

Tom Davies Square
200 Brady St

Thursday, January 26, 2023

PUBLIC HEARINGS

A0159/2022

JOHN SHANE

Ward: 1

PIN 73588-0739, Parcel 10870 SEC SES, Lot 369, Plan M-128, Part Lot 8, Concession 2, Township of McKim, 69 Tuddenham Avenue, Sudbury; PIN 73588-0785, Parcel 6470 SEC SES, Tuddenham Avenue on Plan M-128, Township of McKim, Tuddenham Avenue, Sudbury; and PIN 73588-0791, Parcel 6470 SEC SES, Fred Street on Plan M-128 (now known as Mary Street), Mary Street, Sudbury, [2010-100Z, R2-3 (Low Density Residential Two)]

For relief from Part 4, Section 4.2, Table 4.1 and Part 6, Section 6.3, Table 6.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage on the resulting lot following a lot addition providing, firstly, a front yard setback of 4.1m, where 6.0m is required, and secondly, a setback from the rear lot line of 1.0m, where an accessory building greater than 2.5m in height shall be no closer than 1.2m from the rear lot line.

A0162/2022

DALRON CONSTRUCTION LTD.

Ward: 12

PIN 02119 0143, Survey Plan 53R-21755 Part(s) 4, 5, and 6, Lot(s) Parts 50 and 61, Pt Arvo Avenue, Subdivision M-353, Lot Pt 1, Concession 6, Township of McKim, 1336 Arvo Avenue, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve a lot to be transferred, subject of Part Lot Control as approved by By-law 2021-58Z, providing firstly, a minimum lot depth of 26.0 m, where 30.0 m is required, and secondly, a minimum lot area of 245.0 sq. m, where 275.0 sq. m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A19/22 (MAR 23/22) AND A146/19 (JAN 8/20)

A0163/2022

DALRON CONSTRUCTION LTD.

Ward: 12

PIN 02119 0143, Survey Plan 53R-21755 Part(s) 1, 2, and 3, Lot(s) Parts 50 and 61, Pt Arvo Avenue, Subdivision M-353, Lot Pt 1, Concession 6, Township of McKim, 1338 Arvo Avenue, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve a lot to be transferred, subject of Part Lot Control as approved by By-law 2021-58Z, providing firstly, a minimum lot depth of 26.0 m, where 30.0 m is required, and secondly, a minimum lot area of 248.0 sq. m, where 275.0 sq. m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A19/22 (MAR 23/22) AND A146/19 (JAN 8/20)

A0165/2022

1876292 ONTARIO LTD

Ward: 3

PIN 73349 1544, Parcel 11437 SEC SWS, Survey Plan 53R-4780 Part(s) except 1, Lot Pt 1, Concession 3, Township of Balfour, 0 Main Street, Chelmsford, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, in order to facilitate the construction of an accessory building in the form of a detached garage with a secondary dwelling unit on the upper floor providing a maximum accessory building height of 6.9 m on a residential lot, whereas a maximum accessory building height of 5.0 m on a residential lot is permitted.

A0166/2022

1866410 ONTARIO LIMITED

Ward: 6

PIN 73504-2632, Parcel 1323 SES, Part Lot 6, Concession 2, Part 4 on Plan 53R-14504, except Part 2 on Plan 53R-14891, Township of Hanmer, 1350 Dominion Drive, Val Therese, [2010-100Z, R3.D45(Medium Density Residential)]

For relief from Part 4, Section 4.2, subsection 4.2.9 b) and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a 14 unit row dwelling and semi-detached residential complex, firstly, to permit the refuse storage area to be located in the front yard and 5.5m from the front lot line, where refuse storage areas shall be located in the interior yard only and no closer than 6.0m from the front lot line, secondly, a rear yard setback of 7.0m, where 7.5m is required, and thirdly, a minimum privacy yard depth of 6.0m, where 7.5m is required.

ALSO SUBJECT TO CONSENT APPLICATIONS B169/96 (SEP 23/96), B290/94 TO B291/94 (OCT 31/94), B268/94 TO B270/94 (AUG 29/94), B250/94 (AUG 29/94), B129/94 (JUN 13/94), B179/93 TO B180/93 (JUN 21/93), AND B138/93 TO B140/93 (MAY 25/93 - LAPSED)

A0167/2022

CHARTER ACQUISITION CORP.

Ward: 5

PIN 73502-0055, Parcel 51750 SEC SES, Firstly, Part Lot 6, Concession 6, Parts 1 to 6 on Plan 53R-10061; Secondly, Part Lot 49 on Plan M-323, Parts 7, 8 and 10 on Plan 53R-12782; Thirdly, Block A on Plan M-323, Part 4 on Plan 53R-12782; Fourthly, Part Romeo Street on Plan M-323, Part 3 on Plan 53R-12782; Fifthly, Lot 1 on Plan M-323, Township of Blezard, 3140 Highway 69 North, Val Caron [2010-100Z, C5 (Shopping Centre Commercial)]

For relief from Part 4, Section 4.2, subsection 4.2.1 e) i) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a fourth drive through service facility, where no more than two drive through service facilities are permitted on a lot.

THIS APPLICATION WAS DEFERRED PRIOR TO THE MEETING OF AUGUST 24, 2022 TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.

A0116/2022

A3 CONSTRUCTION INC.

"REVISED"

Ward: 12

PIN 73580 0295, Parcel 13801 SEC SES, Survey Plan 53R-15645 Part(s) 1, Lot Pt 2, Concession 4, Township of McKim, 157 Silpaa Street, Sudbury, [2010-100Z, C2 (General Commercial)]

For relief from Part 7, Section 7.3, Table 7.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing building providing a minimum required rear yard setback of 1.2m, where 7.5m is required.

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B24/96 (APR 1/96) AND MINOR VARIANCE APPLICATION A38/96 (APR 1/96)

**A REMINDER... THE NEXT SCHEDULED MEETING IS
WEDNESDAY, FEBRUARY 1, 2023**



Box 5000, Station A, 200 Brady Street
Sudbury ON P3A 5P3
Tel. (705) 671-2489, Ext. 4376/4349
Fax (705) 673-2200

Office Use Only
A 015912022
S.P.P. Area - No
NDCA - No

City of Greater Sudbury

APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,025.00 (includes \$245.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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 of 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...

Registered Owner(s): John Shane Email: _____
Mailing Address: 166 Lanes Street Home _____
Unit 303 Business _____
City: Sudbury, O.N. Postal Code: R7B 2H3 Fax PH _____

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: _____ Business Phone: _____
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: N/A
City: _____ Postal Code: _____

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

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

Variance To	By-law Requirement	Proposed	Difference
Front Yard Setback	6.0 m	4.24 m	
Rear Yard Setback	7.5 m	1.00 m	

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

c) Description of Proposal: 69 Tuddenham Avenue - garage being replaced on same spot

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: distance to back and sides of building

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, City of Greater Sudbury (please print all names), the registered owner(s) of the property described as Part of PIN 73588-0785 (LT), Tuddenham Avenue, Plan M-128, as shown on the sketch attached as Schedule "A" 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 John Shane (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 26th day of October, 2022

[Signature]
(witness)

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

Print Name: Shawn Turner

*I have authority to bind the Corporation

AW159/2022

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

If "Yes", indicate the application number(s) or describe fully: _____

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 dates 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 predecessor? Yes No

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

21) Is the 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, John Shane (please print or names), the upstream owner(s) of the property described as 169 Tuddenham Avenue Sudbury Ontario 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 purposes 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 notice 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 contractors and my contractors;
- 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 making, posting on the City's website, advertising in a newspaper, online 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 this 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

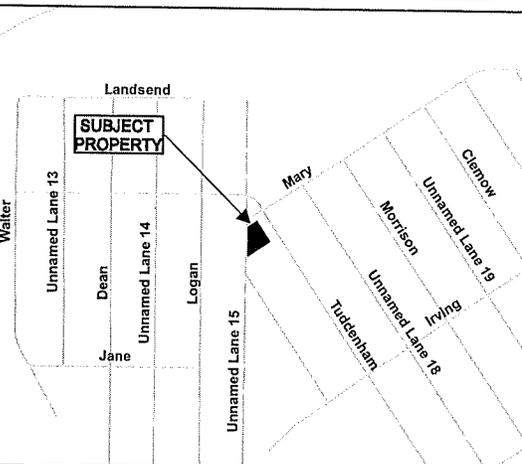
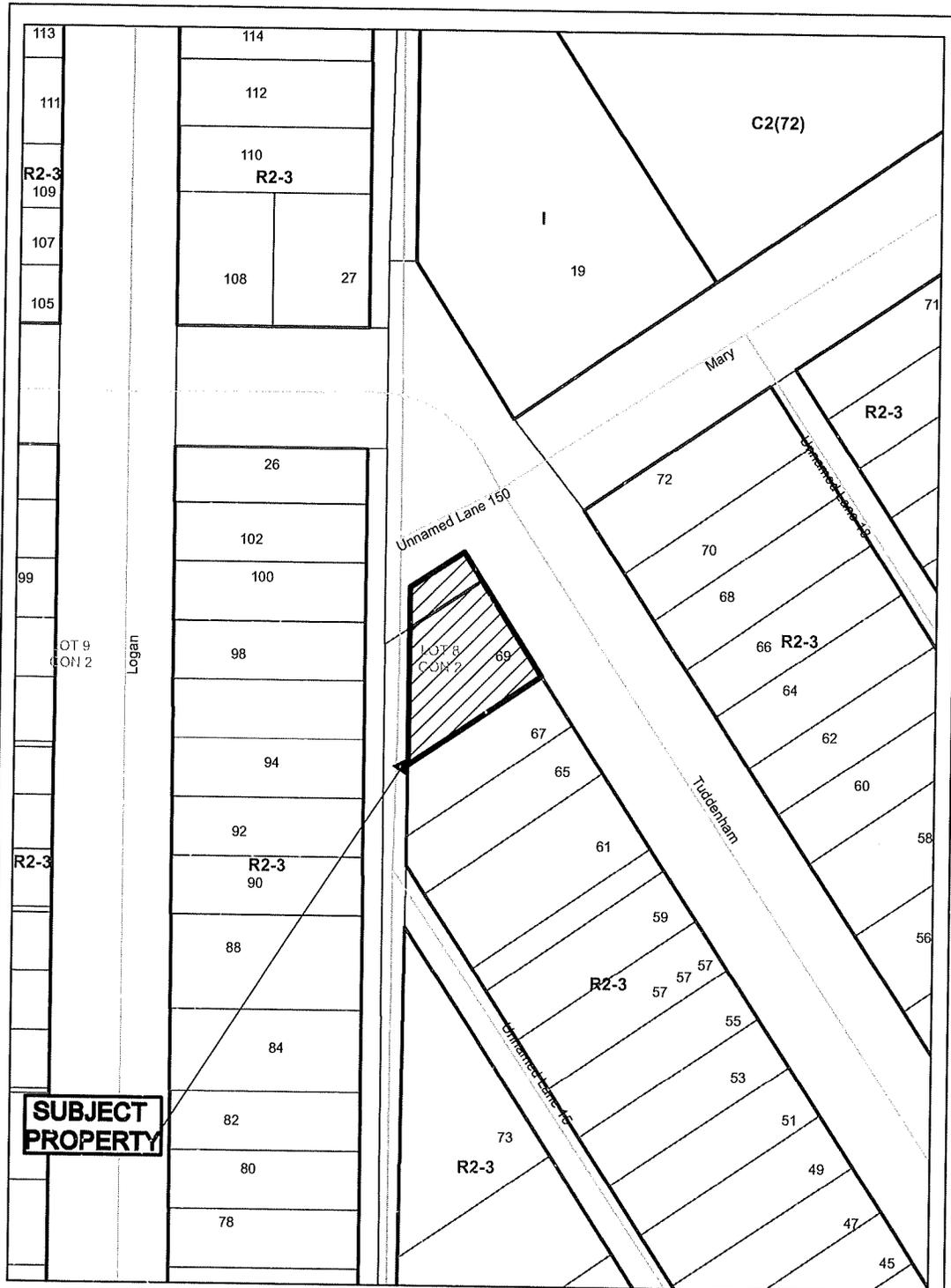
g) appoint and authorize John Shane (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, (including but not limited to attending all council debates, attending any hearings, facing any conditions, and providing any approvals or consents and fully confirm, and act as my/our own, the risks, responsibilities, costs and consequences made by the Agent on my/our behalf.

