

Tom Davies Square
200 Brady St

Tuesday, October 15, 2024

B0078/2024

JAMES IRA DASTI

Ward: 1

PINs 73589 0860 & 73589 0862, Survey Plan 53R-21641 Part(s) 3 to 7, 10 to 13, Lot(s) Part 24, Subdivision M-145, Lot Part 7, Concession 2, Township of McKim, 1253 Martindale Road, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

Create a new lot on the north westerly vacant side of the subject property providing an approximate 20.0m lot frontage, 98.0m lot depth and 3070.5 sq. m lot area.

PREVIOUSLY SUBJECT TO CONSENT APPLICATIONS B4/22 (FEB 7/22 - EXPIRED) AND B48/20 (NOV 16/20 - EXPIRED)

**WRITTEN SUBMISSIONS REGARDING THESE APPLICATIONS MUST BE RECEIVED
NO LATER THAN WEDNESDAY OCTOBER 9, 2024 FOR CONSIDERATION**

Office Use Only 2024.01.01
B0078/2024
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 CONSENT

APPLICATION FEE: \$2,170.00 (includes \$320.00 Legal Notice Fee)
 CASH, DEBIT OR CHEQUE MADE PAYABLE TO: **CITY OF GREATER SUDBURY**
Note: An application fee is levied for **each** new lot created; the remainder is not subject to an application fee.

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 City of Greater Sudbury under Section 53 of the *Planning Act* R.S.O. 1990, c. P.13 for consent, as described in this application.

Registered Owner(s): DASTI, JAMES IRA	Email: [REDACTED]
Mailing Address: 1253 MARTINDALE RD	Home Phone: [REDACTED]
City: Sudbury	Business Phone: [REDACTED]
Postal Code: P3E4J6	Fax Phone: [REDACTED]

- 2) Name of Purchaser(s) or Chargee(s):

Name of Purchaser(s) or Chargee(s):	Email:
Mailing Address:	Home Phone:
City:	Business Phone:
Postal Code:	Fax Phone:

Note: If the application is being made by a purchaser or the purchaser's agent, please provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of this application.

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

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

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

- 4) Purpose of Transaction
- | | | |
|--|--|------------------------------|
| <input checked="" type="radio"/> Creation of a new lot | <input checked="" type="radio"/> Easement/Right-of-way | <input type="radio"/> Lease |
| <input type="radio"/> Addition to a lot | <input type="radio"/> Creation of lot(s) for | <input type="radio"/> Other; |
| <input type="radio"/> Cancellation of Prior Consent | Semi-detached or row housing | specify _____ |
- File # _____ Date: _____

- 5) Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged. _____

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

Roll #	Township MCKIM	Lot No. 7	Concession No. 5
PIN(s): 735890860 & 735890862		Parcel(s)	
Subdivision Plan No.	Lot	R-Plan No. 53R-21641	Part(s) 4-7 & 10-13
Municipal Address or Street(s): 1253 Martindale Road, Sudbury, P3E 4J6			Ward:

7) Are there any easements or restrictive covenants affecting the subject land? Yes No

If the answer is "yes", please indicate a description of each easement or covenant and its effect.

SD496723 - Hydro Easement over parts 3, 4, 10 & 11, 53R-21641

8) Date of acquisition of subject land. 2009

9) Has the land ever had any previous severances? Yes No

If "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed: (attach a schedule if necessary).

Date of Transfer	Name of Transferee
Use of severed land	Consent File No.

10) Has the parcel intended to be severed ever been, or is it now a part of an 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 the file number and status of the application. _____

11) Is the property also subject of an Application for Minor Variance, Rezoning or an Official Plan Amendment?

Yes No

If "yes", indicate the file number(s). _____

Note: If the Consent application is requested to proceed prior to securing necessary minor variance or rezoning approvals, please complete the Acknowledgement of Risks form at the end of this Application form as an Application for Consent cannot succeed without such approval(s) in place.

12) Dimensions of land to be severed **in metric units** (describe **only** the portion of the land which is to be transferred, leased or mortgaged)?

Frontage	Depth	Area
<u>20.18m</u>	<u>98.52m</u>	<u>3070.5m²</u>
Existing Use Residential	Proposed Use Residential	

Number and use of existing buildings and structures on the land to be severed?

Existing <u>None</u>	Proposed <u>Duplex</u>
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If applicable, indicate Parcel Number and /or Lot and Registered Plan of Subdivision Number of property which will benefit from the lot addition/consolidation, easement/right-of-way.

