

Tom Davies Square  
200 Brady St

Wednesday, September 13, 2023

**PUBLIC HEARINGS****A0104/2023****PATRICK LAPOINTE  
JANE LAPOINTE  
CAMILLE LAPOINTE**

Ward: 12

PIN 02132 1037, Parcel 5686 SES, Survey Plan 53R-10918 Part(s) 1, Lot(s) Part 18 and 19, Subdivision M-55, Lot 4, Concession 4, Township of McKim, 327 Mountain 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 By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing building from two residential units to three residential units providing, firstly, a minimum of 2 parking spaces, where 5 is required, secondly, a minimum lot area of 84.0 sq.m. per unit, where 140.0 sq.m. is required, and thirdly, a minimum lot frontage of 9.1m, where 18.0m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A59/93 (5 APR 93), A60/93 (5 APR 93), A86/86 (16 JUN 86) AND CONSENT APPLICATIONS B69/93 (5 APR 93), B128/86 (16 JUN 86)

**A0105/2023****PAUL FOURNIER  
SUZANNE FOURNIER**

Ward: 10

PIN 73594 0265, Parcel 24773 SEC SES, Survey Plan SR-2304 except Part(s) 1,2 and 3, Lot(s) Part 99, Subdivision M-205 as in LT156562, Lot 5, Concession 1, Township of McKim, 1744 Windle Drive, Sudbury, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.41, subsections 4.41.2, 4.41.3 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing sunroom addition providing, firstly, a high water mark setback of 14.0m, 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, to permit the sunroom addition to be 14.0m setback from the high water mark of a lake, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3.

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B551/68 (6 NOV 68)

**A0106/2023****LARRY RALPH**

Ward: 8

PIN 73565 1041, Part Lot 5, Plan M-236, Parts 3 and 4, Plan 53R-21207, subject to an easement in gross over Part 4, Plan 53R-21207 as in SD393067, Part Lot 10, Concession 6, Township of Neelon, 1295 Will Street, Sudbury, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing single detached dwelling providing a minimum interior side yard setback of 1.13m, where a minimum interior side yard setback of 1.2m is required.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B30/20 (6 JUL 20), B44/19 (27 MAY 19), B348/90 (9 JUL 90), B204/89 (10 JUL 89), B95/71 (26 MAY 71), B495/68 (5 AUG 68) AND MINOR VARIANCE APPLICATION A5/20 (4 MAR 20)

**A0107/2023**

**WARTAN MOURADIKIAN  
MARIE MOURADIKIAN**

Ward: 2

PIN 73381 0209, Parcel 13901 SEC SWS, Lot(s) 28, Subdivision M-193, Lot Part 1, Concession 3, Township of Graham, 39 Simon Lake Drive, Naughton, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, Table 4.1 and Section 4.41, Subsection 4.41.2 clause a) and c) and Subsection 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, for the construction of a single family dwelling with septic bed permitting firstly, eaves to encroach 0.61m into the required interior side yard, where eaves may encroach 0.6m into the required yard but not closer than 0.6m to the lot line, secondly, a high water mark setback of 16.7m for the single family dwelling and 26.9m for the leaching bed, 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 no person shall construct a leaching bed closer than 30.0 m from the high water mark of a lake, river or stream, and thirdly, for the proposed single detached dwelling to be 16.7m setback from the high water mark of a lake or a river, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3.

**THIS APPLICATION WAS DEFERRED FROM THE MEETING OF AUGUST 17, 2023 TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.**

**A0096/2023**

**MIKE FAUGHT  
ROSANNA FAUGHT**

**"REVISED"**

Ward: 10

PIN 73590 0344, Parcel 25043 SEC SES SRO, Lot(s) 64, Subdivision M-487 SRO, Township of McKim, 90 Windsor Crescent, Sudbury, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, subsection 4.2.3, 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 install a pool, pool enclosure and pool house providing firstly, a pool enclosure in the front yard, maintaining a front yard setback of 0.0m and consisting of a fence with a maximum height of 2.0m, where fences higher than 1.0 m are not permitted within the required front yard, and secondly, a front yard setback of 1.0m for the pool and 0.6m for the pool house, where a minimum front yard setback of 6.0m is required.

**A REMINDER... THE NEXT SCHEDULED MEETING IS  
WEDNESDAY, SEPTEMBER 27, 2023**



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

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

Office Use Only 2023.01.01	
A 01/04/2023	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES	NO <input checked="" type="checkbox"/>

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): Patric Lapointe, Lauriane Lapointe, Famille Lapointe Email: \_\_\_\_\_  
 Mailing Address: 327 mainville Home Phone: \_\_\_\_\_  
 Business Phone: \_\_\_\_\_  
 City: Sudbury Postal Code: P3B 2T9 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: Roger Poitras Email: \_\_\_\_\_  
 Mailing Address: 700 Baker street 2 Home Phone: \_\_\_\_\_  
 Business Phone: \_\_\_\_\_  
 City: Sudbury Postal Code: P3C 2B7 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: Caisse Alliance  
 Mailing Address: 1 King street W  
 City: Ft. Valier ON Postal Code: P0H 2W0

4) Current Official Plan designation: Livingarea 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
S.S	1.5 x 2.5	2 spaces	3
minimum lot area	140.0 m <sup>2</sup> per unit	84.0 m <sup>2</sup>	54.0 m <sup>2</sup>
minimum lot frontage	13.0m	9.1m	8.9m

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

c) Description of Proposal: convert 2 family into triplex utilizing the basement as a potential unit

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: not enough space for parking

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

PIN(s): \_\_\_\_\_ Township: Malton  
 Lot No.: 4 Concession No.: 4 Parcel(s): 5446  
 Subdivision Plan No.: N 55 N Lot: P 18 Reference Plan No.: 255R1018 Part(s): 1  
 Municipal Address or Street(s): 327 Mountain Street

7) Date of acquisition of subject land. Oct 2021

8) Dimensions of land affected.

Frontage 9.1 (m) Depth 27.72 (m) Area 252.25 (m<sup>2</sup>) Width of Street \_\_\_\_\_ (m)

9) Particulars of all buildings:

	House	Existing Shed	Proposed
Ground Floor Area:	<del>50.97</del>	13.12 (m <sup>2</sup> )	_____ (m <sup>2</sup> )
Gross Floor Area:	70.98 m	13.12 (m <sup>2</sup> )	_____ (m <sup>2</sup> )
No. of storeys:	2	1	_____
Width:	3.1m	4.1 (m)	_____ (m)
Length:	11.53	3.2 (m)	_____ (m)
Height:		_____ (m)	_____ (m)

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

	House	Existing Shed	Proposed
Front:	6.37	3.1556 (m)	<del>24.55</del>
Rear:	9.86	0.23 (m)	<del>0.23</del>
Side:	2.87	3.2 (m)	<del>3.2</del>
Side:	1.359	3.657 (m)	<del>3.657</del>

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

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

What type of access to the land?

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

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

house-1952 shed unknown

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

Use(s): rentals - residential Length of time: 3 years

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

Same as #13  or, rental - residential

15) What is the number of dwelling units on the property? 2

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

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, Patrick Lapointe, Jane Lapointe, Camille Lapointe (please print all names), the registered owner(s) of the property described as 327 Mountain

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 Roger Poitras (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 7<sup>th</sup> day of August, 2023

C. Lapointe  
(witness)

Patrick Lapointe, Jane Lapointe, Camille Lapointe  
signature of Owner(s) or Signing Officer or Authorized Agent

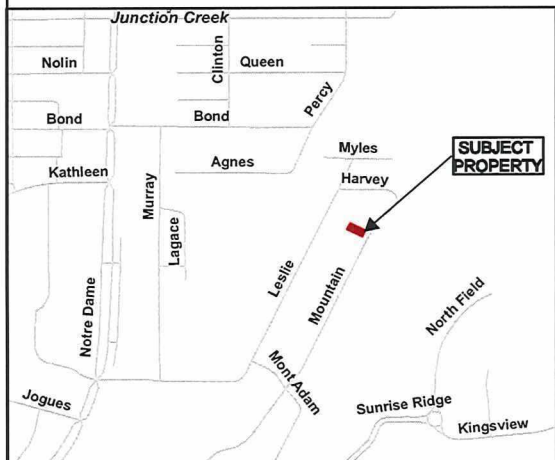
Print Name: Patrick Lapointe, Jane Lapointe