Dated this 14 day of December, 2022

Constance
(witness)

John Shane
Signature (Owner) of Signatory Officer or Authorized Agent
Print Name: John Shane
I have authority to bind the Corporation

AP0159/2022



Application for Minor Variance or Permission



Subject Property being, PIN 73588-0739, Parcel 10870 SEC SES, Lot 369, Plan M-128, Part Lot 8, Concession 2, Township of McKim, 69 Tuddenham Avenue, Sudbury and, PIN 73588-0785, Parcel 6470 SEC SES, Tuddenham Avenue, Plan M-128, Township of McKim, Tuddenham Avenue, Sudbury, City of Greater Sudbury

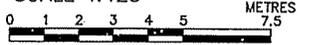
Sketch 1, NTS
NDCA

A0159/2022
Date: 2022 11 22

SKETCH FOR BUILDING PERMIT APPLICATION FOR
PROPOSED DETACHED GARAGE

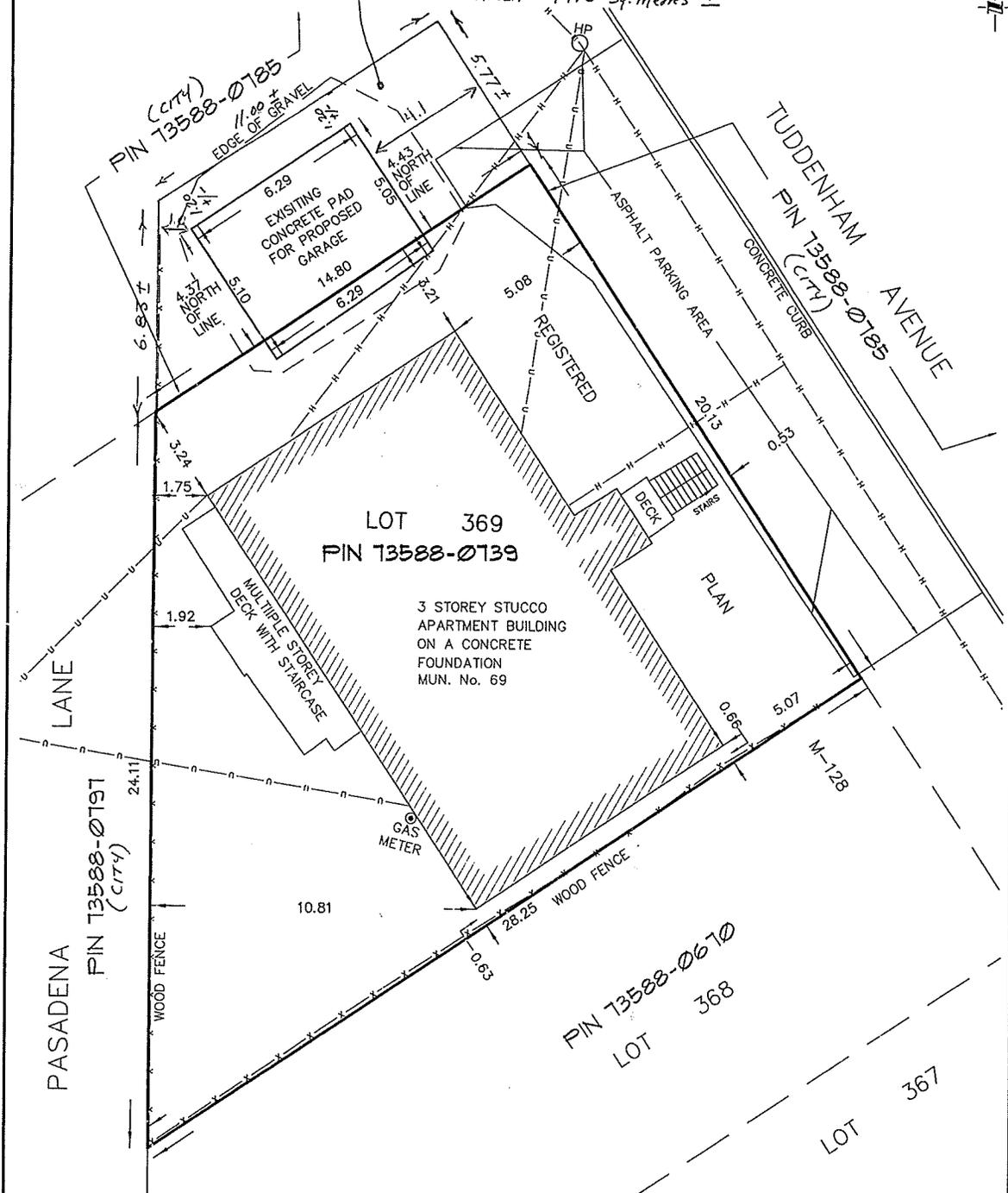
SCHEDULE 'B'

SCALE 1:125



AT
69 TUDDENHAM AVENUE
 CITY OF GREATER SUDBURY

*Propose PURCHASE
 OF CITY LANDS
 AREA = 74.0 Sq. metres ±*



*Ad 159/2022
 sketch 2*

D.S. DORLAND LIMITED		ONTARIO LAND SURVEYORS GEOMATICS PROFESSIONALS
298 LARCH STREET SUDBURY, ONTARIO, P3B 1M1 PHONE (705) 673-2556 FAX (705) 673-1051 WWW.DSORLANDLIMITED.CA		
PREPARED BY : EB	SCALE : 1:125 METRIC	
CHECKED : CRM	CAD FILE : 18450-SKETCH.dwg	
DATE : DECEMBER 2, 2021	P.S. TAB : PLOT PLAN	

NOTE

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

LEGAL DESCRIPTION: PIN 73588-0739 BEING ALL OF LOT 369, REGISTERED PLAN M-128, GEOGRAPHIC TOWNSHIP OF MCKIM, CITY OF GREATER SUDBURY, DISTRICT OF SUDBURY

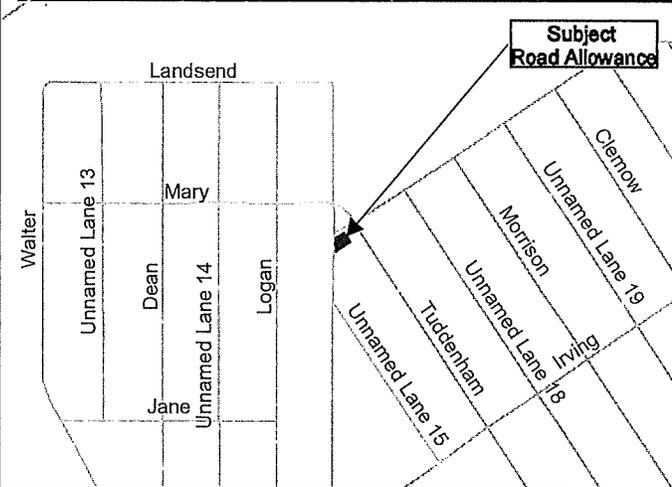
NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF D.S. DORLAND LTD.

© D.S. DORLAND LTD., 2021

SCHEDULE 'A'



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Part of Tuddenham Avenue,
Sudbury



Part of PIN 73588-0785 (LT),
Tuddenham Avenue, Plan M-128,
City of Greater Sudbury

NTS

Date: 2022-02-22

A0159/2022
Sketch 3



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

Office Use Only	
2022.01.01	
A 0160/2022	
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: \$1,025.00 (includes \$245.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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): <u>Dalron Construction Limited</u>	Email: _____
Mailing Address: <u>130 Elm Street</u>	Home Phone: _____
<u>Sudbury, On P3C 1T6</u>	Business Phone: [REDACTED]
City: _____	Postal Code: _____
	Fax Phone: _____

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

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

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

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

Name: _____
Mailing Address: _____
City: _____
Postal Code: _____

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R2-2

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

Variance To	By-law Requirement	Proposed	Difference
Minimum Lot Depth	30m	26m +/-	4.0m +/-
Minimum Lot Area	275 m ²	245m ² +/-	30m ² +/-

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

c) Description of Proposal: _____
Request relief of minimum lot depth.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: _____
Lot size is deficient due to dedication of land to enlarge the cul-de-sac bulb as a condition of rezoning.

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

PIN(s): 02119-0131 Township: McKim
 Lot No.: Pt of Lots 50 & Concession No.: Parcel(s):
 Subdivision Plan No.: M-353 Lot: Reference Plan No.: 53R-21755 Part(s): 4, 5, 6
 Municipal Address or Street(s): 1336 Arvo Ave

7) Date of acquisition of subject land. 2016

8) Dimensions of land affected.

Frontage 9.525 (m) Depth (m) Area (m²) Width of Street 20 (m)

9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	<u>60+/-</u>	(m ²)	<u>60+/-</u>	(m ²)
Gross Floor Area:	<u>180+/-</u>	(m ²)	<u>180+/-</u>	(m ²)
No. of storeys:	<u>two (2)</u>		<u>two (2)</u>	
Width:	<u>11.7+/- (total - two semi units)</u>	(m)	<u>5.85+/-/semi unit</u>	(m)
Length:	<u>10.2+/-</u>	(m)	<u>10.2+/-</u>	(m)
Height:	<u>9.5+/-</u>	(m)	<u>9.5+/-</u>	(m)

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

	Existing		Proposed	
Front:	<u>6.71+/-</u>	(m)	<u>6.71+/-</u>	(m)
Rear:	<u>9.33+/-</u>	(m)	<u>9.33+/-</u>	(m)
Side:	<u>3.21+/-</u>	(m)	<u>3.21+/-</u>	(m)
Side:	<u>N/A (semi party wall)</u>	(m)	<u>N/A (semi party wall)</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.

New - 2022

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

Use(s): One building - two units Length of time: new

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

Same as #13 or, two semi detached units

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

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

A0162/2022

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): A-0046/22
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): Lot will be transferred via part lot control

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, Dalron Construction Limited (please print all names), the registered owner(s) of the property described as 1336 Arvo Ave Parts 4, 5, 6 Plan 53R-21755

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

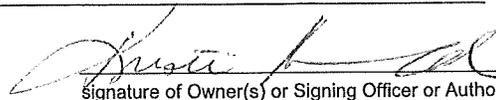
- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land 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 Kristi Arnold (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 1 day of December, 20 2022

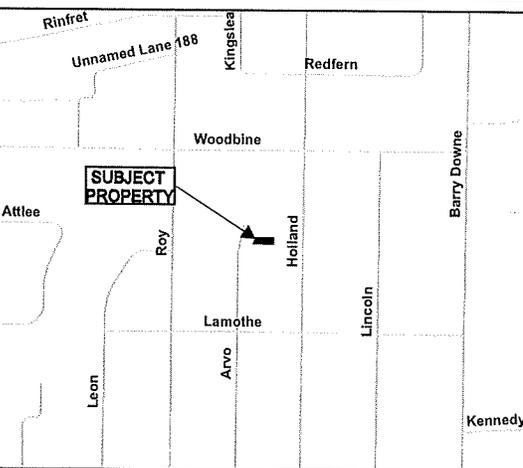
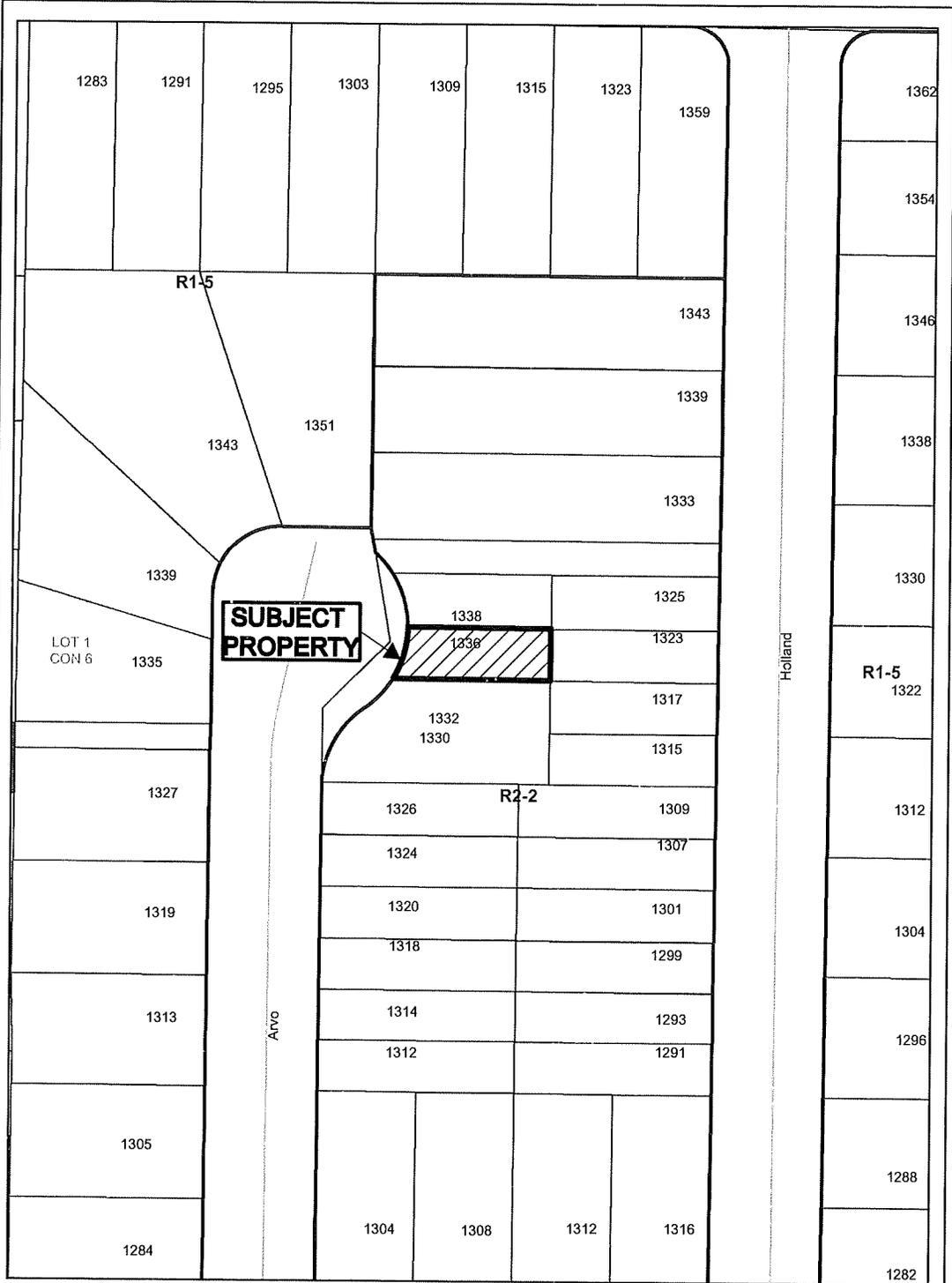
(witness)


