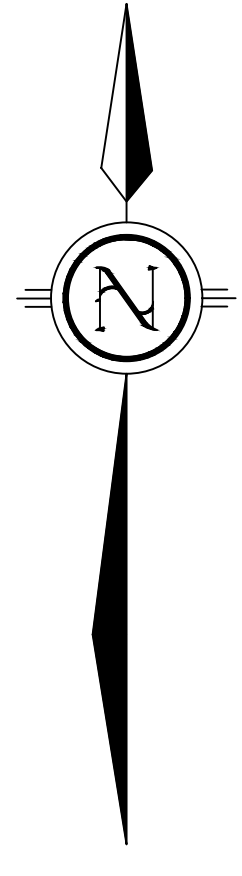
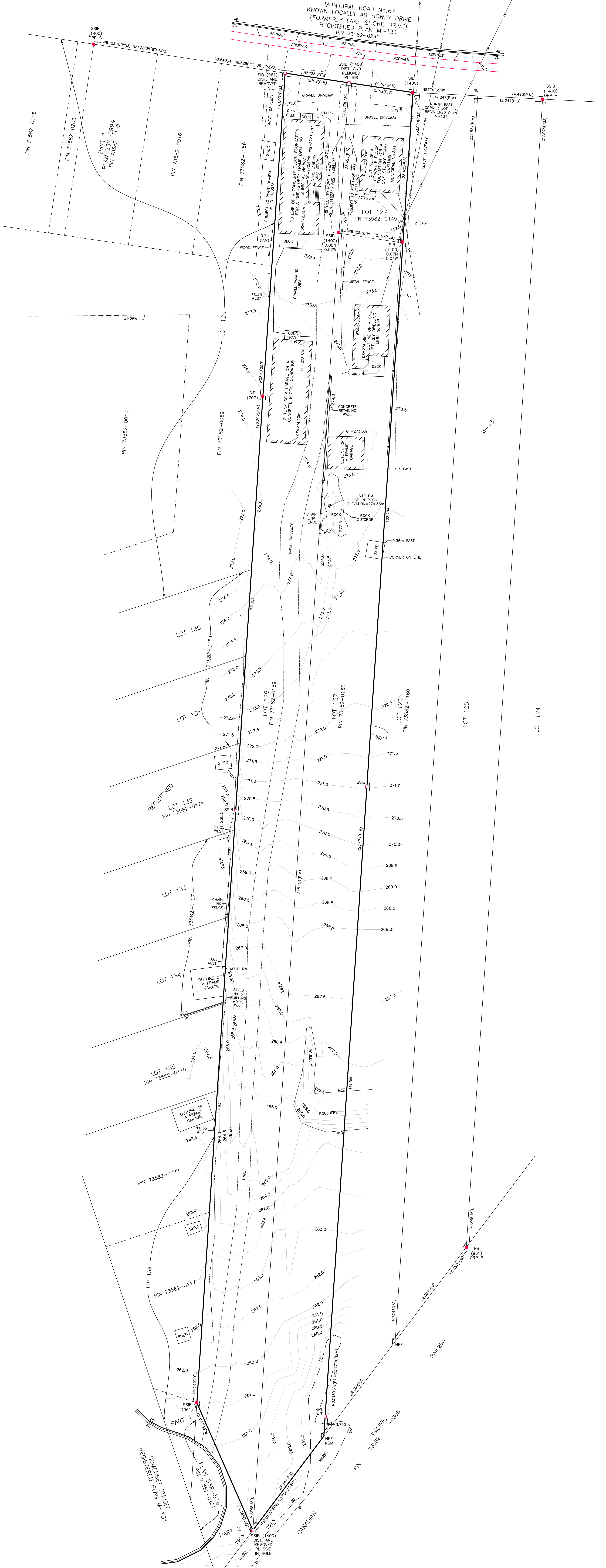
AUGUST 24 2023
DATE

Jack Cavakovich
SIGNATURE

JACK F. CAVAKOVICH
ONTARIO LAND SURVEYOR

THE REPRODUCTION, ALTERATION, OR USE OF THIS PLAN IN WHOLE OR IN PART WITHOUT THE EXPRESS PERMISSION OF TULLOCH GEOMATICS INC. IS STRICTLY PROHIBITED.

NOT VALID UNLESS EMBOSSED WITH THE SEAL OF THE SURVEYOR



TOPOGRAPHIC PLAN OF SURVEY OF LOT 127 AND PART OF LOT 128 REGISTERED PLAN M-131 CITY OF GREATER SUBURRY DISTRICT OF SUBURRY TULLOCH GEOMATICS INC. 2023 SCALE 1:250