A 6.0-metre mutual access easement over the retained lands in favour of the severed lot is proposed.

13) Dimensions of land intended to be retained **in metric units** (describe **only** the portion of land which will remain following the severance(s); if the transaction is an easement/right-of-way or lease, describe the entire lot or parcel).

Frontage	Depth	Area
<u>33.02m</u>	<u>30.02m</u>	<u>840.4m²</u>
Existing Use Residential	Proposed Use Residential	

Number and use of existing buildings and structures on the land to be retained?

Existing <u>1</u>	Proposed <u>Existing Residential Dwelling</u>
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14) Will a certificate be required for the retained land? Yes No

If "yes", please provide a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the *Planning Act*, R.S.O. 1990, c. P.13.

200781/2004

15) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway, Yes No
- b) a municipal road that is maintained all year or seasonally, Yes No
- c) a road which is maintained by the municipality, Yes No
- d) by water? Yes No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.

16) What types of water supply and sewage disposal are proposed? Proposed Lot Retained Lot

Municipally owned and operated piped water system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Municipally owned and operated sanitary sewage system	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Lake	<input type="radio"/>	<input type="radio"/>
Individual Well	<input type="radio"/>	<input type="radio"/>
Communal Well	<input type="radio"/>	<input type="radio"/>
Individual Septic System	<input type="radio"/>	<input type="radio"/>
Pit Privy	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

17) Is the property located with 1km (0.6 miles) of a First Nation Reserve? Yes No

18) What is the current designation of the subject land in the applicable Official Plan and explain how the application conforms with the Official Plan.

Living Area 1. Desire to utilize existing sewer and water infrastructure efficiently. Areas designated Living Area I are seen as the primary focus for residential development. The application maintains the low density development permissions provided to the property. Former consent lapsed (resubmission).

19) Explain how the application is consistent with the Provincial Policy Statements issued under subsection 3 (1) of the *Planning Act*. Please provide an explanation below, or attach a Schedule outlining the particulars of same.

Section 1.1.1(b) of the PPS states that healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons). This application proposes the creation of a new lot in the built up area and proposes the addition of a duplex dwelling. Therefore the application supports 1.11.(b) as it adds to the residential mix.

20) Explain how the application conforms, or does not conflict with the Growth Plan for Northern Ontario. Please provide explanation below or attach a Schedule outlining the particulars of same.

No applicable policies in the GPNO.

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

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

If "yes", how many? _____

22) 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. _____

23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please attach a schedule outlining the particulars of same.

Schedule Attached Yes No

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PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, DASTI, JAMES IRA (please print all names), the registered owner(s) of the property described as PART LOT 24 PLAN M145 TOWNSHIP OF MCKIM PARTS 3, 4, 5, 6 AND 7 53R21641 CITY OF GREATER SUDBURY PART LOT 7 CONCESSION 2 TOWNSHIP OF MCKIM PARTS 10, 11, 12 AND 13 53R21641 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 JAMES E DASTI (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 23RD day of SEPTEMBER, 2024

[Signature]
(witness)

[Signature]
signature of Owner(s) or Agent or Signing Officer
(*where a Corporation)

Print Name: JAMES E DASTI
*I have authority to bind the Corporation

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Schedule A

(Existing Building and Structure Dimensions and Setbacks)

Particulars of all buildings and structures on the subject lands:

Type of Building/Structure: House - Retained

Ground Floor Area: 90.3 (m²) (m²)

Gross Floor Area: 180.6 (m²) (m²)

No. of storeys: 2

Width: 8.0 (m) (m)

Length: 7.0 (m) (m)

Height: 6.1 (m) (m)

Type of Building/Structure: _____

Ground Floor Area: _____ (m²) (m²)

Gross Floor Area: _____ (m²) (m²)

No. of storeys: _____

Width: _____ (m) (m)

Length: _____ (m) (m)

Height: _____ (m) (m)

Type of Building/Structure: _____

Ground Floor Area: _____ (m²) (m²)

Gross Floor Area: _____ (m²) (m²)

No. of storeys: _____

Width: _____ (m) (m)

Length: _____ (m) (m)

Height: _____ (m) (m)

Location of all buildings and structures on the subject lands in relation to new lot lines being proposed herein (specify distances from side, rear and front lot lines):

Type of Building/Structure: House

Front: 14.37 (m) (m)

Rear: 7.50 (m) (m)

Side: 3.00 (m) (m)

Side: 12.03 (m) (m)