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

Print Name: Kristi Arnold

*I have authority to bind the Corporation

AP 162/2022



Application for Minor Variance or Permission 

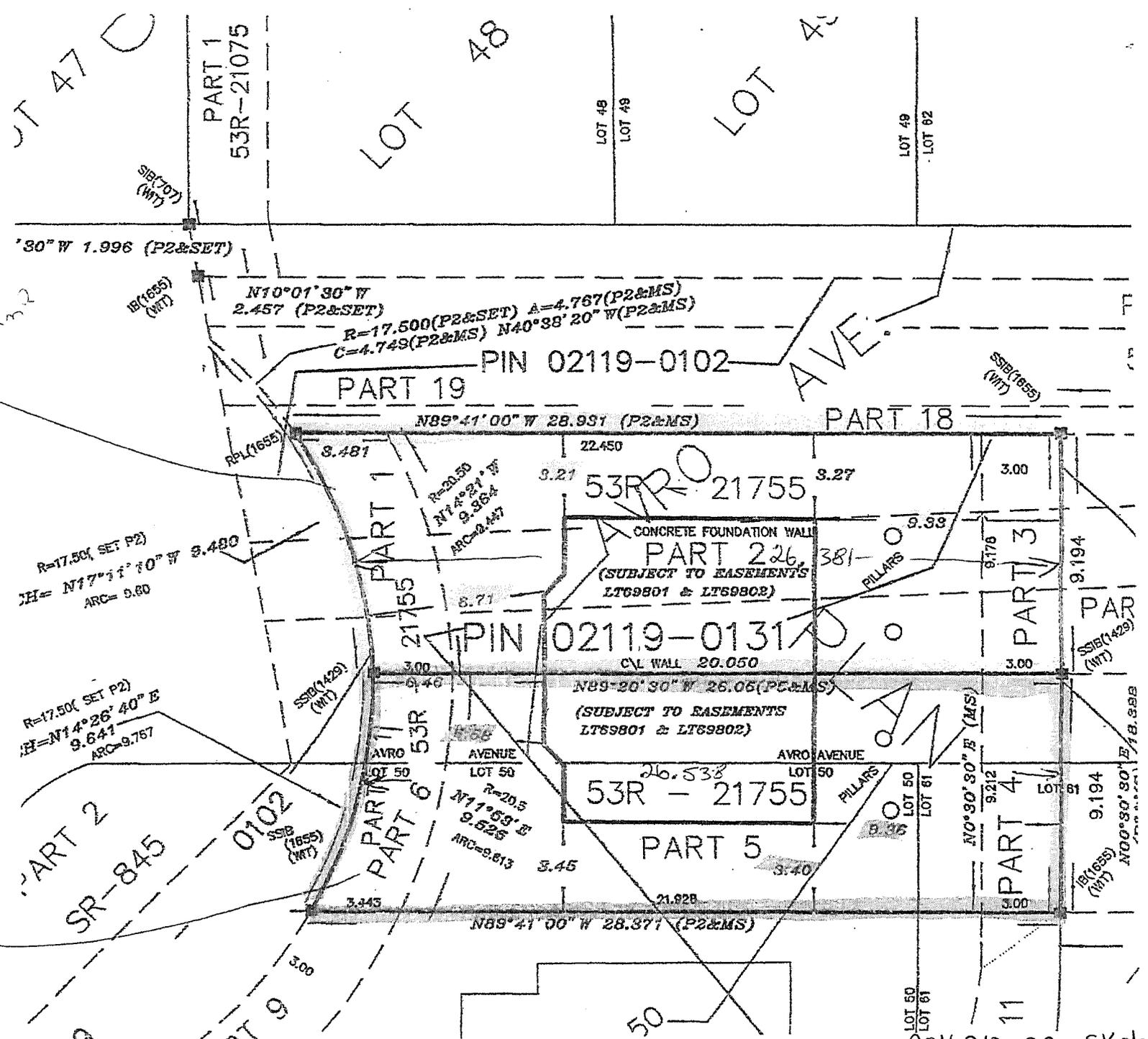
Subject Property being
 PIN 02119-0143, Part Lots 50 and 61,
 and Part Arvo Avenue, Plan M-353,
 Parts 4, 5 and 6, Plan 53R-21755,
 Part Lot 1, Concession 6,
 Township of McKim,
 1336 Arvo Avenue, Sudbury,
 City of Greater Sudbury

Sketch 1, NTS
 NDCA

A0162/2022
 Date: 2022 12 19

Area = 248.272 m²

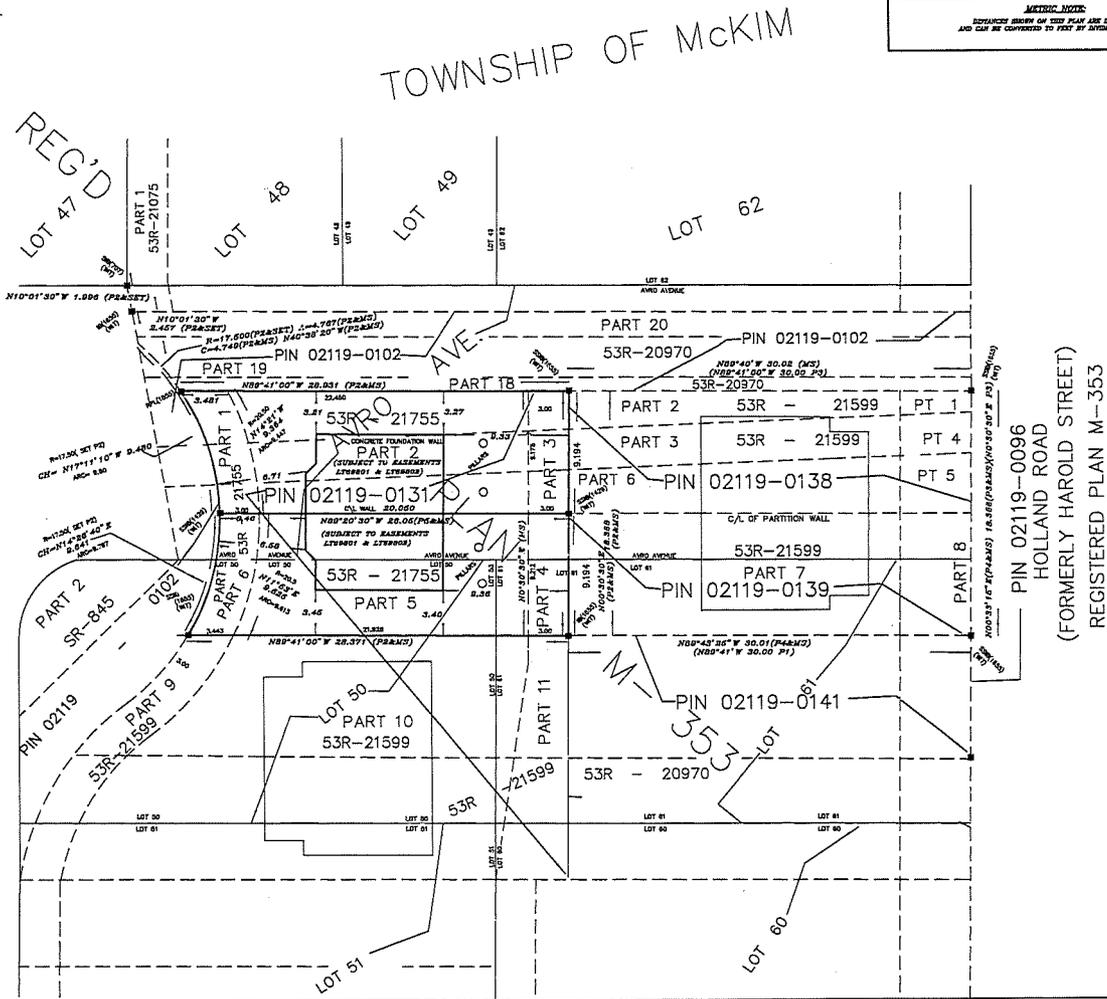
Area = 245.289 m²



APN 6212022 sketch 2



AVRO AVENUE REGISTERED PLAN M-353
 PIN 02119-0095



TOWNSHIP OF MCKIM

SURVEYOR'S REAL PROPERTY REPORT
 © COPYRIGHT 2022 JAMES E. KIRKLAND LTD.
 THIS REPRODUCTION, ALTERNATIVE OR USE OF THIS REPORT IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF JAMES E. KIRKLAND LTD. IS STRICTLY PROHIBITED.
 METRIC NOTE:
 DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY MULTIPLYING BY 0.3048

PLAN OF SURVEY OF
PART OF LOTS 50 & 61
 AND
PART OF AVRO AVENUE
 REGISTERED PLAN M-353
 GEOGRAPHIC TOWNSHIP OF MCKIM
 CITY OF GREATER SUDBURY
 DISTRICT OF SUDBURY
 SCALE 1:200
 JAMES E. KIRKLAND O.L.S.
 DESCRIPTION OF LAND
 PIN 02119-0131
 REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
 EASEMENTS LTR800 & LTR802
 ENCROACHMENTS
 SEE PLAN
 COMPLIANCE WITH MUNICIPAL ZONING BY-LAW
 NOT CHECKED BY THIS SURVEYOR
 ADDITIONAL REMARKS
 TEXT TO FOUNDATION

THIS REPORT WAS PREPARED FOR **BLAZEM**
 AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES
SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 THE FIELD SURVEY REPRESENTED BY THIS REPORT WAS COMPLETED ON THE **10th** DAY OF **APRIL** 2022
 JAMES E. KIRKLAND SURVEYOR LAND SURVEYOR
 INDEX
 THIS REPORT CAN BE UPDATED BY THIS OFFICE, HOWEVER ADDITIONAL FEES OF THIS OFFICE WILL APPLY AS FURTHER STATEMENTS TO THE FACTS OF CERTIFICATION

FIELD SURVEY	PLAN	REFERENCE NO.
J.E.K.	SR	102-248618-2020-PART 7 LOT 50-3

REMARKS NOTE
 REMARKS ARE GIVEN AND ARE REFERRED TO THE NORTH LIMIT OF PART 3 OF LOT 50 OF PLAN SR-21599 AND HAVING A BEARING OF 28°41'00" W
LEGEND

—	demolish	PLANNED SURVEY MONUMENT
—	demolish	FIELD SURVEY MONUMENT
—	demolish	IRON NAIL
—	demolish	STANDARD IRON NAIL
—	demolish	STONY STAKE/DRIVE IRON NAIL
—	demolish	POST TO SCALE
—	demolish	STAKE
—	demolish	J.E. KIRKLAND O.L.S.
—	demolish	PROSPECTOR OFFICE
—	demolish	PROSPECTOR
—	demolish	ROCK PILE
—	demolish	SR-21599
—	demolish	SR-21190
—	demolish	SR-25870
—	demolish	SR-21599
—	demolish	SR-21796
—	demolish	J.E. KEL, SUDBURY O.L.S.

 JAMES E. KIRKLAND LTD.
 SURVEYOR LAND SURVEYOR
 CIVIL ENGINEER
 2441 BRIDGEWAY ROAD
 SUDBURY, ONT. P0A 1G0
 TEL. (705) 882-1500 FAX. (705) 882-1500

10/16/2022 sketch 3



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

Office Use Only 2022.01.01	
A 01/03/2022	
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: \$1,025.00 (includes \$245.00 legal notice fee)
 APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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): Dalron Construction Limited	Email:
Mailing Address: 130 Elm Street	Home Phone:
Sudbury, On P3C 1T6	Business Phone:
City:	Postal Code:
	Fax Phone:

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

Name of Agent:	Email:
Mailing Address:	Home Phone:
1338 Arvo Ave	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: R2-2

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

Variance To	By-law Requirement	Proposed	Difference
Minimum Lot Depth	30m	26m	4.0m
Minimum Lot Area	275m ²	248m ²	27m

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

- c) Description of Proposal:
 Request relief of minimum lot depth.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:
 Lot size is deficient due to dedication of land to enlarge the cul-de-sac bulb as a condition of rezoning.

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

PIN(s): 02119-0131 Township: McKim
 Lot No.: Pt of Lots 50 & Concession No.: Parcel(s):
 Subdivision Plan No.: M-353 Lot: Reference Plan No.: 53R-21755 Part(s): 1, 2, 3
 Municipal Address or Street(s): 1338 Arvo Ave

7) Date of acquisition of subject land. 2016

8) Dimensions of land affected.

Frontage 9.364 (m) Depth (m) Area (m²) Width of Street 20 (m)

9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	60+/- (m ²)	60+/- (m ²)
Gross Floor Area:	180+/- (m ²)	180+/- (m ²)
No. of storeys:	two (2)	two (2)
Width:	11.7+/- (total - two semi units) (m)	5.85+/-/semi unit (m)
Length:	10.2+/- (m)	10.2+/- (m)
Height:	9.5+/- (m)	9.5+/- (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:	6.71+/- (m)	6.71+/- (m)
Rear:	9.33+/- (m)	9.33+/- (m)
Side:	3.21+/- (m)	3.21+/- (m)
Side:	N/A (semi party wall) (m)	N/A (semi party wall) (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.