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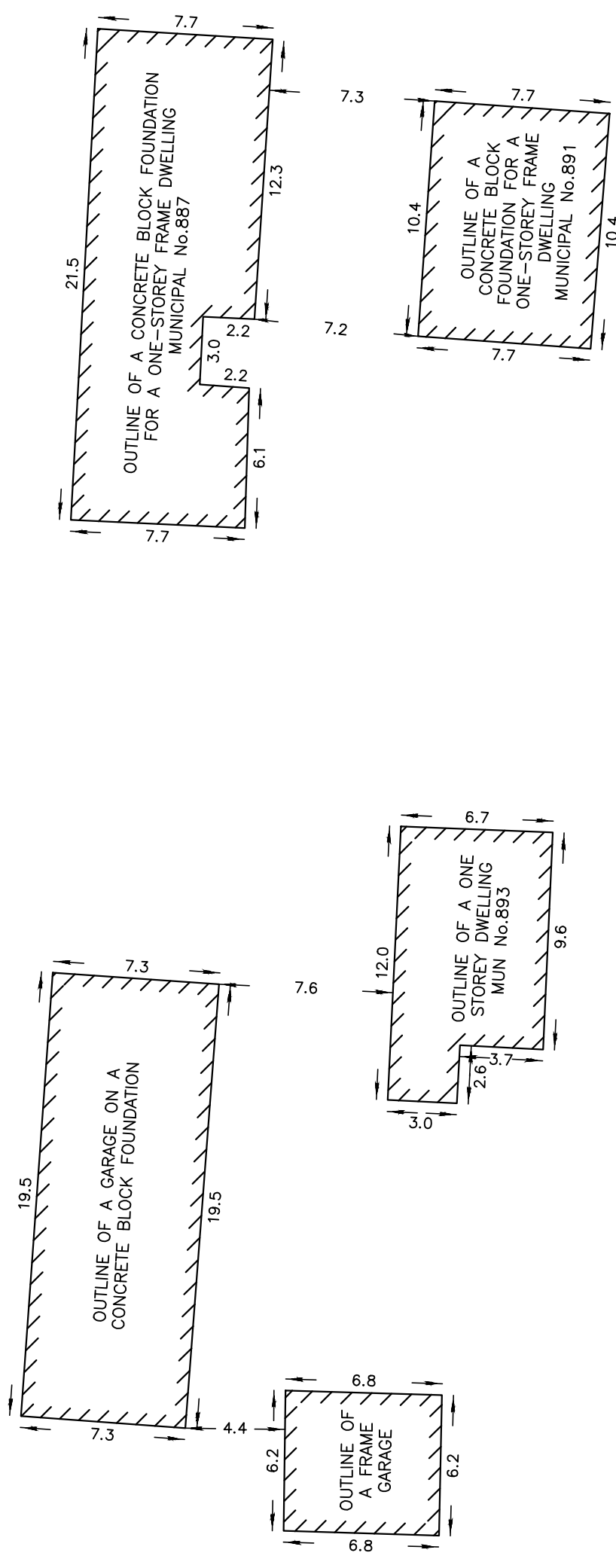
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BUILDING DIMENSIONS



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I CERTIFY THAT:

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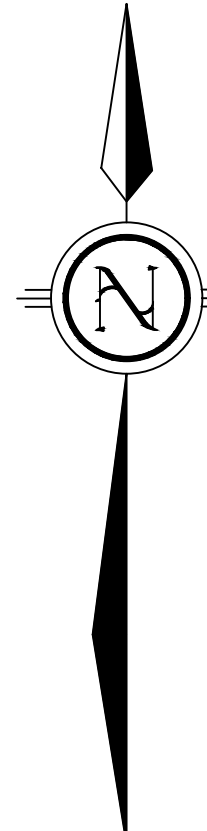
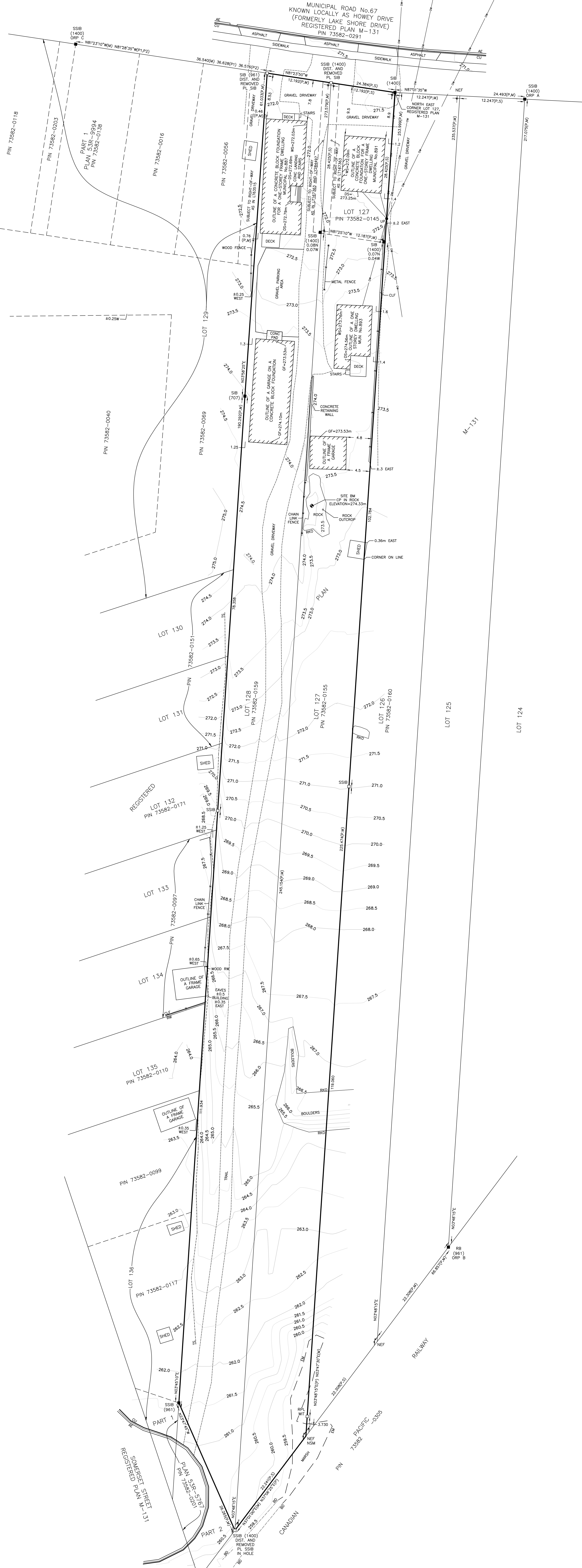
(2) THE SURVEY WAS COMPLETED ON THE 23 DAY OF AUGUST, 2023.