\*I have authority to bind the Corporation

Camille Lapointe

A0104/2023





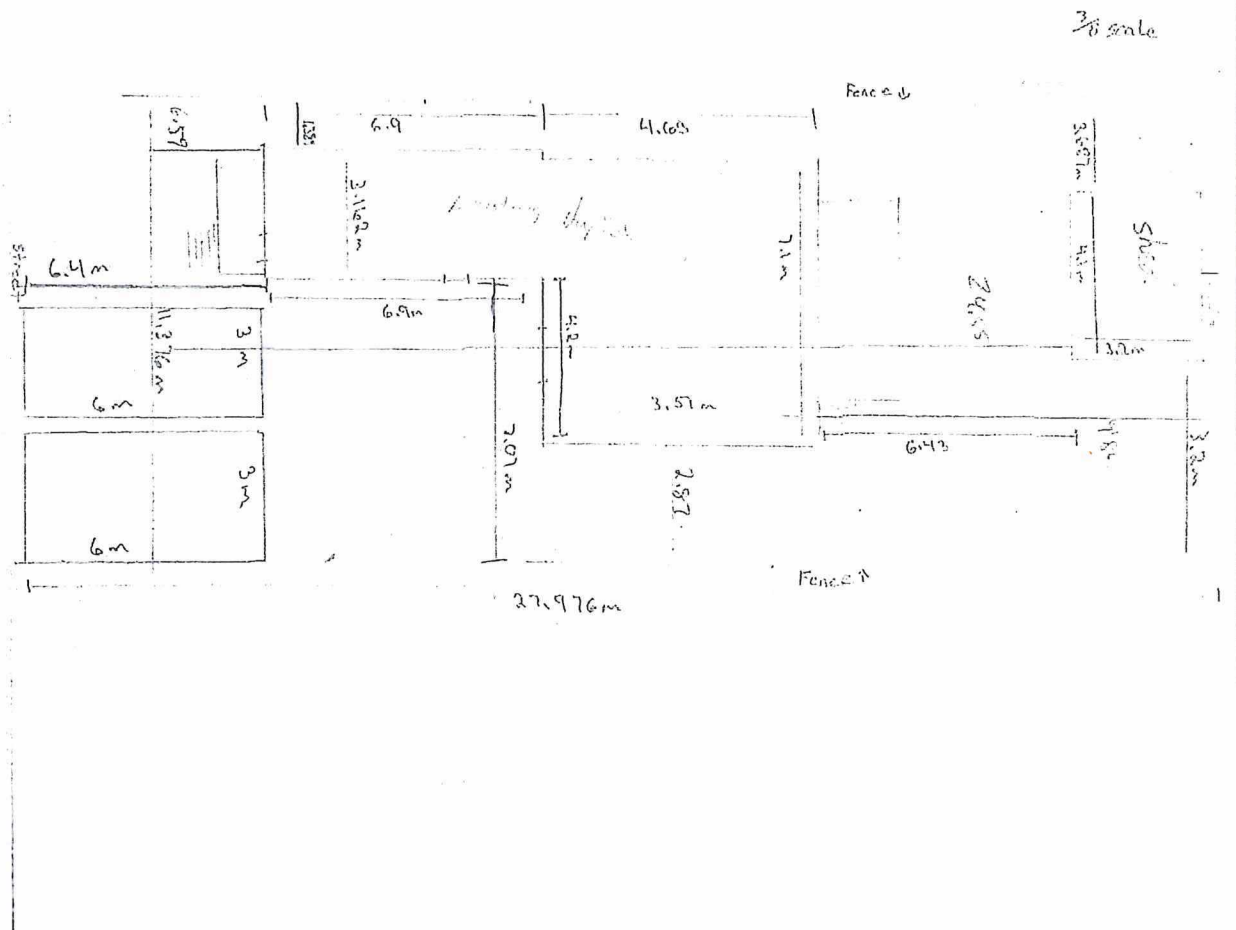
**Application for Minor Variance or Permission**



Subject Property PIN 02131-1037,  
Parcel 5686 SES, part Lots 18 and 19, Plan M-55,  
Part 1 on Plan 53R-10918,  
Lot 4, Concession 4, Township of McKim,  
327 Mountain Street, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0104/2023  
Date: 2023 08 23



A0104/2023  
 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 2023.01.01	
A 0105/2023	
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: \$1,180.00 (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

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

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

Registered Owner(s): Paul & Suzanne Fournier	Email: [REDACTED]
Mailing Address: 1744 Windle Drive	Home Phone: [REDACTED]
	Business Phone:
City: Sudbury	Postal Code: P3E 2Y5
	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: 200 King St West	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: RMG MORTGAGES
Mailing Address: 200 King St West
City: Toronto
Postal Code: M5H 3T4

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

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

Variance To	By-law Requirement	Proposed	Difference
high water mark setback 4.41.2	30m	14m 15m	16 m
Shore line structure (4.41.4)	20m	14m	6m
	<del>30m</del>	<del>15m</del>	<del>15m</del>

*Paul*

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

c) Description of Proposal:  
 Legalized Encroachment

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law.  
 close to the high water mark

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

PIN(s): 73594-0265 Township: McKim  
 Lot No.: 99 Concession No.: Parcel(s):  
 Subdivision Plan No.: Lot: Reference Plan No.: M-205 Part(s):  
 Municipal Address or Street(s):

7) Date of acquisition of subject land. March 30, 2022

8) Dimensions of land affected.

Frontage 12.2 (m) Depth 76 (m) Area 1000 (m<sup>2</sup>) Width of Street 15.5 (m)

9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	Res. 140 Gar. 65.2 Shed 7.7 (m <sup>2</sup> )	Res. 166 Gar. 65.2 Shed 7.7 (m <sup>2</sup> )
Gross Floor Area:	Res. 200 Gar. 65.2 Shed 7.7 (m <sup>2</sup> )	Res. 226 Gar. 65.2 Shed 7.7 (m <sup>2</sup> )
No. of storeys:	Three	Three
Width:	Res. 13.3 Gar. 5.1 Shed 2.5 (m)	Res. 13.3 Gar. 5.1 Shed 2.5 (m)
Length:	Res. 12.5 Gar. 12.8 Shed 3.1 (m)	Res. 16.5 Gar. 12.8 Shed 3.1 (m)
Height:	Res. 8.5 Gar. 4 Shed 3.5 (m)	Res. 8.5 Gar. 4 Shed 3.5 (m)

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

	Existing	Proposed
Front:	Res. 36 Gar. 26 Shed 21 (m)	Res. 36 Gar. 26 Shed 21 (m)
Rear:	Res. 19 Gar. 39 Shed 24 (m)	Res. 15 Gar. 39 Shed 24 (m)
Side:	Res. 3 Gar. 7.3 Shed 1.3 (m)	Res. 3 Gar. 7.3 Shed 1.3 (m)
Side:	Res. 2 Gar. 13 Shed 18 (m)	Res. 2 Gar. 13 Shed 18 (m)

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

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

What type of access to the land?

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

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

1958

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

Use(s): Residential Length of time: 65 Years

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

Same as #13  or, 3 season room

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? NA

17) Existing uses of abutting properties: Residential

A0105/2023

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, Paul & Suzanne Fournier (please print all names), the registered owner(s) of the property described as 1744 Windle 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 Paul Fournier (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 16th day of August, 2023

Beta Vu  
 (witness)

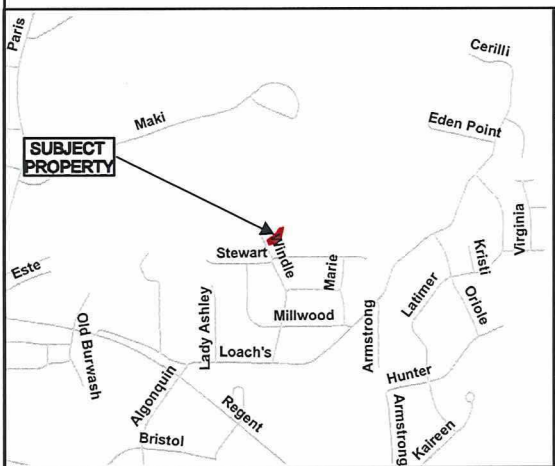
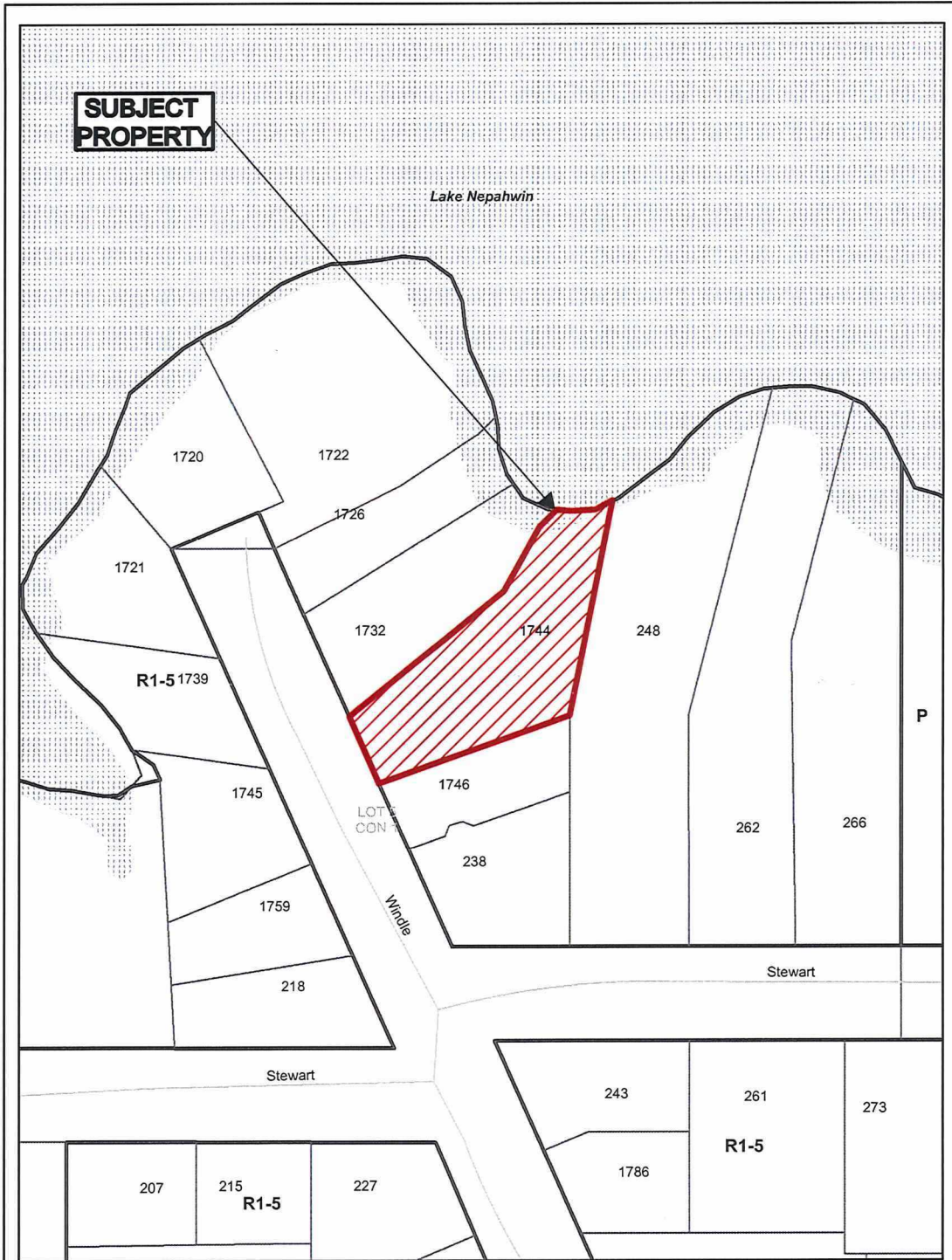
Suzanne C. Fournier  
 signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Suzanne C. Fournier