New - 2022

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

Use(s): One building - two units Length of time: new

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

Same as #13 or, two semi detached units

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

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

April 3/2022

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): A-0046/22
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): Lot will be transferred via part lot control

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, Dalron Construction Limited (please print all names), the registered owner(s) of the property described as 1338 Arvo Ave Parts 1, 2, 3 Plan 53R-21755
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

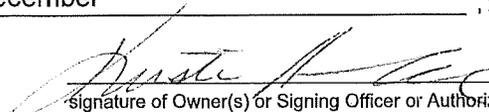
- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land 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 Kristi Arnold (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 1 day of December, 202022

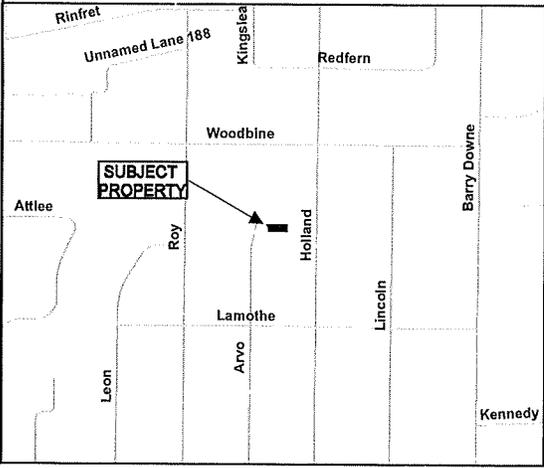
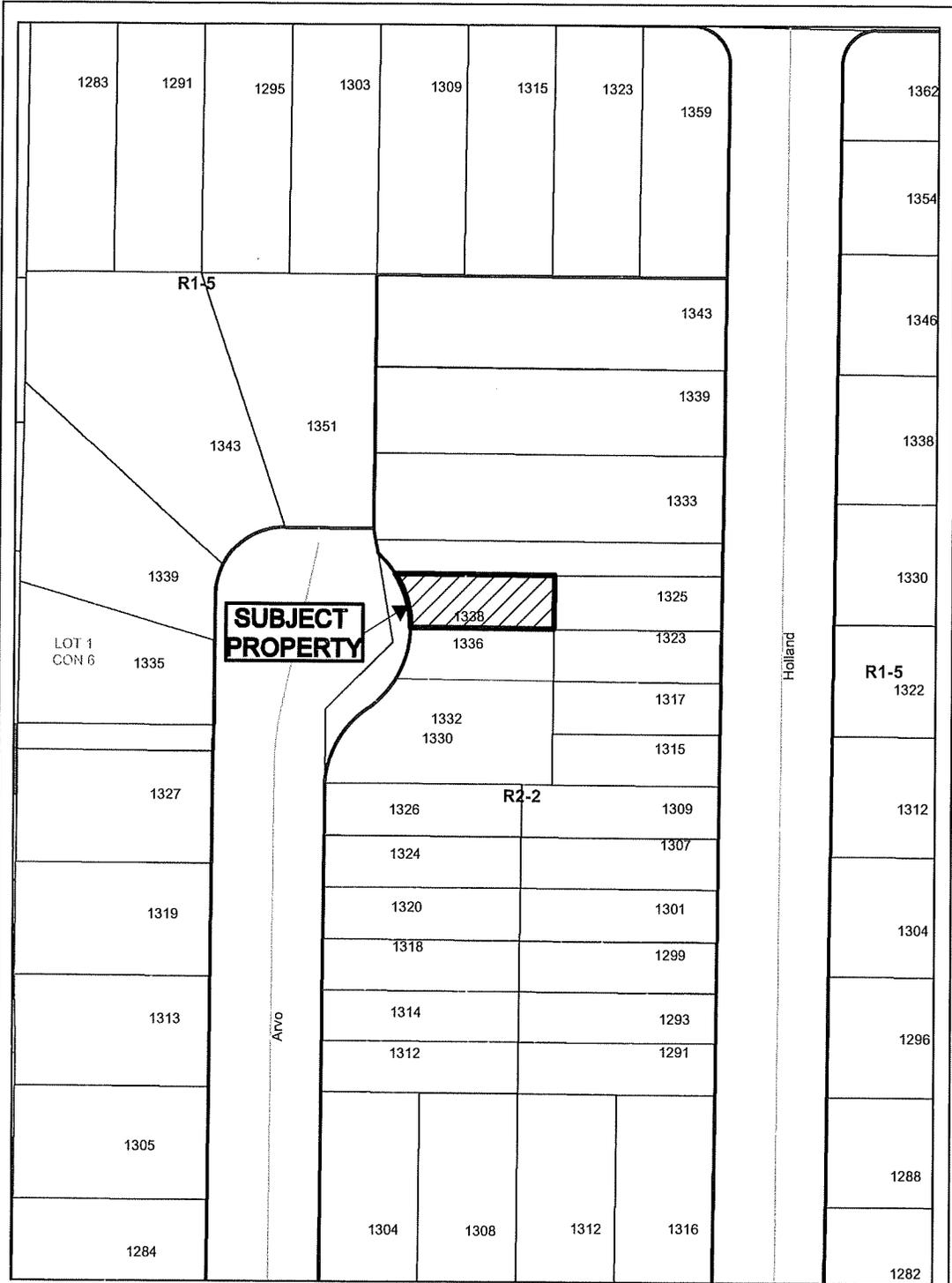
(witness)


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

Print Name: Kristi Arnold

*I have authority to bind the Corporation

A0163/2022



**Application for Minor
Variance or Permission**

N
↑
↓
S

Subject Property being
PIN 02119-0143, Part Lots 50 and 61,
and Part Arvo Avenue, Plan M-353,
Parts 1, 2 and 3, Plan 53R-21755,
Part Lot 1, Concession 6, Township of McKim,
1338 Arvo Avenue, Sudbury,
City of Greater Sudbury

Sketch 1, NTS
NDCA

A0163/2022
Date: 2022 12 19



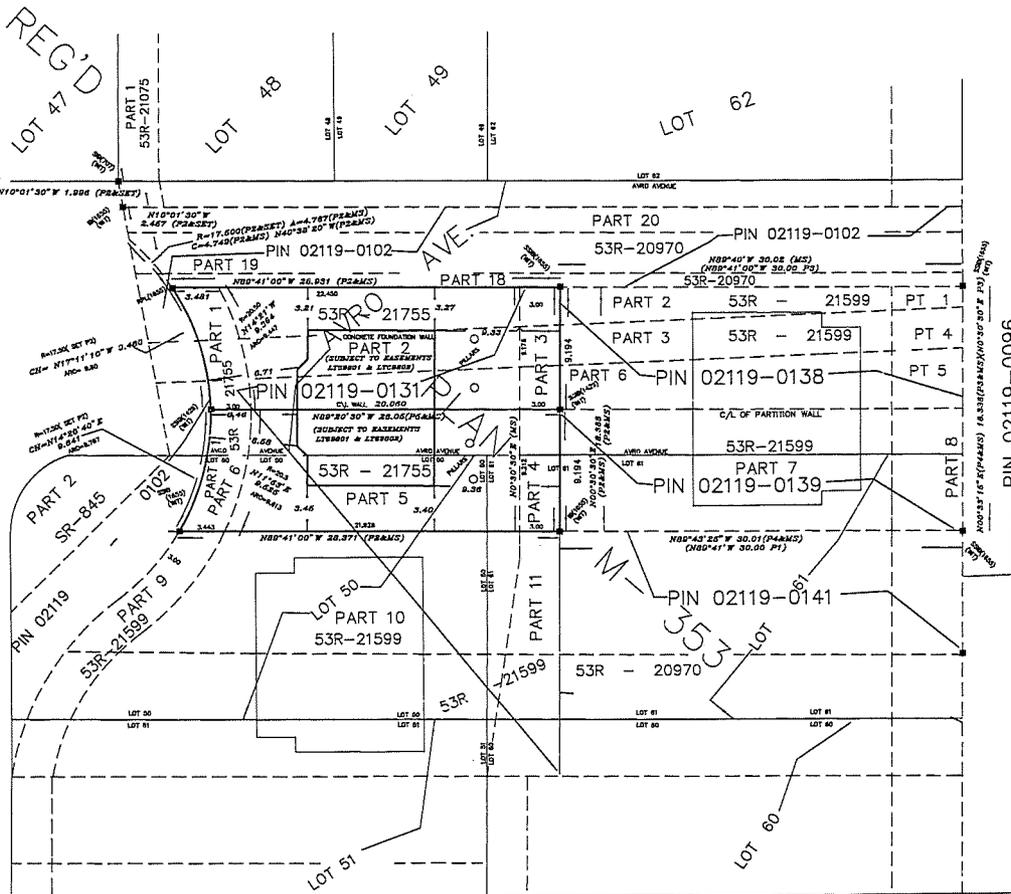
TOWNSHIP OF MCKIM

SURVEYOR'S REAL PROPERTY REPORT

© COPYRIGHT 2022 JAMES E. KIRKLAND LTD.
THE REPRESENTATIVE ASSURANCE OF USE OF THIS REPORT IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF JAMES E. KIRKLAND LTD IS EXPRESSLY PROHIBITED

LEGEND NOTE:
DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

AVRO AVENUE REGISTERED PLAN M-353
PIN 02119-0095



PLAN OF SURVEY OF

PART OF LOTS 50 & 61
AND
PART OF AVRO AVENUE
REGISTERED PLAN M-353

GEOGRAPHIC TOWNSHIP OF MCKIM
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY

SCALE 1:200

JAMES E. KIRKLAND O.L.S.

DESCRIPTION OF LAND

PM 02119-0131
REGISTERED ENCUMBRANCES AND/OR RIGHTS-OF-WAY
CASHEMETS TRAILWAY & LINES

ENCUMBRANCES
SEE PLAN
COMPLIANCE WITH MUNICIPAL ZONING BY-LAW
NOT CERTIFIED BY THIS REPORT
ADDITIONAL REMARKS
SEE TO PHOTOGRAPH

THIS REPORT WAS PREPARED FOR [BLANK]
AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY
OTHER PARTIES
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED IN THIS REPORT WAS COMPLETED
ON THE [BLANK] DAY OF [BLANK] 2022

JAMES E. KIRKLAND SURVEYOR

NOTE
THIS REPORT CAN BE UPDATED BY THIS OFFICE, HOWEVER
ADDITIONAL FEES OF THIS NATURE APPLY AND WILL BE
CHARGED SUBSEQUENT TO THE DATE OF CERTIFICATION

FIELD SURVEY	PLAN	REFERENCE NO.
J.E.K.	J/K	K20-00000-0000- PART 2 (LOT 50)-3

WARNING NOTE
BOUNDARIES ARE CHECKED AND ARE REFERRED TO THE MERRY LIGHT
OF PART 2 AS SHOWN ON PLAN 53R-21755
AND BOUNDARY A BEARING OF 308°41'00"W

SYMBOL	DESCRIPTION
—	PLANTED SURVEY MONUMENT
—	WOOD SURVEY MONUMENT
—	IRON BAR
—	STANDARD IRON BAR
—	SEVERY STANDARD IRON BAR
—	NOT TO SCALE
—	STREET
—	J.E. KIRKLAND O.L.S.
—	REGISTERED OFFICE
—	FOUNDATION
—	ROCK PILE
—	53R-21599
—	53R-21160
—	53R-20970
—	53R-21599
—	53R-21755
—	T.V. DEE, 2000 O.L.S.

JAMES E. KIRKLAND LTD.
ONTARIO LAND SURVEYOR
CIVIL ENGINEER
1001 HOLLAND ROAD
SUDBURY, ONT. P0A 1T0
TEL. (705) 628-1900 FAX. (705) 628-1900

PIN 02119-0096
HOLLAND ROAD
(FORMERLY HAROLD STREET)
REGISTERED PLAN M-353

Aug 16/2022
Sketch 3



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

Office Use Only.	
2022.01.01	
A 01/05/2022	
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: \$1,025.00 (includes \$245.00 legal notice fee)
 APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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): 1876292 Ontario LTD	Email: [REDACTED]
Mailing Address: PO box 5075	Home Phone: [REDACTED]
City: Chelmsford, ON	Business Phone: [REDACTED]
Postal Code: P0M 1L0	Fax Phone: [REDACTED]

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

Name of Agent:	Email: [REDACTED]
Mailing Address:	Home Phone: [REDACTED]
0 Main street	Business Phone: [REDACTED]
City:	Fax Phone: [REDACTED]
Postal Code:	

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: NA	
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
Heigh 4.2.4 (A)	5.0 m	6.9 m	1.9 m

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

c) Description of Proposal:
 Detached garage with secondary unit

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law
 Bulking cost ↑ for secondary unit on second level

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

PIN(s): 73349 (see attached description) Township: Chelmsford *Rail Court*
 Lot No.: 1 Concession No.: 3 Parcel(s): 11437
 Subdivision Plan No.: Lot: Reference Plan No.: 53R15111 Part(s):
 Municipal Address or Street(s): 0 Main street

7) Date of acquisition of subject land. June 28, 2022

8) Dimensions of land affected.