Type of Building/Structure: _____

Front: _____ (m) (m)

Rear: _____ (m) (m)

Side: _____ (m) (m)

Side: _____ (m) (m)

Type of Building/Structure: _____

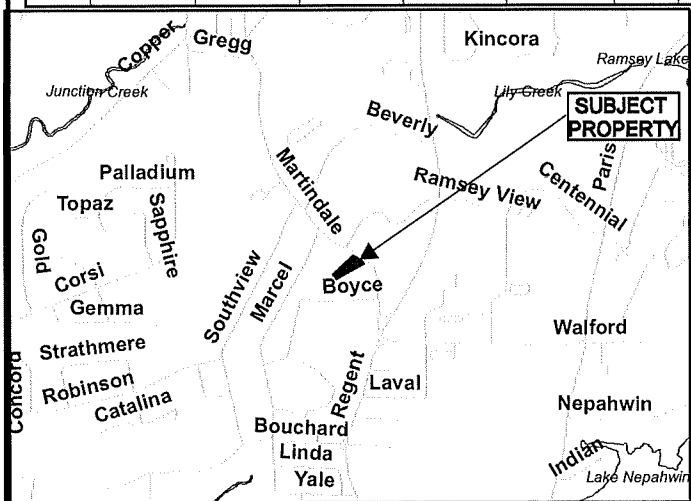
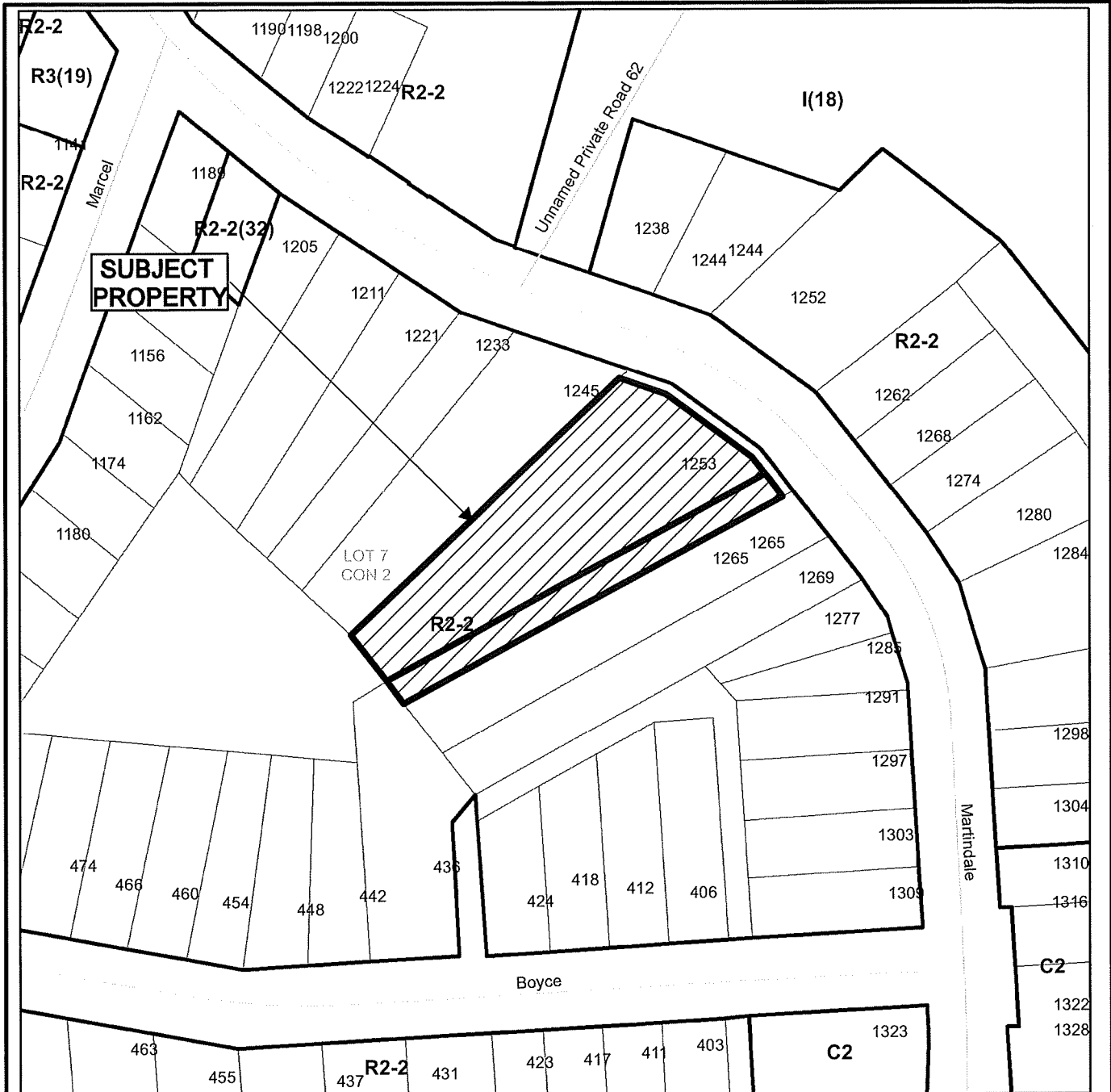
Front: _____ (m) (m)