\*I have authority to bind the Corporation

A0105/2023





**Application for Minor  
Variance or Permission**



Subject Property PIN 73594-0265,  
Parcel 24773 SEC SES,  
Part Lot 99, Plan M-205 as in LT156562,  
except Parts 1-3, Plan SR-2304,  
Lot 5, Concession 1, Township of McKim,  
1744 Windle Drive, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0105/2023  
Date: 2023 08 23

**REPORT**

THIS PLAN & REPORT IS PREPARED FOR: MRS KRISTINA SUTHERLAND

**DESCRIPTION:**  
PIN 73594-0265, BEING PART OF LOT 99, REGISTERED PLAN M-205 KNOWN AS #1744 WINDLE DRIVE

**REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:**  
SMOKE EASEMENT #LT25019 - WHOLE PARCEL - INCO AN AGREEMENT AS IN #LT228196 - CITY OF SUDBURY - AS SHOWN

**COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:**  
NOT CERTIFIED BY THIS REPORT

**BEARING NOTE:**  
BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO PART OF THE EASTERLY LIMIT OF WINDLE DRIVE, REGISTERED PLAN M-205 HAVING A BEARING OF N23°00'W

**SURVEYOR'S CERTIFICATE:**

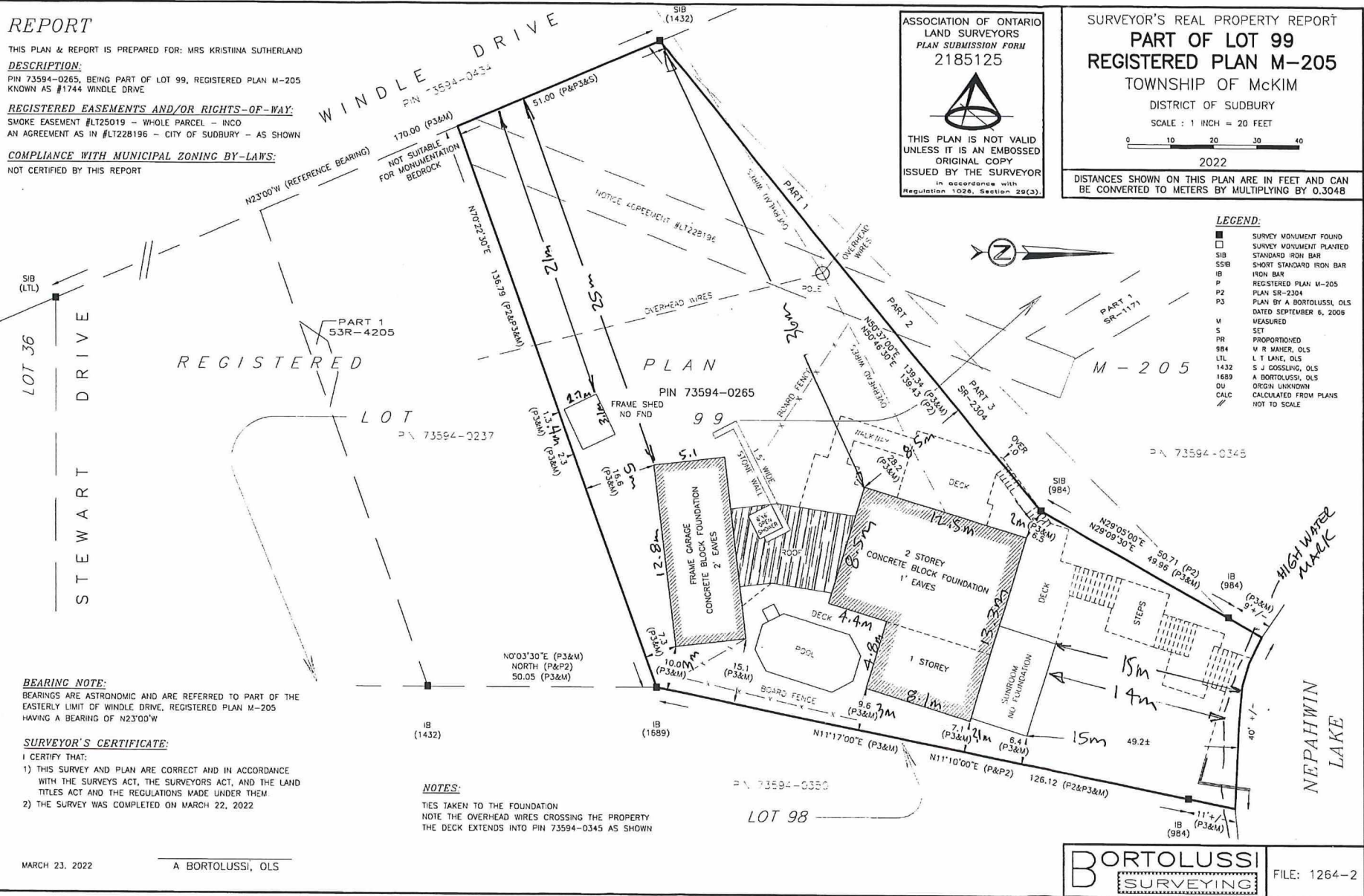
- I CERTIFY THAT:
- 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
  - 2) THE SURVEY WAS COMPLETED ON MARCH 22, 2022

**NOTES:**

TIES TAKEN TO THE FOUNDATION  
NOTE THE OVERHEAD WIRES CROSSING THE PROPERTY  
THE DECK EXTENDS INTO PIN 73594-0345 AS SHOWN

MARCH 23, 2022

A BORTOLUSSI, OLS



ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2185125

THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
in accordance with  
Regulation 1026, Section 29(3)

SURVEYOR'S REAL PROPERTY REPORT  
**PART OF LOT 99**  
**REGISTERED PLAN M-205**  
TOWNSHIP OF MCKIM  
DISTRICT OF SUDBURY  
SCALE : 1 INCH = 20 FEET  
2022  
DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN  
BE CONVERTED TO METERS BY MULTIPLYING BY 0.3048

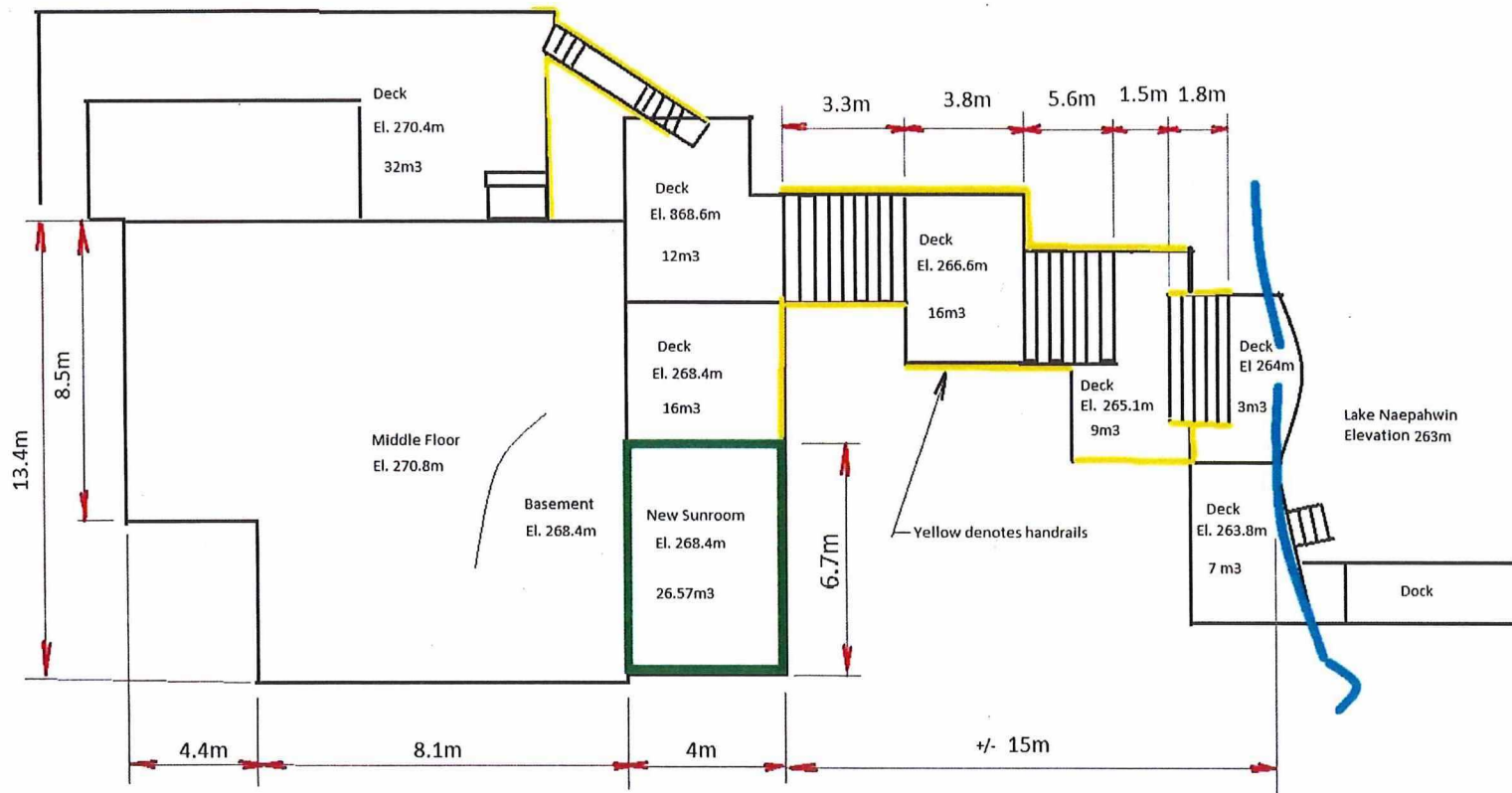
**LEGEND:**

■	SURVEY MONUMENT FOUND
□	SURVEY MONUMENT PLANTED
SIB	STANDARD IRON BAR
SSIB	SHORT STANDARD IRON BAR
IB	IRON BAR
P	REGISTERED PLAN M-205
P2	PLAN SR-2304
P3	PLAN BY A BORTOLUSSI, OLS DATED SEPTEMBER 6, 2009
M	MEASURED
S	SET
PR	PROPORTIONED
984	W R WAHER, OLS
LTL	L T LAKE, OLS
1432	S J GOSSLING, OLS
1689	A BORTOLUSSI, OLS
DU	ORIGIN UNKNOWN
CALC	CALCULATED FROM PLANS
HT	NOT TO SCALE