Frontage 35.6 (m) Depth 163.2 (m) Area 7650 (irreg.) (m²) Width of Street (m)

9) Particulars of all buildings:

	Existing		<i>Garage</i>	Proposed	<i>House</i>
Ground Floor Area:		(m ²)	66.8		350 (m ²)
Gross Floor Area:		(m ²)	133.6		350 (m ²)
No. of storeys:			2		1
Width:		(m)	9.1		16 (m)
Length:		(m)	7.3		21.5 (m)
Height:		(m)	6.9		5.5 (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		<i>garage</i>	Proposed	<i>House</i>
Front:		(m)	53.6		12.2 (m)
Rear:		(m)	81.3		80 (m)
Side:		(m)	3.4		14.8 (m)
Side:		(m)	23.2		5.5 (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 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 Length of time:

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

Same as #13 or, Residential

15) What is the number of dwelling units on the property? 3

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

AO165/2022

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, 1876292 Ontario LTD Steve Hessard (please print all names), the registered owner(s) of the property described as _____

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

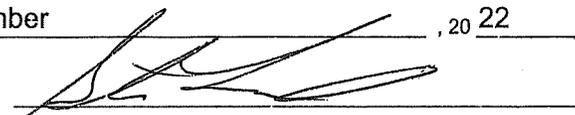
- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land 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 8 day of December, 2022

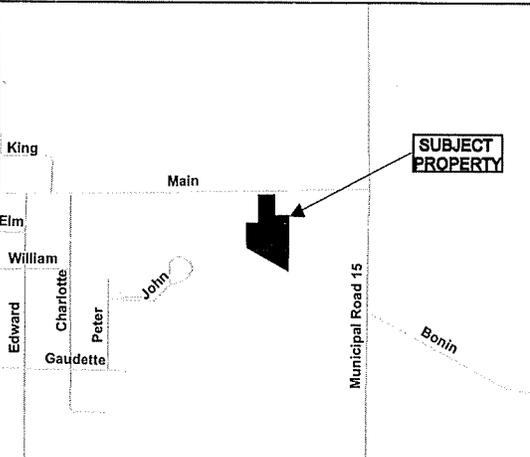
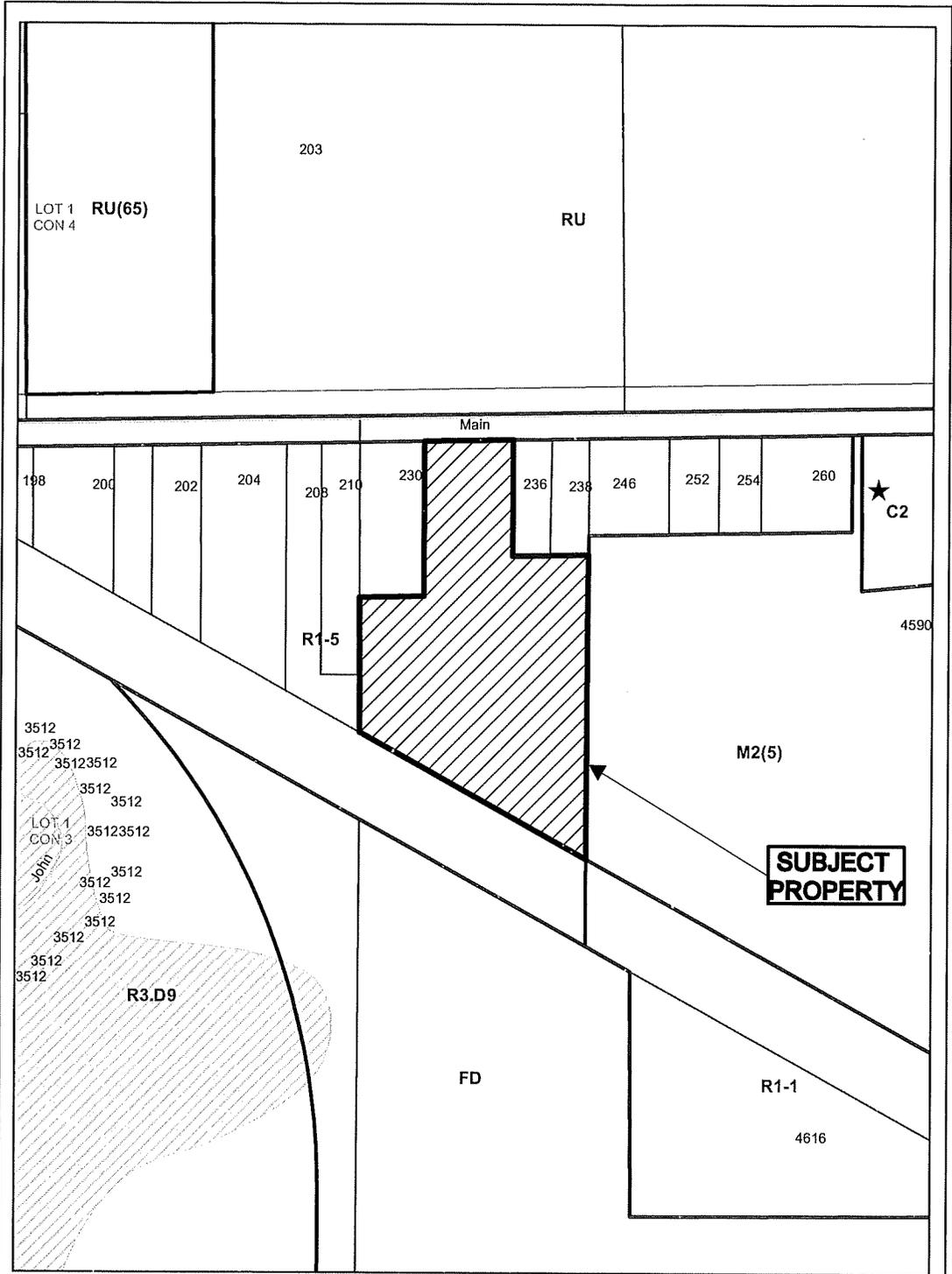

(witness)


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

Print Name: Steve Hessard

*I have authority to bind the Corporation

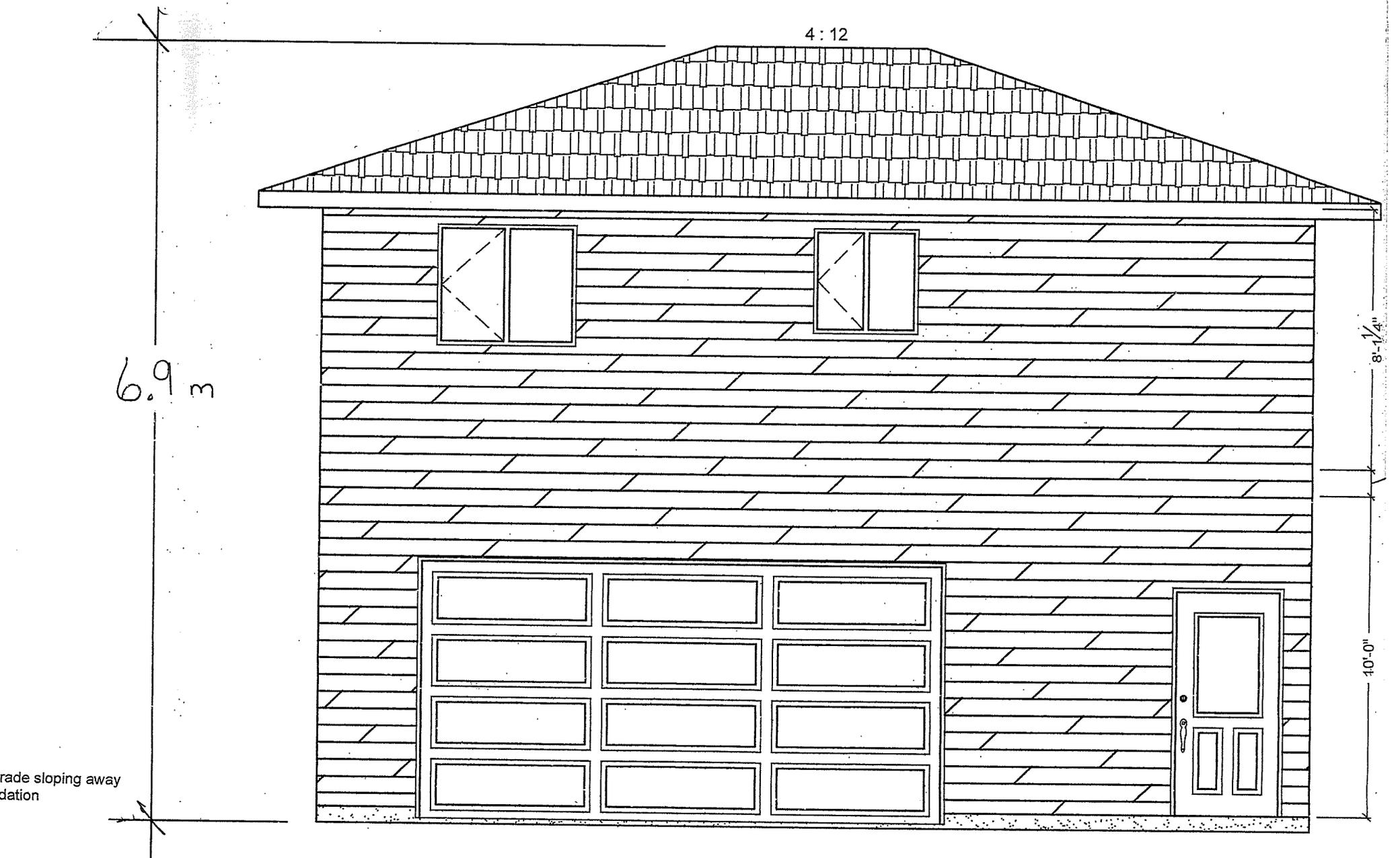
A0165/2022



Application for Minor Variance or Permission

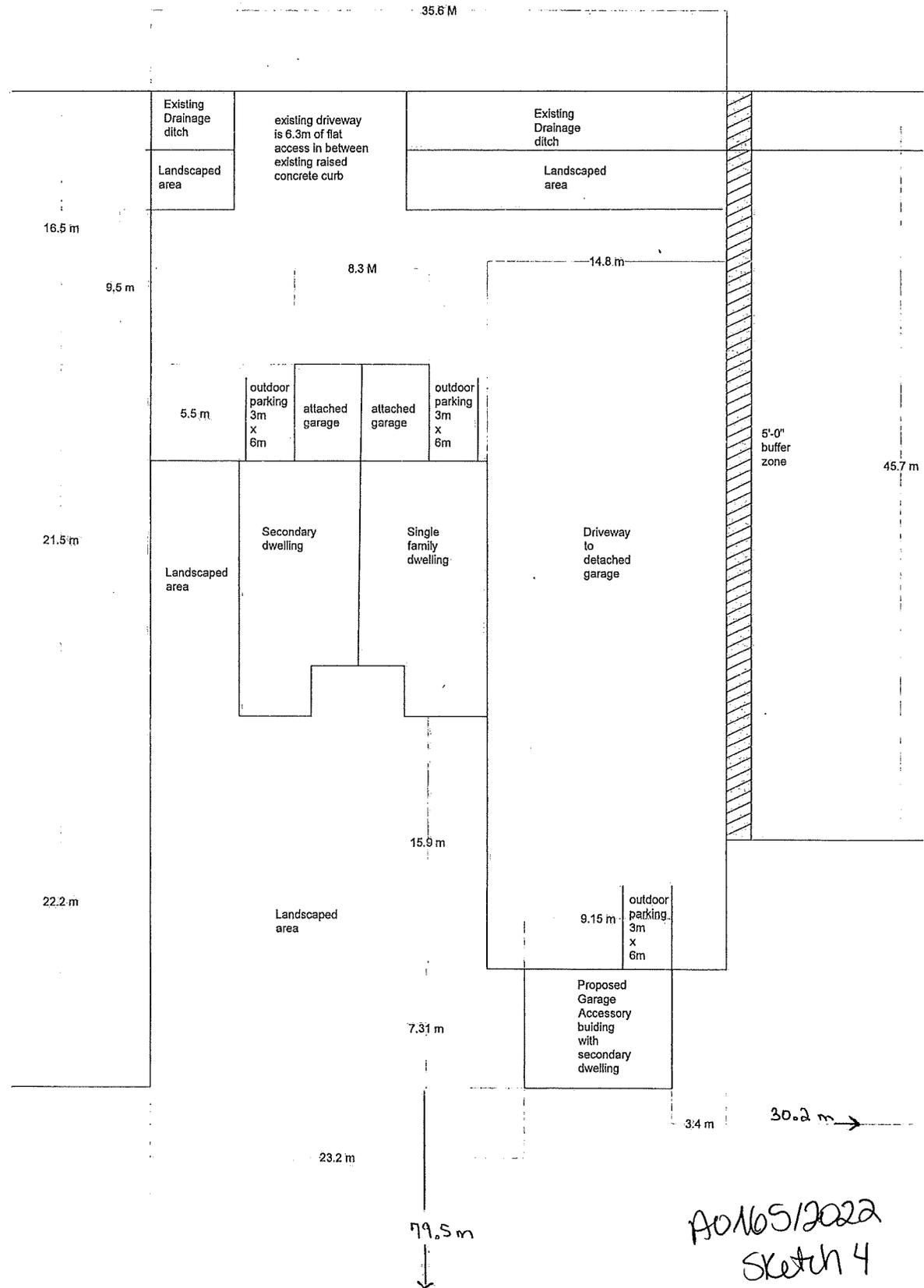
Subject Property being
 PIN 73349-1544,
 Parcel 11437 SEC SWS,
 Part Lot 1, Concession 3,
 except Part 1 on Plan 53R-4780,
 Township of Balfour,
 0 Main Street, Chelmsford,
 City of Greater Sudbury

Sketch 1, NTS A0165/2022
 NDCA Date: 2022 12 19



FRONT ELEVATION

A0165/2022
Sketch 2



A0165/2022
Sketch 4



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	
2022.01.01	
A 01/06/2022	
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: \$1,025.00 (includes \$245.00 legal notice fee)
 APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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): 1866410 ONTARIO LIMITED	Email:	[REDACTED]
Mailing Address: 6794 Hwy 17 East	Home:	[REDACTED]
	Busin:	[REDACTED]
City: Coniston	Postal Code: P0M 1M0	Fax Phone:

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

Name of Agent: TULLOCH Engineering	Email:	[REDACTED]
Mailing Address: 1942 Regent Street Unit L	Home:	[REDACTED]
	Busine:	[REDACTED]
City: Sudbury	Postal Code: P3E 5V5	Fax Ph:

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: R3.D45

- 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
Privacy Yard	7.5m	6.0m	1.5m
Rear Yard Setback	7.5m	7.0m	0.5m
Refuse Storage	In Interior Side Yard	Front Yard	Located in Front Yard
<u>4.2.9(b)(ii) Front Yard</u>	<u>Not Permitted</u>	<u>5.5m</u>	<u>5.5m</u>
<u>setback for accessory structure</u>			

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

c) Description of Proposal:
Development of 14-unit row dwelling residential complex.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:
Desired built form and shape of existing lot.