Rear: _____ (m) (m)

Side: _____ (m) (m)

Side: _____ (m) (m)

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Application for Consent

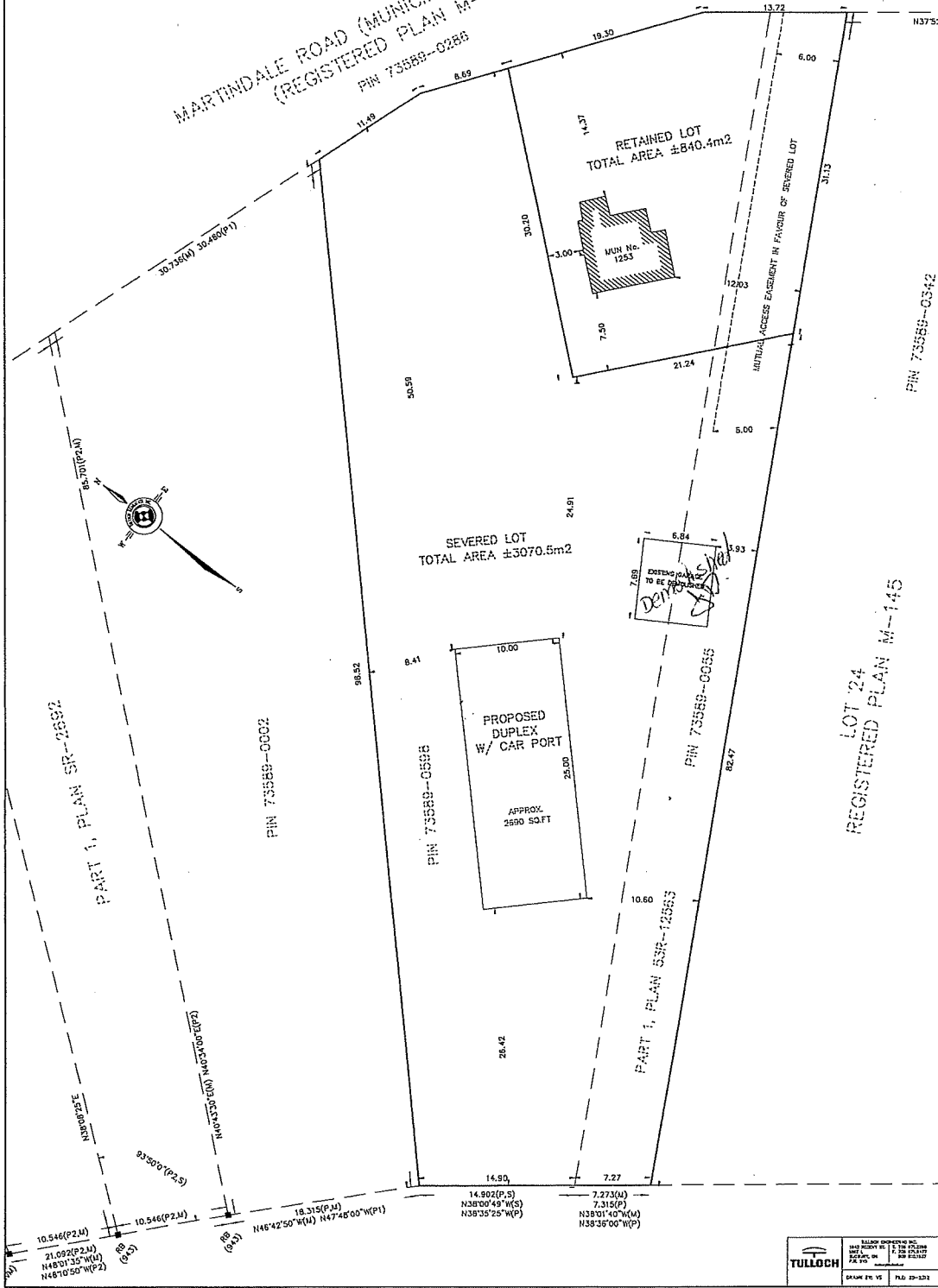


Subject Property being PINs 73589-0860 & 73589-0862,
 Part Lot 24, Plan M-145,
 Parts 3-7 and 10-13, Plan 53R-21641,
 Part Lot 7, Concession 2,
 Township of McKim,
 1253 Martindale Road, Sudbury,
 City of Greater Sudbury

NTS B0078/2024
 Sketch 1 Date: 2024 09 25

SKETCH OF PROPOSED SEVERANCE
 CITY OF GREATER SUDBURY
 TULLOCH ENGINEERING INC.
 SCALE 1:250

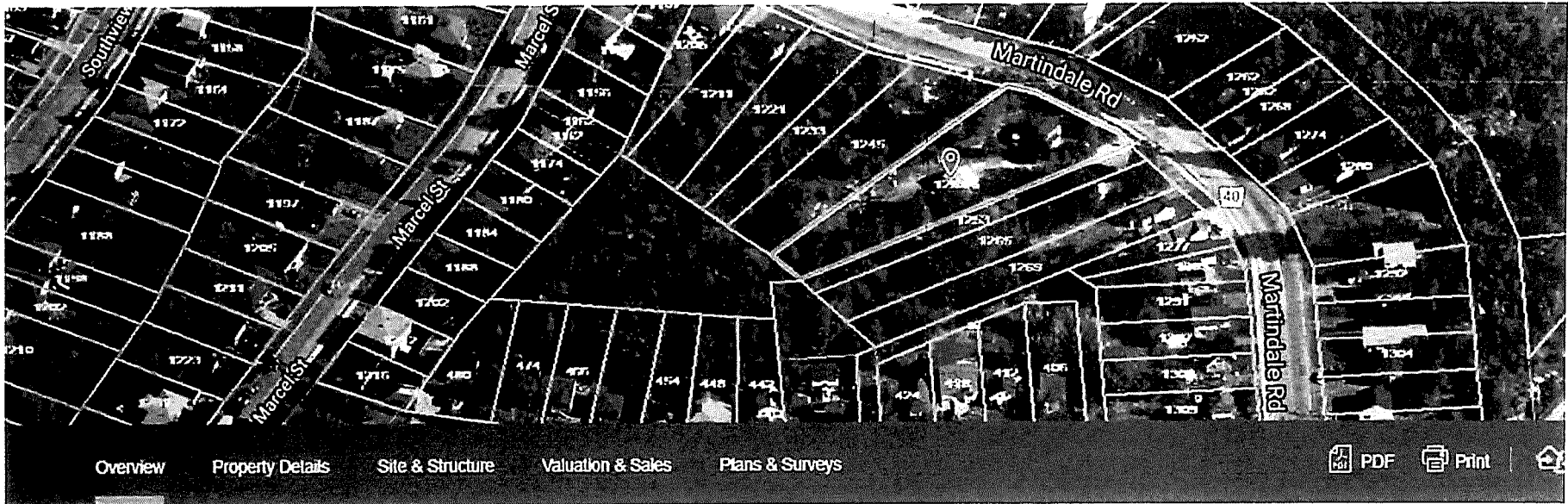
MARTINDALE ROAD (MUNICIPAL ROAD No. 40)
 (REGISTERED PLAN M-145)
 PIN 73588-0286



LOT 24
 REGISTERED PLAN M-145

	TULLOCH ENGINEERING INC. 2000 SHEPPARD AV. E. SUITE 100 SCARBOROUGH, ONT. M1S 1T7 TEL: (416) 291-1212 FAX: (416) 291-1213 WWW: TULLOCH.COM
	DRAWN BY: VS PLO: DP-1311

BO0781/2024
 sketch 2



1253 Martindale Rd, Sudbury, P3E4J6



Owner Name
DASTI, JAMES IRA



Last Sale
[Redacted]
Jun 10, 2009



Lot Size
3,019 m² 271 m
Area Perimeter

Legal Description ⓘ
PCL 11905 SEC SES; PT LT 7 CON 2 MCKIM AS IN LT66746; GREATER SUDBURY

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Sketch 3