**BORTOLUSSI**  
**SURVEYING** FILE: 1264-2

AO105/2023  
sketch 2

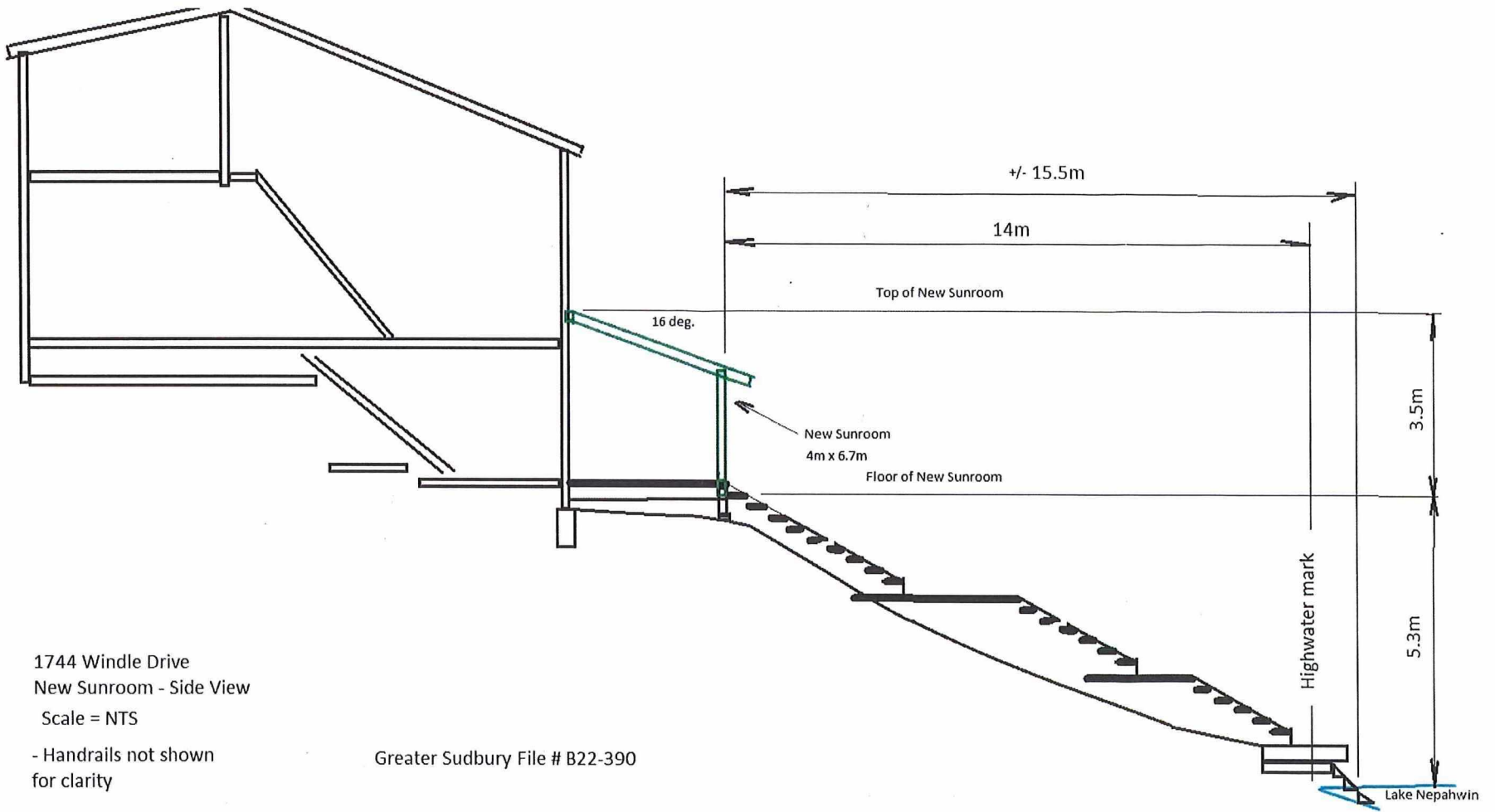
El. 268.4m



1744 Windle Drive -  
New Sunroom Plan View  
Scale = NTS

Greater Sudbury File # B22-0390

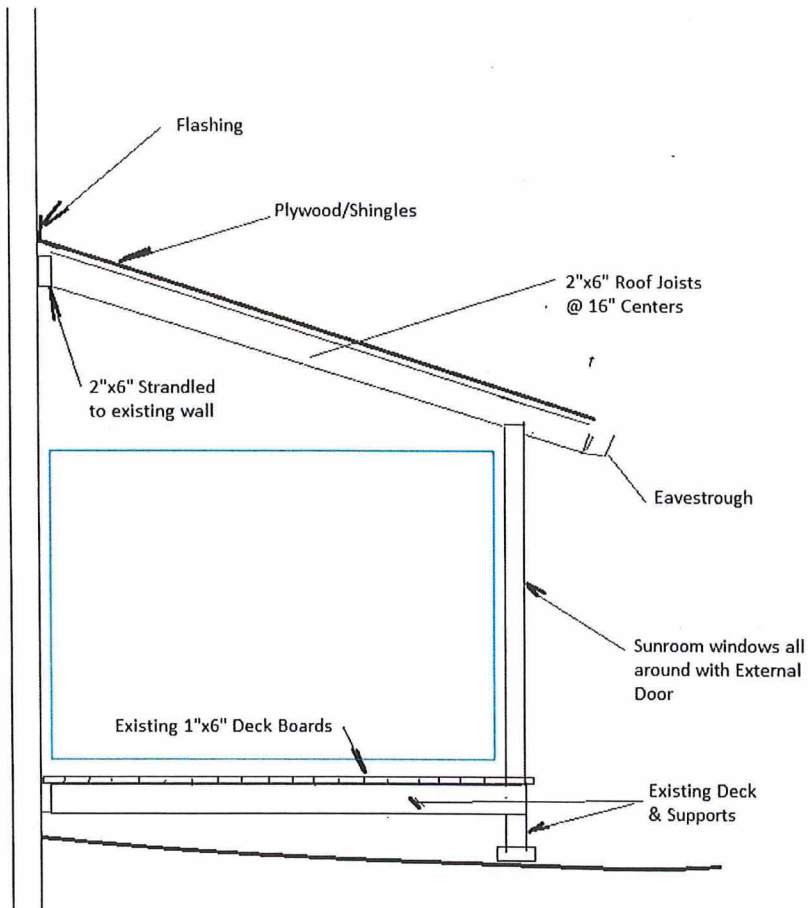
A0105/2023  
sketch 3



1744 Windle Drive  
 New Sunroom - Side View  
 Scale = NTS  
 - Handrails not shown  
 for clarity

Greater Sudbury File # B22-390

A0105/2023  
 sketch 4



Sunroom Detail

1744 Windle Drive  
 Details of New Sunroom  
 Scale = NTS



Sunroom - Window /  
 Door Schematic

Greater Sudbury File # B22-0390

A0105/2023  
 sketch 5



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 0106/2023	
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): Larry Ralph Email: [REDACTED]  
 Mailing Address: 1664 Wickie Rd Home [REDACTED]  
 City: Worthington Postal Code: P0M 3H0 Business Phone: \_\_\_\_\_  
 Fax Phone: \_\_\_\_\_

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

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

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

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

Name: TD  
 Mailing Address: 2208 Lasalle  
 City: Sudbury Postal Code: P3A 2A8

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

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

Variance To	By-law Requirement	Proposed	Difference
Table G.2	1.2m	1.13m	0.07m

b) Is there an eave encroachment?  Yes  No If 'Yes', size of eaves: 0.4 (m)

c) Description of Proposal: Single Family Dwelling

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
Builder Constructed Build too close to property line

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

PIN(s): lot Township: Neelon  
 Lot No.: 10 Concession No.: 6 Parcel(s):  
 Subdivision Plan No.: M 236 Lot: Part 5 Reference Plan No.: S3R21207 Part(s): 3+4  
 Municipal Address or Street(s): 1295 Will Street

7) Date of acquisition of subject land. 2021

8) Dimensions of land affected.