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

PIN(s): 735042632 Township: HANMER
 Lot No.: 6 Concession No.: 2 Parcel(s):
 Subdivision Plan No.: Lot: Reference Plan No.: Part(s):
 Municipal Address or Street(s): 1350 Dominion Dr, Val Therese, ON P3P 1Z4

7) Date of acquisition of subject land. May 22, 2020

8) Dimensions of land affected.

Frontage 82.2 (m) Depth 34.0 (m) Area 5050 (m²) Width of Street (m)

9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	N/A (m ²)	1800 (m ²)
Gross Floor Area:	" (m ²)	1800 (m ²)
No. of storeys:	"	1
Width:	" (m)	irreg (see site plan) (m)
Length:	" (m)	irreg (see site plan) (m)
Height:	" (m)	1-storey (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 ⁺ S.S. (m)
Rear:	" (m)	7.0 (m)
Side:	" (m)	1.8 (m)
Side:	" (m)	5.0 (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.

N/A

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

Use(s): Vacant Residential ²⁶ Length of time: Since at least 1983

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

Same as #13 or, Residential

15) What is the number of dwelling units on the property? 0

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 and Open Space

A0166/2022

9. Particulars of all buildings:

	Row dwelling 8-unit	Semi-detached (2-unit)	Row dwelling (4-unit)
Ground Floor Area	864m ²	216m ²	432m ²
Gross Floor Area	""	""	""
No of storeys	1	1	1
Width	72.0m	18.0m	36.0m
Length	12.0m	12.0m	12.0m
Height	1-storey (3.0m)	1-storey (3.0m)	1-storey (3.0m)
Front Yard	8.4m	N/A	6.0m
Side Yard	5.0m	N/A	4.0m
Side Yard	N/A	1.8m	N/A
Rear Yard	7.0m	8.7m	N/A

Density: 27.7 units/ha

AD/10/2022

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, 1866410 ONTARIO LIMITED (please print all

names), the registered owner(s) of the property described as SRO PT LT 6 CON 2 HANMER BEING PT 4 53R14504 EXCEPT PT 2 53R14991; GREATER SUDBURY in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

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

Authority to Enter Land and Photograph

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

Appointment of Authorized Agent

- g) appoint and authorize TULLOCH Engineering (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 22 day of November, 2022.

Alex Bawa
(witness)

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

Print Name: Jamie Blain

*I have authority to bind the Corporation

A0166/2022

PART B: OWNER OR AUTHORIZED AGENT DECLARATION

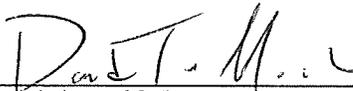
I/We, TULLOCH Engineering (please print all names),
the registered owner(s) or authorized agent of the property described as _____

SRO PT LT 6 CON 2 HANMER BEING PT 4 53R14504 EXCEPT PT 2 53R14891; GREATER SUDBURY

in the City of Greater Sudbury:

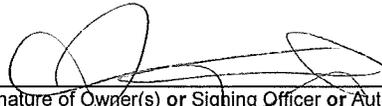
solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 9th day of December, 2022



Commissioner of Oaths

David Glen Tulloch
Commissioner, etc., Province of Ontario,
for TULLOCH Engineering Inc.
Expires Feb 20th, 2024



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

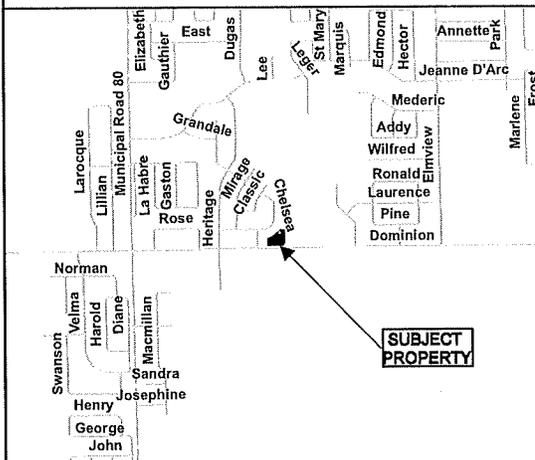
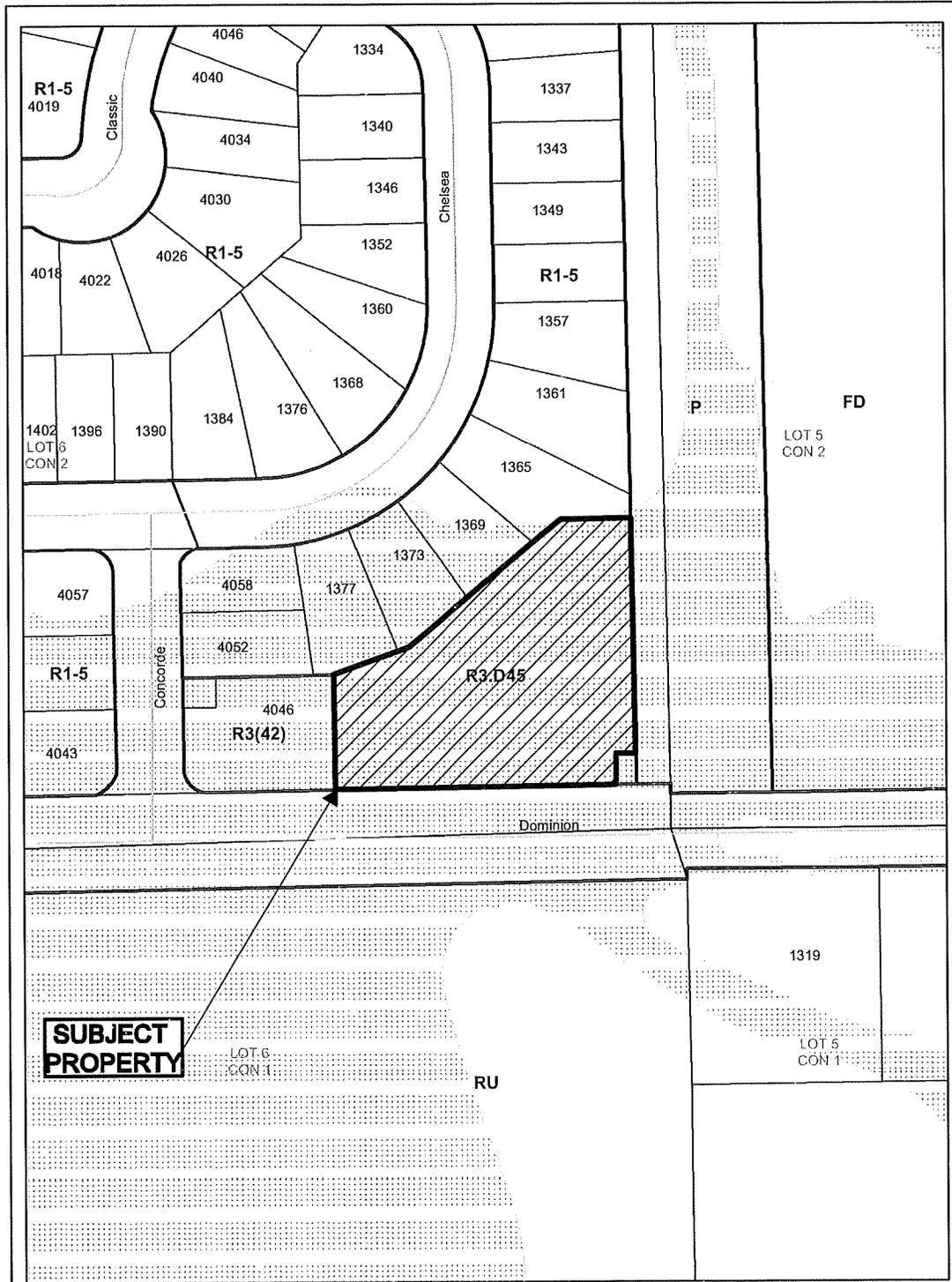
Print Name: Vanessa Smith
*I have authority to bind the Corporation

* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

FOR OFFICE USE ONLY

Date of Receipt: <u>Dec 22/22</u>	Hearing Date: <u>Jan 18/23</u>	Received By: <u>S. Pinkerton</u>
Zoning Designation: <u>R3. D45</u>	Resubmission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Previous File Number(s): <u>See below</u>		
Previous Hearing Date:		
Notes:	<u>B138/93 to B140/93 (May 25, 1993), lapsed</u> <u>B179/93 to B180/93 (June 21, 1993)</u> <u>B129/94 (June 13, 1994)</u> <u>B250/94 (August 29, 1994)</u> <u>B268/94 to B270/94 (August 29, 1994)</u> <u>B290/94 to B291/94 (October 31, 1994)</u> <u>B169/96 (September 23, 1996)</u>	

AP016/2022



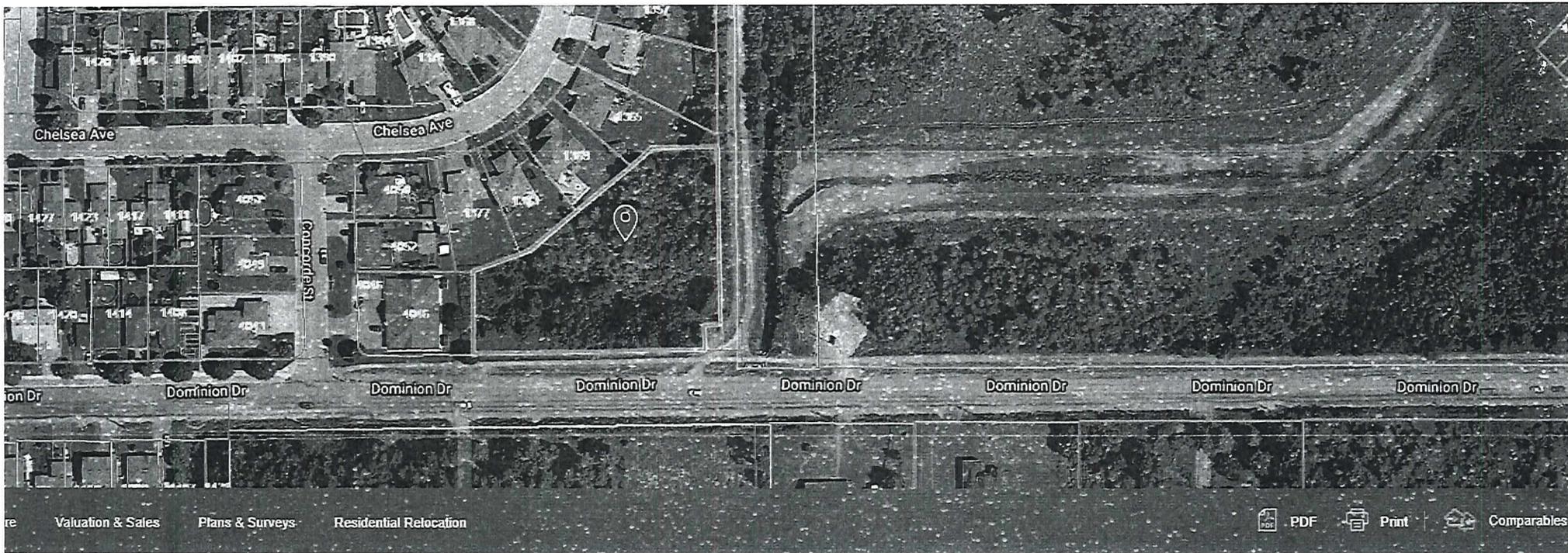
Application for Minor Variance or Permission



Subject Property being
 PIN 73504-2632,
 Parcel 1323 SES, Part 4, Plan 53R-14504,
 except Part 2, Plan 53R-14891,
 Part Lot 6, Concession 2,
 Township of Hanmer,
 1350 Dominion Drive, Val Thérèse
 City of Greater Sudbury

Sketch 1, NTS
 NDCA

A0166/2022
 Date: 2022 12 23



Hanmer

[Suggest an address correction](#)



Owner Name

1866410 ONTARIO LIMITED



Last Sale

\$169,000

May 22, 2020



Lot Size

5,049 m²

Area

302 m

Perimeter

[View Measurements](#)

Legal Description

SRO PT LT 6 CON 2 HANMER BEING PT 4 53R14504 EXCEPT PT 2 53R14891; GREATER SUDBURY

A0166/2022
Sketch 3



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

Office Use Only 2022.01.01	
A 0107/2022	
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: \$1,025.00 (includes \$245.00 legal notice fee)
 APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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): Charter Acquisition Corp Email: _____
 Mailing Address: 158 Dunlop Street East, Unit 201 Home Phone: _____
 Business Phone: _____
 City: Barrie Postal Code: L4M 1B1 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: MHBC c/o Kory Chisholm Email: _____
 Mailing Address: 113 Collier Street Home Phone: _____
 ✓ 3140 Old Highway 69, Val Caron Business Phone: _____
 City: Barrie, ON Postal Code: L4M 1H2 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: BMO
 ✓ Mailing Address: 1 First Canadian Place, 100 King Street West, 21st Floor
 City: Toronto, ON Postal Code: M5X 1A1

✓ 4) Current Official Plan designation: Mixed Use Commercial Current Zoning By-law designation: C5

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
Section 4.2.1 e) Number of Drive-through service facilities	2	4	2
It is noted the site currently has 3 drive-through facilities and the 3rd existing for a total of 4, with a difference of 1 physically yet to be built.	drive-through would be considered	legal non-complying. One additional drive-through is now proposed	

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

c) Description of Proposal:
 To permit one additional drive-through facility. Please see Planning Justification Letter for further details.

d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:
 Please see attached Planning Justification Letter.