AUGUST 24 2023
DATE

Jack Cavakovich
JACK F. CAVAKOVICH
ONTARIO LAND SURVEYOR

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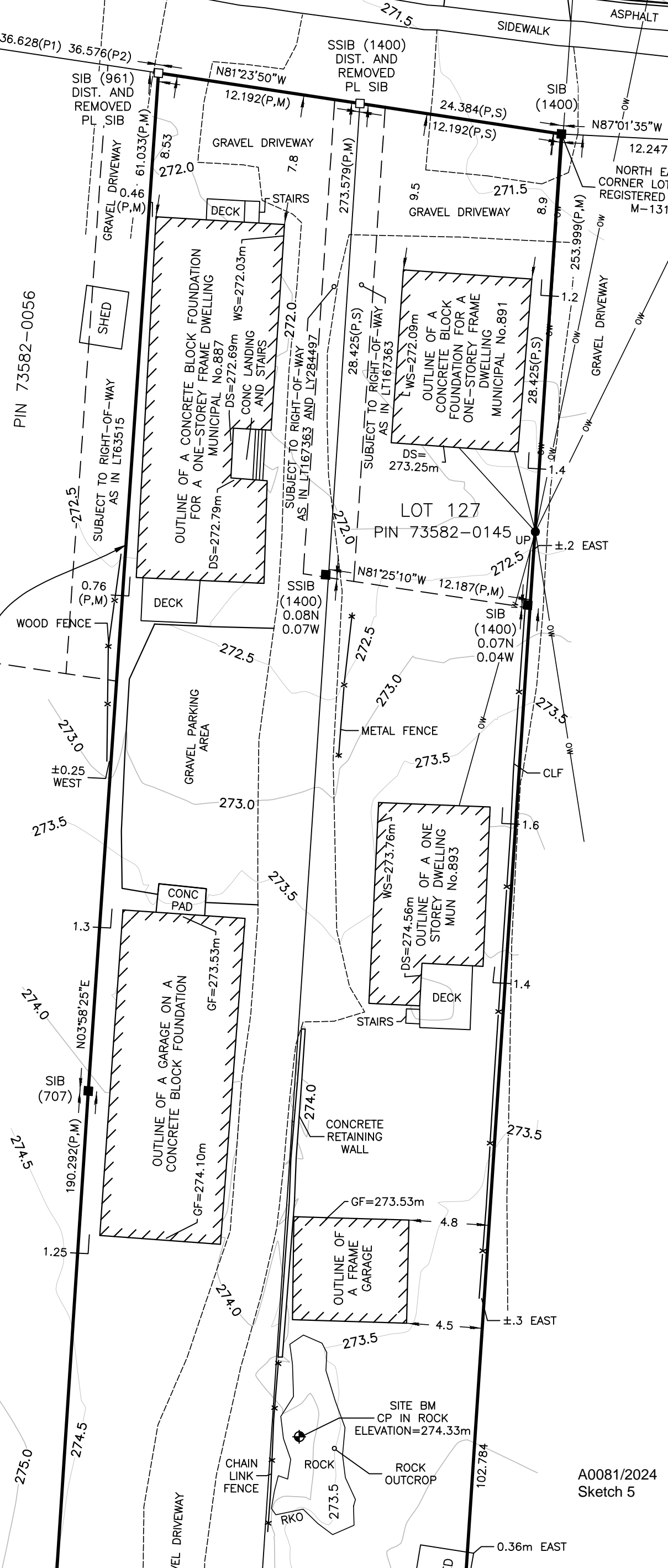
A0081/2024
Sketch 4

TULLOCH GEOMATICS INC.
1942 REGENT ST.
SUDBURY, ON
P3E 0V9
tulloch@tulloch.ca

DRAWN BY: SL FILE: 230955

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-50178

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR Regulation 1008, Section 2(1)(b).



A0081/2024
Sketch 5