Frontage 13.11 (m) Depth 40.32 (m) Area 524.91 (m<sup>2</sup>) Width of Street \_\_\_\_\_ (m)

9) Particulars of all buildings:

	SFD	Existing SU	Proposed
Ground Floor Area:	<u>86.68</u>	<u>52.3</u> (m <sup>2</sup> )	_____ (m <sup>2</sup> )
Gross Floor Area:	<u>156.17</u>	<u>52.3</u> (m <sup>2</sup> )	_____ (m <sup>2</sup> )
No. of storeys:	<u>1</u>	<u>1</u>	<u>N/A</u>
Width:	<u>7.59</u>	<u>5.72</u> (m)	_____ (m)
Length:	<u>13.72</u>	<u>9.14</u> (m)	_____ (m)
Height:	<u>6.39</u>	<u>4.35</u> (m)	_____ (m)

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

	SFD	Existing SU	Proposed
Front:	<u>12.92</u>	<u>33.07</u> (m)	_____ (m)
Rear:	<u>13.34</u>	<u>3.57</u> (m)	<u>N/A legalize existing</u> (m)
Side:	<u>(1.13)</u>	<u>1.25</u> (m)	_____ (m)
Side:	<u>4.02</u>	<u>2.65</u> (m)	_____ (m)

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

What type of access to the land?

- |   |                                     |  |                                     |
|---|-------------------------------------|--|-------------------------------------|
| Municipally owned & operated piped water system     | <input 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.

April 2023

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

Use(s): Residential Single Family Dwelling Length of time: 5 months

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

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

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

3 (1-SFD, 2-SU)

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

A0106/2023

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, Harry Ralph (please print all names), the registered owner(s) of the property described as 1295 Will Street

in the City of Greater Sudbury:

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

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

**Authority to Enter Land and Photograph**

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

**Appointment of Authorized Agent**

g) appoint and authorize \_\_\_\_\_ (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 23 day of August, 2023

(witness) [Signature]

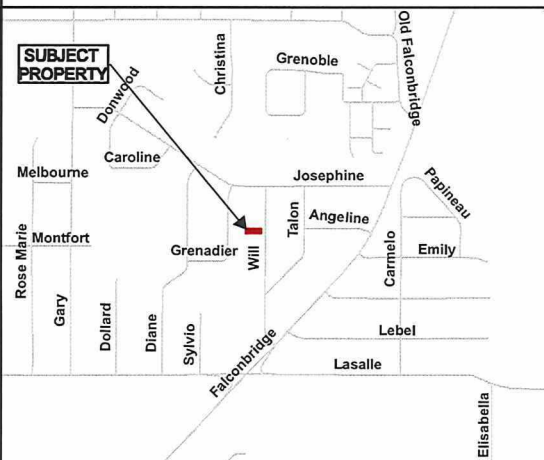
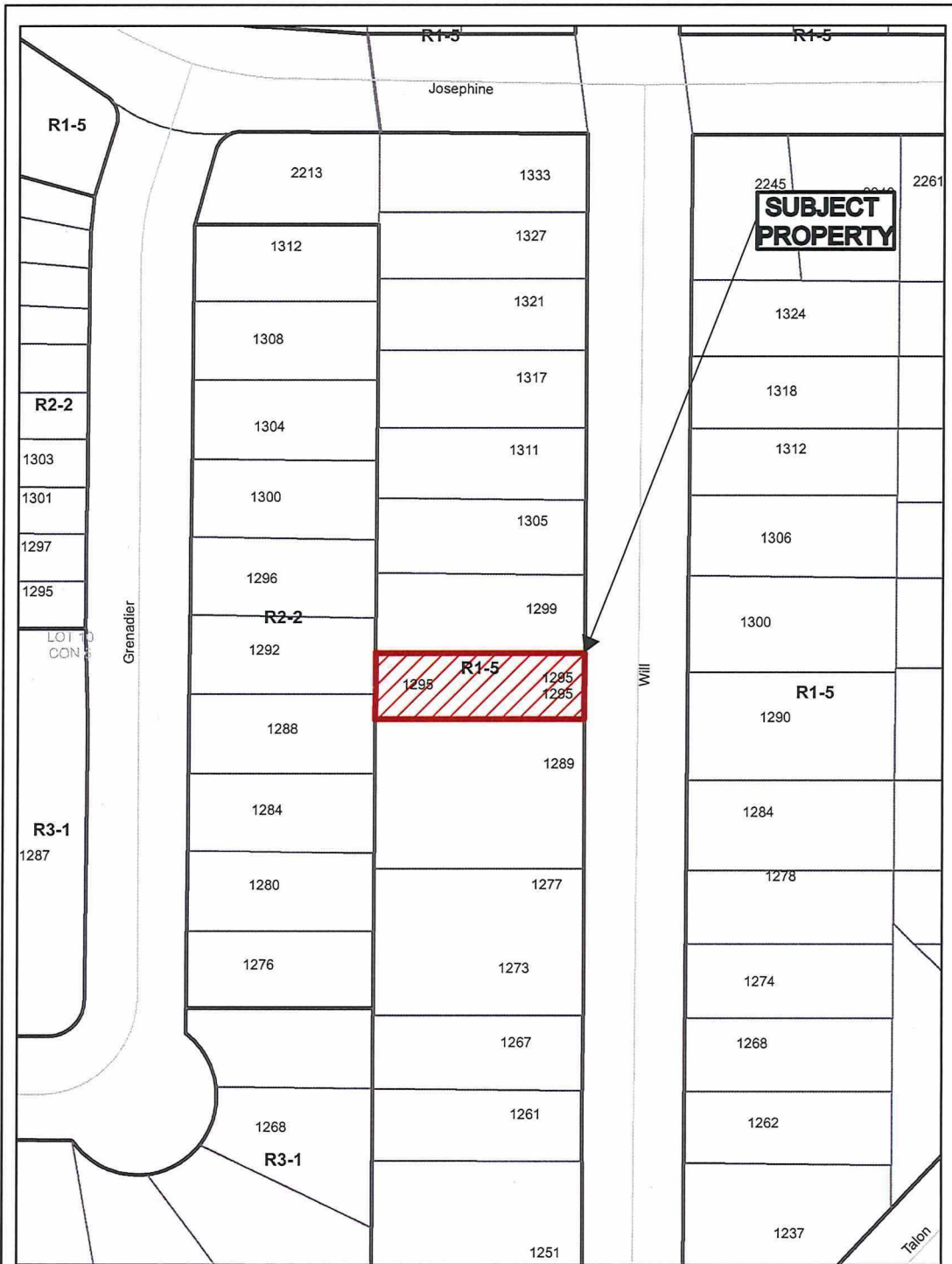
[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Harry Ralph

\*I have authority to bind the Corporation

A0106/2023





### Application for Minor Variance or Permission

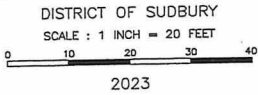


Subject Property PIN 73565-1041,  
 Part Lot 5, Plan M-236, Parts 3 and 4,  
 Plan 53R-21207, subject to an easement  
 in gross over Part 4, Plan 53R-21207 as in SD393067,  
 Part Lot 10, Concession 6, Township of Neelon,  
 1295 Will Street, Sudbury,  
 City of Greater Sudbury

Sketch 1, NTS  
 NDCA

A0106/2023  
 Date: 2023 08 24

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART OF LOT 5**  
**REGISTERED PLAN M-236**  
**CITY OF GREATER SUDBURY**



**BEARING NOTE:**  
 BEARINGS ARE GRID AND ARE REFERRED TO PART OF THE  
 EASTERLY LIMIT OF WILL STREET, REGISTERED PLAN M-236  
 SHOWN ON PLAN 53R-21209, HAVING A BEARING OF N0°23'00"E

**SURVEYOR'S CERTIFICATE:**  
 I CERTIFY THAT:  
 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
 WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND  
 TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2) THE SURVEY WAS COMPLETED ON JULY 4, 2023.

*A. Bortolussi*  
 A BORTOLUSSI, OLS  
 JULY 8, 2023  
 THIS PLAN RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2201287

- LEGEND:**
- SURVEY MONUMENT FOUND
  - SURVEY MONUMENT PLANTED
  - SIB STANDARD IRON BAR
  - SSIB SHORT STANDARD IRON BAR
  - IB IRON BAR
  - P PLAN 53R-21209
  - M MEASURED
  - S SET
  - PR PROPORTIONED
  - D S DORLAND, OLS
  - DSD A BORTOLUSSI, OLS
  - DWE D W ENDLEMAN, OLS
  - OU ORIGIN UNKNOWN
  - BROKEN LINE