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

PIN(s): 735020055 Township: Val Caron
 Lot No.: Part of Lot 6 Concession No.: 6 Parcel(s):
 Subdivision Plan No.: Lot: Reference Plan No.: Part(s):
 Municipal Address or Street(s): 3140 Old Highway 69, Val Caron

7) Date of acquisition of subject land. 2007

8) Dimensions of land affected.

Frontage +/- 254 (m) Depth +/- 180 (m) Area 47,753 (m²) Width of Street (m)

9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	(m ²)	N/A	(m ²)	(m ²)
Gross Floor Area:	(m ²)	N/A	(m ²)	(m ²)
No. of storeys:				
Width:	(m)			(m)
Length:	(m)			(m)
Height:	(m)			(m)

** See attached site plans. No additional floor area proposed.

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:	(m)		(m)	(m)
Rear:	(m)			(m)
Side:	(m)			(m)
Side:	(m)			(m)

** See attached site plans. No new buildings proposed.

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 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.

N/A

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

Use(s): Commercial Length of time: Since at least 1983

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

Same as #13 or, _____

15) What is the number of dwelling units on the property? 0

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: Commercial / Residential

A0.167/2022

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. _____
Nickel District Source Protection Area

PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Ron McCowan (please print all names), the registered owner(s) of the property described as 3140 Old Highway 69, Val Caron

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 MHBC Planning c/o Kory Chisholm (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 30 day of Nov, 2022

Ashley Smith
(Witness)

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

Print Name: Ron McCowan

*I have authority to bind the Corporation

A016712022

File 422510

November 24, 2022

Seb Baptista
Director of Construction
McCowan & Associates
158 Dunlop Street East, Suite 201
Barrie, Ontario L4M 1B1
[REDACTED]

Re: 3140 Old Highway 69 North, City of Greater Sudbury
Traffic Opinion Letter – Drive-thru

Dear Seb:

The following traffic opinion letter has been prepared in support of the proposed drive-thru facility to be located at 3140 Old Highway 69 in the community of Van Caron, City of Greater Sudbury. The intent of this letter is to review the proposed drive-thru in context of the City's requirements for such facilities, and to illustrate that the provision of the drive-thru will not have any material impact on the existing internal operations/circulation of the overall site.

SITE LOCATION & LAND-USE

As previously noted, the site is located at 3140 Old Highway 69. The site, also known as the Val Est Shopping Centre, consists of a large multi-unit strip plaza with three standalone commercial retail buildings with drive-thru facilities and a gas bar. A site plan of the existing development is illustrated in Figure 1.

PROPOSED RE-DEVELOPMENT

While there are several small revisions proposed to the overall site plan (none of which include additional gross floor area), this review focuses on the dividing of Unit 17 into two smaller commercial units (Units 17A and 17B) and the construction of a new drive-thru to serve Unit 17A. It is understood that the existing tenant in Unit 32 (a health food and supplement store) will be relocating to Unit 17A. It is noted that Unit 32, a standalone building with drive-thru, will be maintained with drive-thru service for a new food partner. In this respect, the number of drive-thru facilities on the site will increase to four (3 existing + the proposed drive-thru to serve Unit 17A).

A site plan of the proposed re-development is provided in Figure 2.

ZONING REQUIREMENTS

As it relates to the subject site, the *City of Greater Sudbury Zoning By-Law 2010-100Z* states the following with respect to drive-thru facilities:

- a drive-thru facility serving a use other than a bank, restaurant or car wash shall have a minimum of 4 queueing spaces; and
- the number of drive-thru facilities on a lot shall be limited to two.

TRAFFIC IMPACTS

Drive-thru Operations

As per the site plan, the proposed drive-thru will have queueing storage for 4 vehicles, thus satisfying the City's by-law requirements. As a health food and supplement store, the drive-thru demand is much less when compared to other drive-thru uses. Drive-thru data supplied by One Stop Naturals indicates peak drive-thru usage between 12:00pm and 2:00pm, with an average service time of 1 minute per vehicle and a maximum service time of 3 minutes per vehicle. Queue lengths during peak operations are typically less than 4 vehicles.

On-Site Circulation

As indicated on the site plan, the proposed drive-thru will be located near the northeast corner of the site, adjacent to Unit 17A. Queuing will occur to the rear of the plaza and will not encroach on any of the existing drive aisles serving the site. As noted above, queue lengths are not expected to exceed the 4-vehicle storage provided. It is noted that an additional 3 vehicles could be accommodated before the queue length would potentially encroach on the loading area to the rear of the plaza; however, such queue lengths would be uncharacteristic and unlikely to occur based on the nature of the tenant and the observed drive-thru operations at its existing location.

While it is recognized that the City's zoning by-law restricts the number of drive-thru facilities on a lot to two, the subject site is very large and, based on the proposed location and limited drive-thru demand associated with the subject tenant, can readily accommodate the additional facility without any measurable impact to the site's current on-site circulation patterns.

SUMMARY

Based on the findings of the above assessment, the proposed drive-thru facility is not expected to have any material impact on the circulation of vehicles within the site. The drive-thru operations are not expected to interfere with the existing drive aisles and loading areas serving the site, nor will they interfere with the operations of any of the other existing drive-thru facilities.



CLOSING

We trust that this assessment has adequately addressed any concerns regarding the transportation impacts of the proposed drive-thru facility. Should you have any questions, please do not hesitate to contact us.

Yours truly,

Tatham Engineering Limited



Matthew Buttrum B.Eng., EIT
Engineering Intern
MJB/DP: mjb



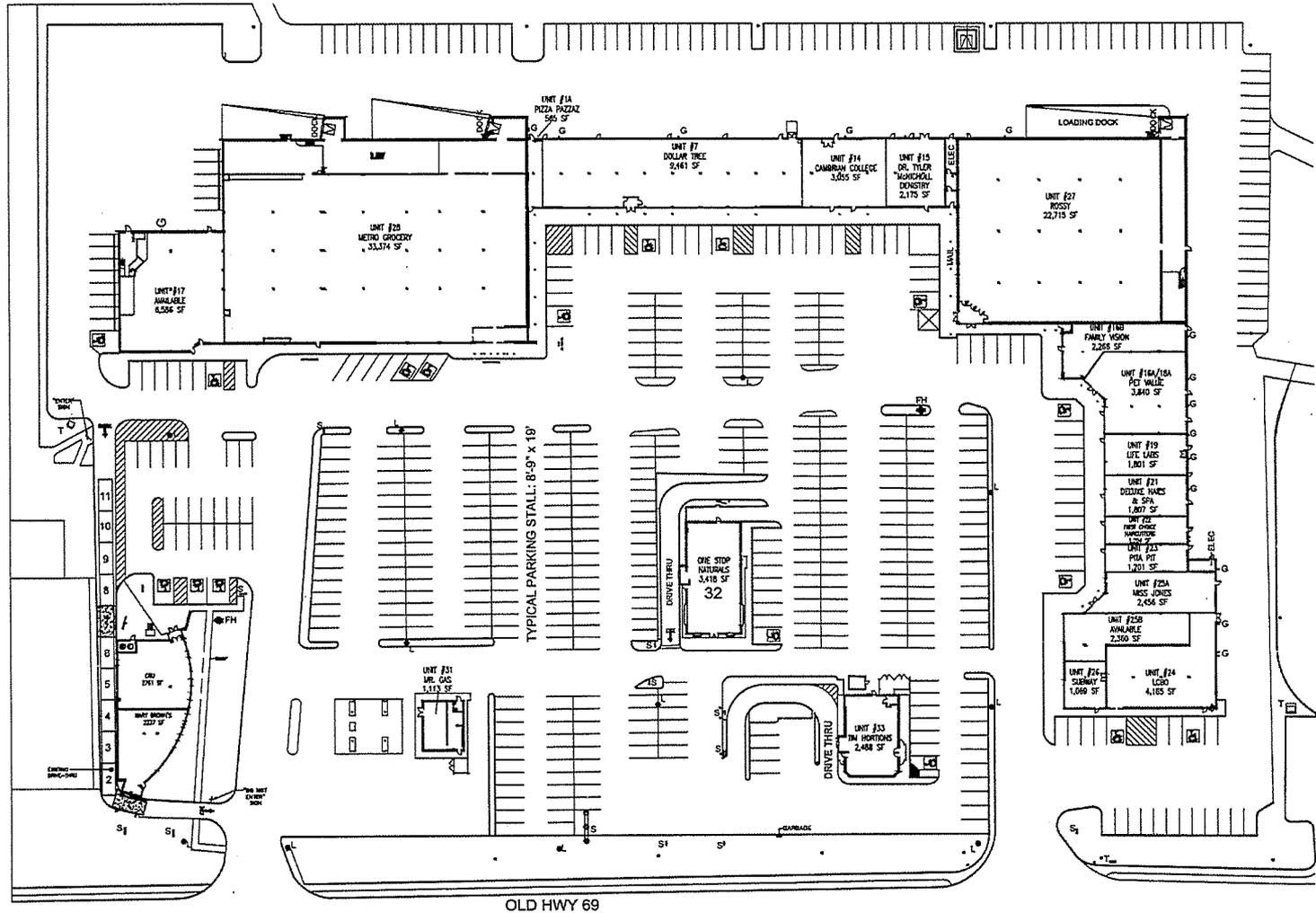
David Perks M.Sc., PTP
Transportation Planner, Project Manager