**REPORT**

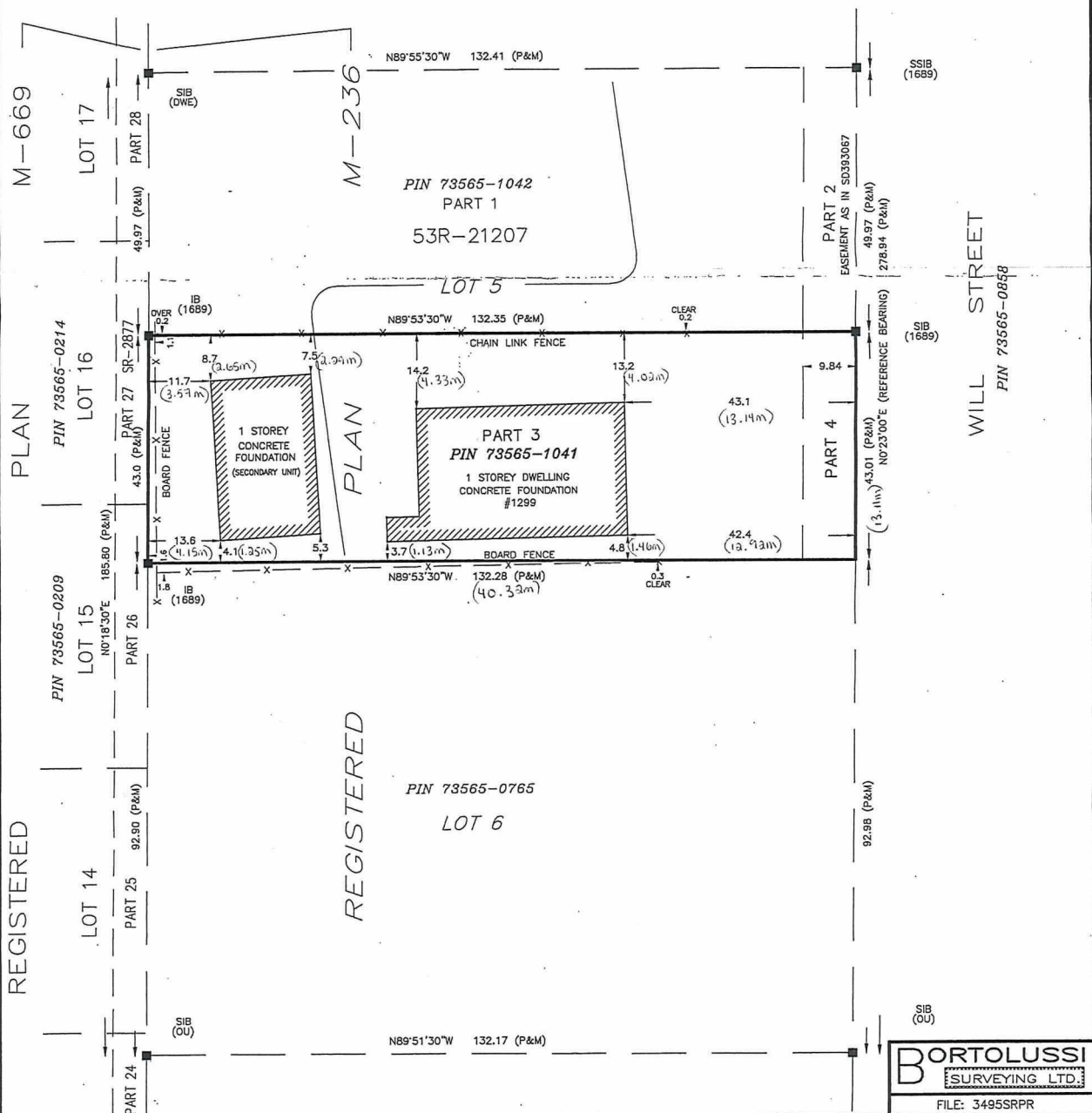
THIS PLAN & REPORT IS PREPARED FOR: MR LARRY RALPH

**DESCRIPTION:**  
 PIN 73565-1041, BEING PART OF LOT 5, REGISTERED PLAN M-236  
 BEING PARTS 3 & 4, 53R-21207, KNOWN AS 1299 WILL STREET

**REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:**  
 EASEMENT AS IN SD393067 - PART 4, 53R-21207, SUDBURY HYDRO

**COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:**  
 NOT CERTIFIED BY THIS REPORT

**NOTES:**  
 ALL TIES TAKEN TO THE FOUNDATION  
 NOTE THE LOCATION OF THE FENCES AROUND THE PROPERTY



**BORTOLUSSI**  
 SURVEYING LTD.  
 FILE: 3495SRPR

AO106/2023  
 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 2023.01.01	
A0107/2023	
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: \$1,180.00 (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): Watan & Marie Mouradkian	Email: [REDACTED]
Mailing Address: 80-50 Lakeshore Road	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City: St. Catharines, ON	Postal Code: L2N 6P8
	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: Northern Shield Development Corp - Steven Marshall & Steven Moreau	Email: [REDACTED]
Mailing Address: 92 Davidson St	Home Phone: [REDACTED]
39 Simon Lake Drive	Business Phone: [REDACTED]
City: Barrie	Postal Code: L4M 4Y6
	Fax Phone: [REDACTED]

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

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

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

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

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

Variance To	By-law Requirement	Proposed	Difference
Setback to high water mark	4.41.2.a) - 30m	16.7m	13.3m
Eave projection into side yard	4.2.5. - 0.6m	1.0m	0.4m
Eave projection proximity to lot line	4.2.5. - 0.6m	0.25m	0.35m
High water mark - Leaching Bed	4.41.2C - 30m	26.90 m	3.1m
Shoreline Structure	4.41.4 - 20m	16.7 m	3.3 m

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

c) Description of Proposal:  
 One storey residential house with attached rear deck.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
 Lot proximity to Simon Lake requires 30.0m setback from High Water Mark. This leaves only 5'-0" along north east property line and 19'-6" along north west property line, within the flood elevation of 235.48m as mandated by Nickel District Conservation Authority (NDCA). The entirety of this property sits below the 235.48m elevation, however in discussion with NDCA they may be willing to work with the owners where proposed development is in an area of least impact.

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

PIN(s): 73381-0209 LT Township: Naughton  
 Lot No.: 28 Concession No.: 3 Parcel(s):  
 Subdivision Plan No.: Lot: Reference Plan No.: M-193 Part(s): Lot 1  
 Municipal Address or Street(s): 39 Simon Lake Drive

7) Date of acquisition of subject land. August 25, 2020

8) Dimensions of land affected.

Frontage 30 (m) Depth 37.11 (m) Area 1130.69 (m<sup>2</sup>) Width of Street 20 (m)

9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	N/A	(m <sup>2</sup> )	140	(m <sup>2</sup> )
Gross Floor Area:	N/A	(m <sup>2</sup> )	140	(m <sup>2</sup> )
No. of storeys:	N/A		One	
Width:	N/A	(m)	17	(m)
Length:	N/A	(m)	6.5	(m)
Height:	N/A	(m)	4.5	(m)

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

	Existing		Proposed	
Front:	N/A	(m)	6.0	(m)
Rear:	N/A	(m)	16.7	(m)
Side:	N/A	(m)	1.2	(m)
Side:	N/A	(m)	9.3	(m)

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

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

What type of access to the land?

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

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

October 2023

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

Use(s): Vacant Land Length of time:

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

Same as #13  OR, Single Family Dwelling (Residential)

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  N/A

If "yes", how many? \_\_\_\_\_

17) Existing uses of abutting properties: Residential

A0107/2023

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, Wartan & Marie Mouradikian (please print all names), the registered owner(s) of the property described as 39 Simon Lake Drive, Naughton  
 \_\_\_\_\_  
 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 Northern Shield Development Corp - Steven Marshall & Steven Morea (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 16th day of August, 2023

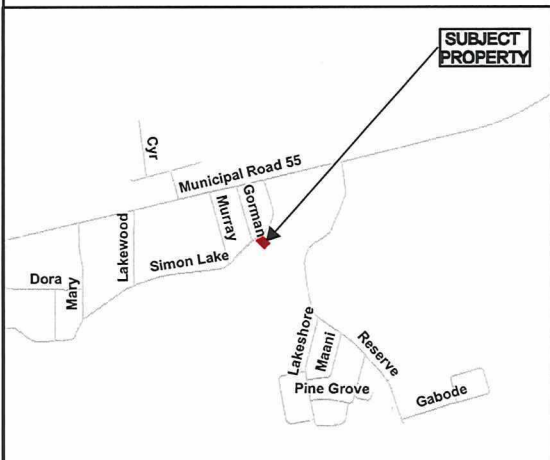
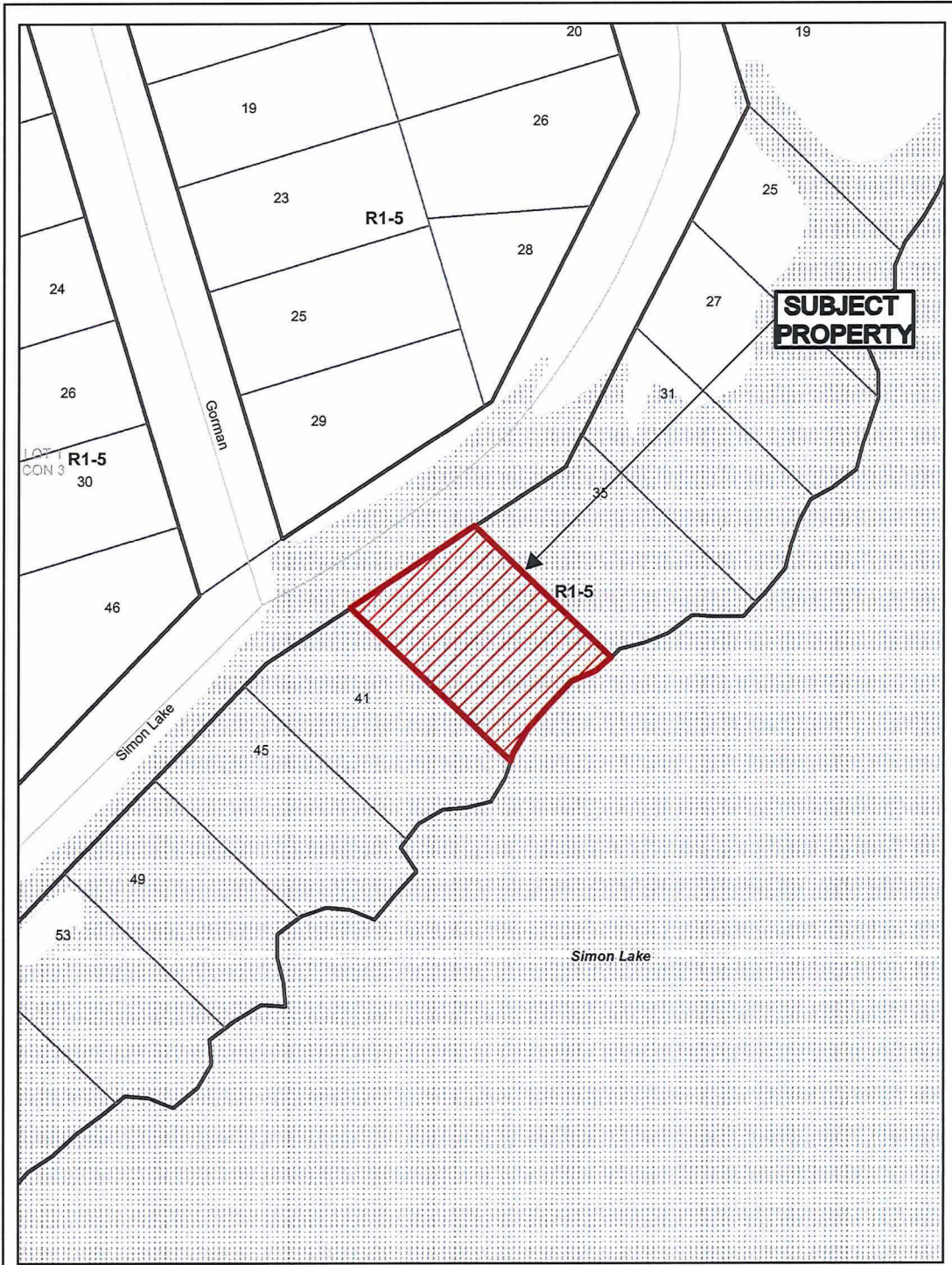
[Signature]  
 \_\_\_\_\_  
 (witness)

[Signature] [Signature]  
 \_\_\_\_\_  
 signature of Owner(s) or Signing Officer or Authorized Agent  
 Print Name: Wartan & Marie Mouradikian

\*I have authority to bind the Corporation

A0107/2023





**Application for Minor  
Variance or Permission**



Subject Property PIN 73381-0209,  
Parcel 13901 SEC SWS, Lot 28, Plan M-193,  
Part Lot 1, Concession 3, Township of Graham,  
39 Simon Lake Drive, Naughton,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0107/2023  
Date: 2023 08 29





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

**\*REVISED\***

Office Use Only  
 2023.01.01

A 1096/2023

S.P.P. AREA  
 YES  NO

NDCA REG. AREA  
 YES  NO

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

APPLICATION FEE: \$1,180.00 (includes \$280.00 legal notice fee)  
 APPLICATION FEE FOR HEDGEROWS: \$357.00 (includes \$280.00 legal notice fee)  
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

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

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

Registered Owner(s): MICK FAUGHT / ROSAMUND FAUGHT Email: [REDACTED]  
 Mailing Address: 90 WINDSOR CRES Home Phone: [REDACTED]  
 City: SUDBURY Postal Code: P3B1Z7 Fax Phone: [REDACTED]

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

Name of Agent: \_\_\_\_\_ Email: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
 \_\_\_\_\_ Business Phone: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Fax Phone: \_\_\_\_\_  
 Note: Unless otherwise requested, all communication will be sent to the agent, if any.

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

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

- 4) Current Official Plan designation: Living Area "1" 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
Set Back Pool (6M)	2.00M-1.00M	1.0M	5.0m
FENCE (Pool Fence) 2M	6M	0	6.0m
Pool SHED	6.0	0.6	5.4m

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

- c) Description of Proposal: NEW INSTALL OF FENCE ON PROPERTY LINE + POOL SHED

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
NEED TO HAVE A MIN HEIGHT FENCE FOR A POOL AND ALSO REQUIRE A POOL SHED TO HOUSE POOL EQUIPMENT. NO OPTION AVAILABLE OTHER THAN SIDE YARD.

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

PIN(s): 73590-0344 Township: Mckim  
 Lot No.: 6 Concession No.: 2 Parcel(s):  
 Subdivision Plan No.: M487 Lot: 64 Reference Plan No.: Part(s):  
 Municipal Address or Street(s): 90 WINDSOR CRESS

7) Date of acquisition of subject land. Nov - 2022

8) Dimensions of land affected.

Frontage 51.82 (m) Depth 34.14 (m) Area 700 (m<sup>2</sup>) Width of Street (m)

9) Particulars of all buildings:

	Existing		POOL Proposed	SHED	
Ground Floor Area:	<u>180</u>	(m <sup>2</sup> )			
Gross Floor Area:	<u>360</u>	(m <sup>2</sup> )	<u>32</u>	<u>14.5</u>	(m <sup>2</sup> )
No. of storeys:	<u>1</u>				
Width:	<u>14</u>	(m)	<u>5.5</u>	<u>5.6</u>	(m)
Length:	<u>13</u>	(m)	<u>6.02</u>	<u>4.9</u>	(m)
Height:	<u>3.0</u>	(m)		<u>3.0</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		POOL Proposed	SHED	
Front:	<u>9.75</u>	(m)	<u>1.0</u>	<u>0.6</u>	(m)
Rear:		(m)	<u>4.5</u>	<u>1.2</u>	(m)
Side:	<u>3.35</u>	(m)			(m)
Side:	<u>1.2</u>	(m)	<u>21.6</u>	<u>27.1</u>	(m)

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

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

What type of access to the land?

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

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

House (1960)

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

Use(s): RESIDENTIAL Length of time: 1960

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

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, Rosanna Fagot, Mike Fagot (please print all names), the registered owner(s) of the property described as 90 WINDSOR CRESSM

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 N/A. (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<sup>th</sup> day of July, 2023

[Signature]  
(witness)

Rosanna Fagot  
signature of Owner(s) or Signing Officer or Authorized Agent  
Print Name: \_\_\_\_\_  
\*I have authority to bind the Corporation



# 90 Windsor Crescent

A0096/2023

CGS: Infrastructure  
Capital Planning  
Services

2023/08/09

Roads  
No concerns.

Transportation and Innovation Support

We note from the sketch provided that the owner has proposed a 2 meter high fence. A review of the sight lines with the proposed fence height shows that sight lines for motorists on Windsor Crescent will not be impacted. However, we do have concerns regarding the impact the 2 meter fence will have on the ability of the adjacent property at 100 Windsor Crescent ability to see oncoming vehicles as they exits their driveway.

Active Transportation  
No concerns.

Site visit confirmed the sight lines for motorist are not impeded. The fence concern from the perspective of the adjacent property @ 100 Windsor will still remain. It should be noted however that the fence line will still fall well back of the existing cedar trees and cedar bushes that are existing on teh abutting property line between 100 and 90 Windsor. In the case that the landscape was ever removed, the existing tree line on 100 Windsor would still impede with the original mature pines that were part of this property before its residential existence. Also of note, the requested fence would be 4.5M away from the roadway (Windsor Crescent). Average vehicle length from rear bumper to front windshield will ranger from 3.2m to 4.1m depending on if you were driving a mid size car to a full size truck. Being that this is to the windshield, site lines to the roadway would not change in this perspective.

A0096/2023

I've added some pictures that show the sight lines don't interfere with the driveway exit of 100 Windsor.

Google maps has an older fence that used to exist at one time on 90 Windsor crescent. It shows that the old fence that once followed the lot line does not obstruct the exit view of 100 Windsor;

The view from 100 Windsor towards 90 Winsor would not show the fence at all as the existing cedar hedges would block that view completely.



CGS: Development  
Approvals Section

2023/08/09

The variances being sought would facilitate construction of a swimming pool and pump equipment with an enclosure fence in the front yard of the subject lands that have frontage on Windsor Crescent in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the lands form an irregularly pie-shaped lot having a curving front line along Windsor Crescent. The existing residential dwelling is situated on a southerly portion of the lands closer to the rear lot line which forms a point than it is to the front lot line given the irregular shape of the lot. Staff acknowledges that some degree of relief from the applicable development standards of the City's Zoning By-law is warranted given the above noted site context. Staff notes however that the pump equipment (ie. "pool house") would be situated in close proximity to an abutting urban residential lot and there appears to be sufficient area to comply with setback requirements in this regard. There may also be an opportunity to increase the front yard setback to the swimming pool itself so that it would maintain more than a 1 m (3.28 ft) setback. Staff has no issues with an enclosure fence having an increased height in this location provided that Roads staff has reviewed the variance request and also have no concerns. Staff recommends that the application be deferred in order to afford the owner the opportunity to address those comments received from circulated agencies and departments.

#### Proposed Changes:

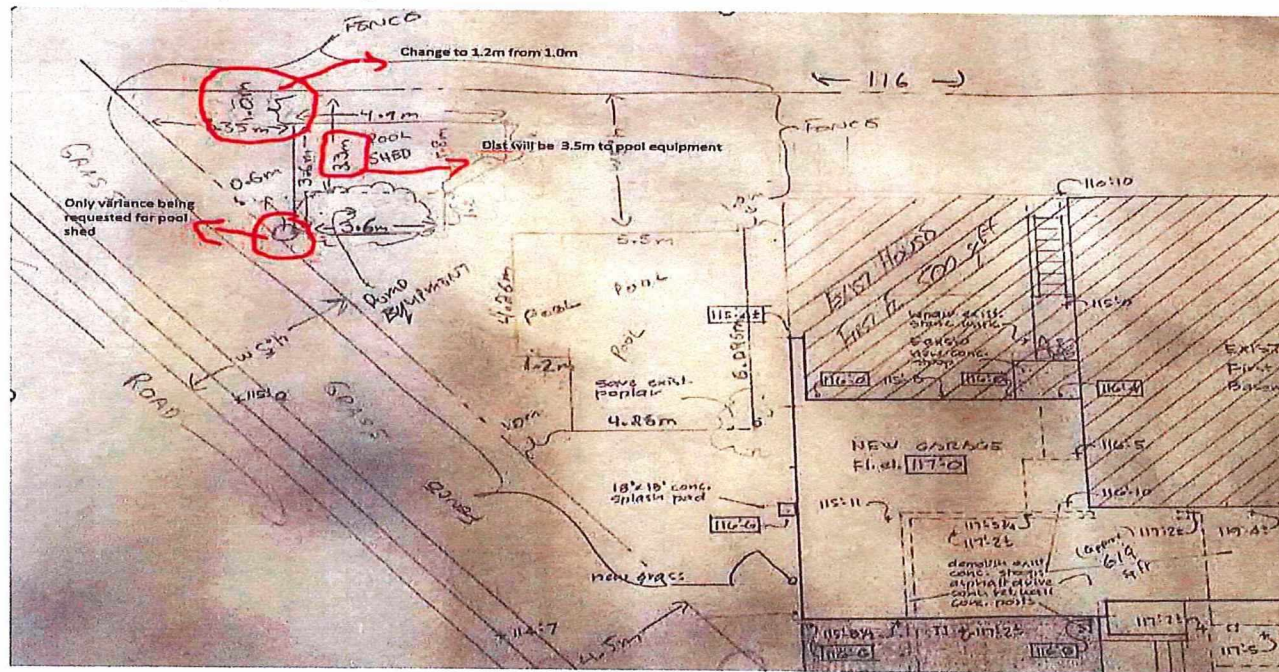
After speaking to Glen Ferguson (CGS Dev)

Altering the dimension of the pool shed and installing the pool pump equipment as seen in the drawing below puts pumping equipment 3.5M away from the abutting residential lot removing the required variance. Having the pool shed 1.2M away from the abutting urban residential lot removes the requirement for a variance. These changes can be seen below in the lot layout drawing.

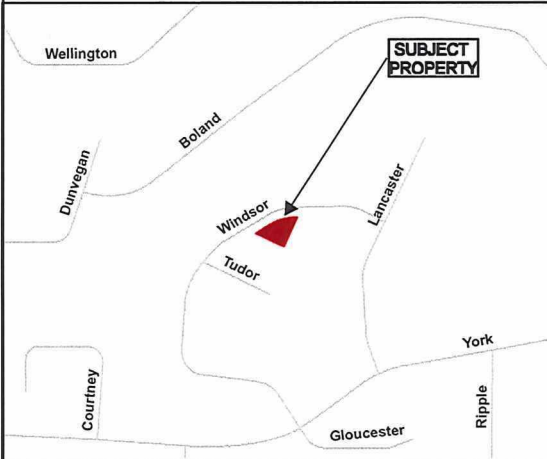
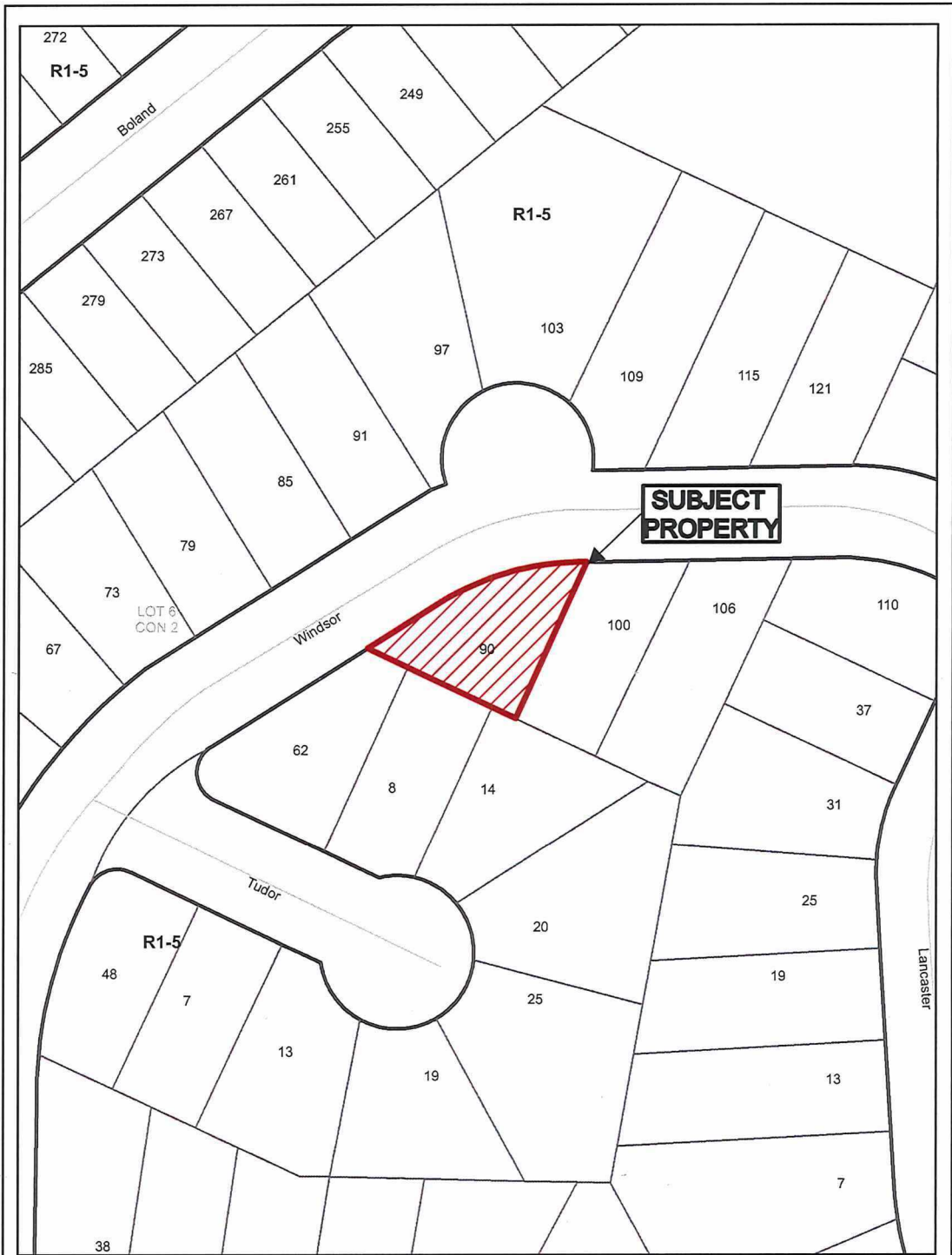
A0096/2023

The only remaining variance being requested in the pool shed corner being 0.6M away from the fence line as seen in the drawing below.

Drawing Showing proposed changes to address concerns.



10096/2023



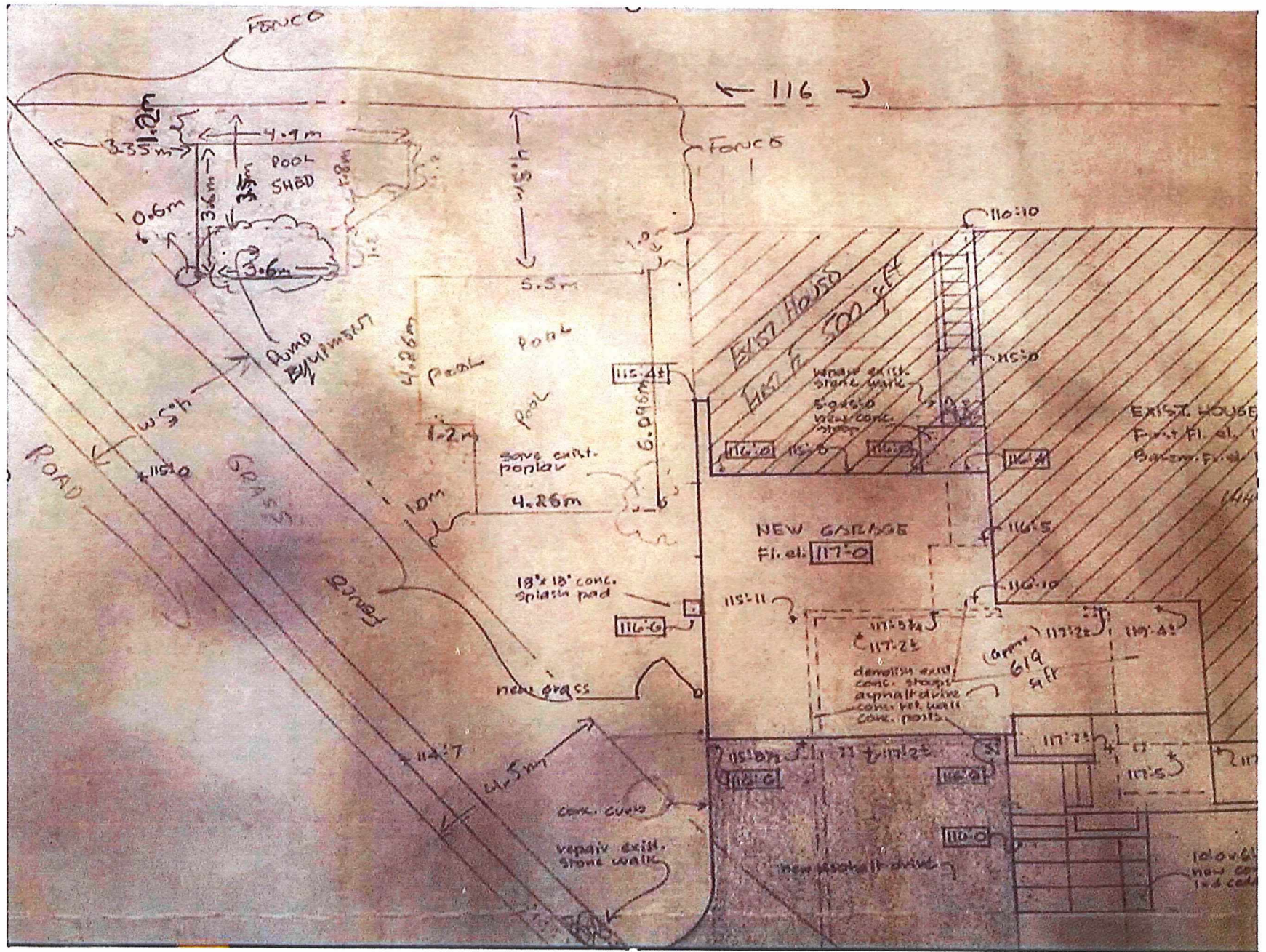
**Application for Minor Variance or Permission**



Subject Property being  
 PIN 73590-0344,  
 Parcel 25043 SEC SES SRO,  
 Lot 64, Plan M-487, SRO,  
 Township of McKim,  
 90 Windsor Crescent, Sudbury,  
 City of Greater Sudbury

Sketch 1, NTS  
 NDCA, IPZ 3

A0096/2023  
 Date: 2023 07 31



\*REVISED\*  
 A0096/2023  
 sketch 2