2016/12/02

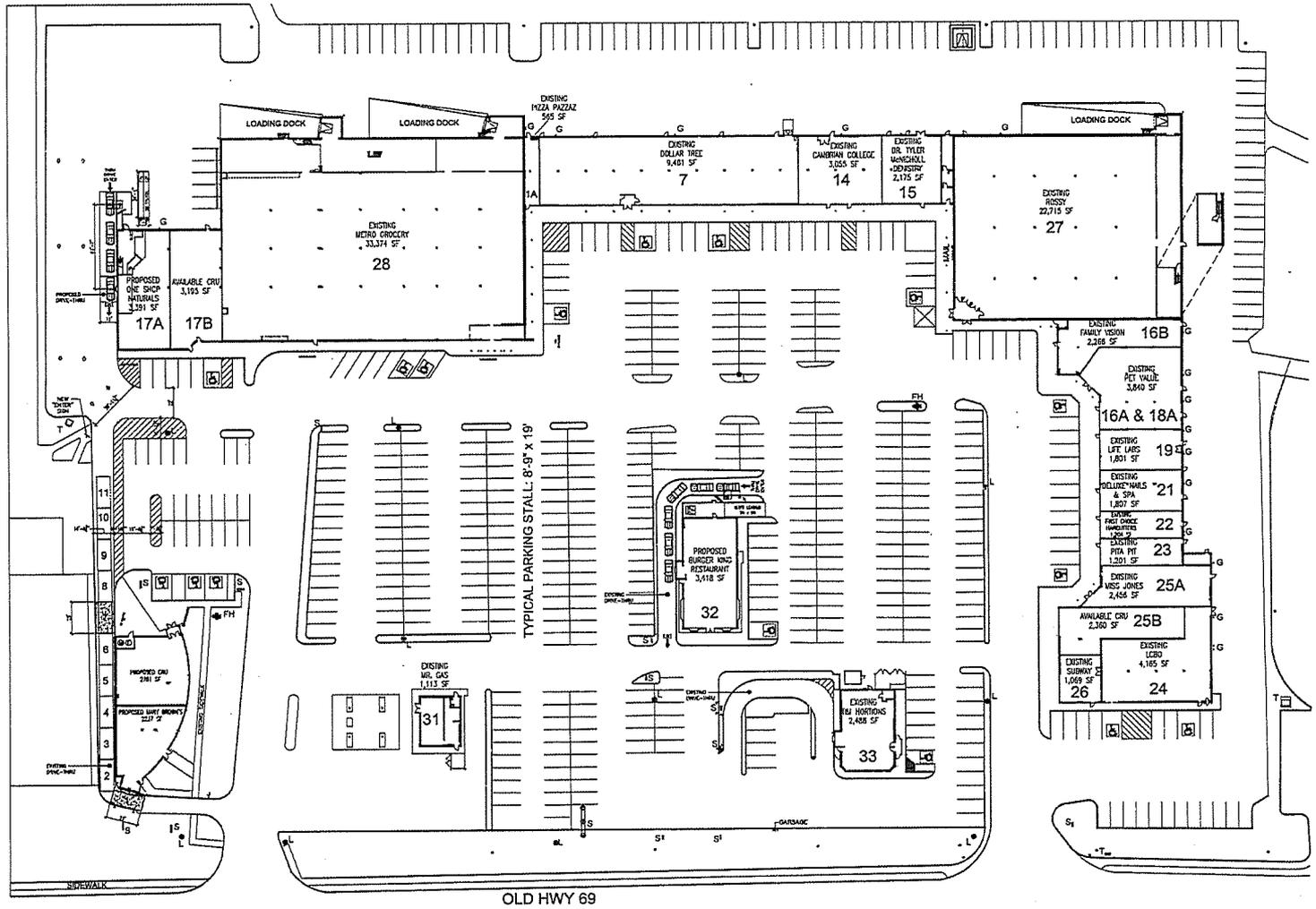
LEGEND

- S = SIGNAGE
- L = LIGHT STANDARD
- FH = FIRE HYDRANT
- T = TRANSFORMER
- G = NATURAL GAS



3140 OLD HIGHWAY 69

Figure 1: Existing Development



LEGEND

- S = SIGNAGE
- L = LIGHT STANDARD
- FH = FIRE HYDRANT
- T = TRANSFORMER
- G = NATURAL GAS



A01671/2022

3140 OLD HIGHWAY 69

Figure 2: Proposed Development



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

November 28, 2022

Glen Ferguson, MCIP, RPP
Senior Planner, Development Approvals Section
Planning Services Division, Growth and Infrastructure
City of Greater Sudbury
PO Box 5000 Stn. A,
200 Brady Street, Sudbury, ON, P3A 5P3

Dear Mr. Ferguson,

RE: 3140 Old Highway 69, Val Caron (Sudbury), ON, P3N 1G3
Minor Variance Application
Planning Justification Letter
OUR FILE: 0778AU

MacNaughton Hermson Britton Clarkson Planning Limited ("MHBC") have been retained by McCowan & Associates (the "Applicant"), to review the planning merits of the proposed Minor Variance on the property municipally addressed as 3140 Old Highway 69 (the "Site"), see **Figure 1** below. The proposed Minor Variance is to facilitate the construction of a fourth drive-through on the Site, known legally as Part of Lot 6, Concession 6, in the Geographic Township of Blezard, within the Val Caron neighbourhood of the City of Greater Sudbury.

The Owner (Charter Acquisition Corp. is a nominee company under the Applicant, which holds the property.

The scope of this Planning Justification Letter is to provide a brief overview of the Site, the proposed development, as well as respond directly to the planning merits of the proposed development.

Overview of Site

Approximately 4.78 hectares (11.8 acres) in size, the Site is a large commercial lot situated to the north of Main Street (in Val Caron), south of Yorkshire Drive, and to the east of Old Highway 69, which is also referred to as Municipal Road 80, or as Desmarais Road as well as Greater Sudbury Regional Road 80. The western boundary of the Site abuts this arterial road. The northern boundary of the Site abuts residential properties off Old Highway 69 and Romeo Drive, while the eastern boundary abuts vacant lands designated Living Area I. The southern boundary abuts other commercial lots, including an A&W restaurant. To the western side of Old Highway 69 are a number of general commercial properties. An aerial image of the Site is shown in **Figure 2**.

The Site is zoned Shopping Centre Commercial (C5).

Figure 1: Site Location, with the Site roughly outlined in red.

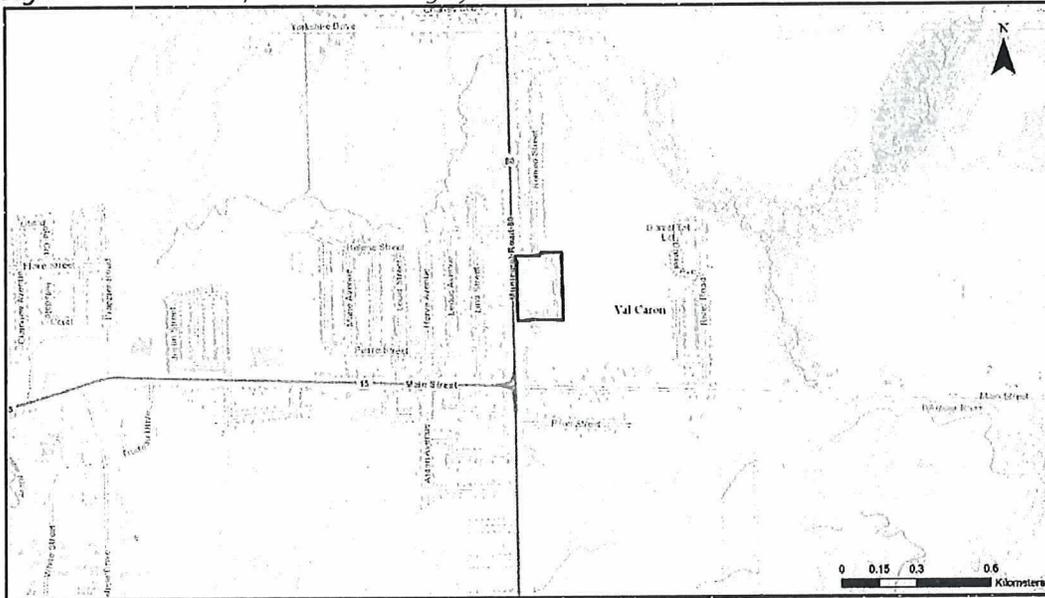
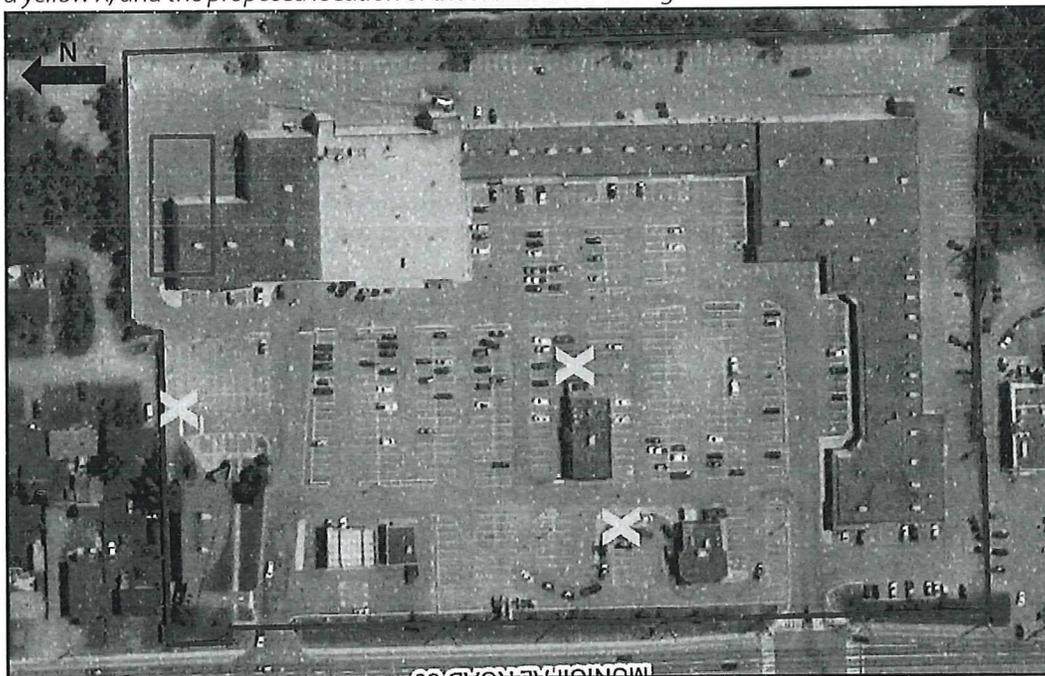


Figure 2: Google aerial image with the Site roughly outlined in red. The existing drive-through are marked with a yellow X, and the proposed location of the fourth drive-through indicated with a blue box.



The Site currently hosts three (3) drive-through facilities as shown in **Figure 2 above (see also Appendix 1)**. These are located as follows: First (A) is to the north-west corner, previously serving RBC Bank, which is now a Mary Brown's restaurant (Unit 30A); the second (B) is to the south-west corner serving Tim Hortons (Unit 33); and the third (C) is south-west of the centre of the site, which until 2021 served the previous tenants (Harvey's until 2013 and One Stop Naturals) and which is soon to be another restaurant (Unit 32). It is understood that these drive-through facilities were approved alongside the main buildings which they

serve through a Site Plan Agreement in 1983 and subsequent amendments to this agreement, in 1990 for Royal Bank, in 1991 for Harvey's and in 1997 for Tim Hortons.

The intent of the proposed Minor Variance is to regularise (from a Zoning perspective) the long standing presence of a third drive-through and to allow for a fourth drive-through, specifically to the north-east of the site, to serve Unit 17A. The section below further details the requested Minor Variance.

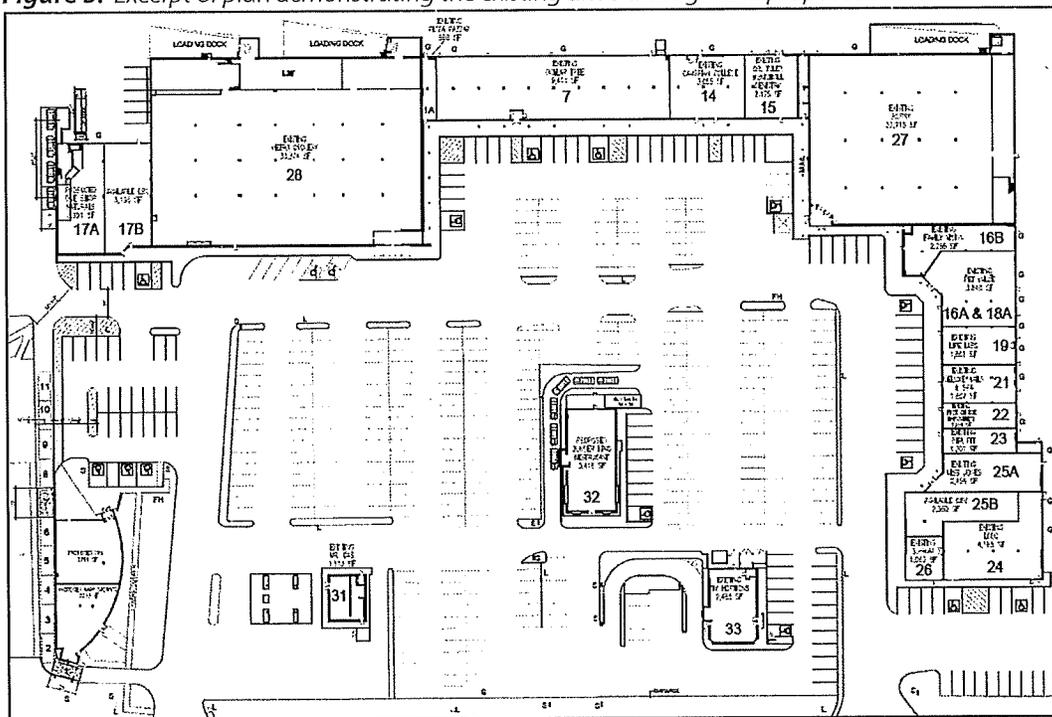
Proposed Minor Variances

A Minor Variance is required to facilitate the construction of the additional drive-through. Relief is being requested from the following provision in the City of Greater Sudbury Zoning By-law:

1. Part 4, Section 4.2.1 e) i.) notes that the number of drive-through service facilities located on a lot shall not exceed a total of two. Relief is requested to allow a total of four drive-through service facilities on this lot.

The proposed Minor Variance is demonstrated within the accompanying proposed plan ref: 501 (dated: October 13, 2022), an extract of which is seen in **Figure 3** (and further detailed in **Appendix 2**) below.

Figure 3: Excerpt of plan demonstrating the existing drive-through and proposed fourth drive-through.



Planning Analysis

The following evaluates the proposed Minor Variance for the Site, against Provincial and City planning policies, and the City Zoning By-law No. 2010-100Z, and other material considerations, and provides the justification for the proposal.

Provincial Policy Statement (PPS) 2020

All land use planning decisions are required to be consistent with the PPS.

Section 1.1.3.1 of the PPS states that *"settlement areas shall be the focus of growth and development."* **Section 1.1.3.4** of the PPS states that *"appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."*

The Site is located within the identified Settlement Area in the City of Greater Sudbury, where the large site hosts a number of commercial units. The proposed Minor Variance would not infringe on the ability of these or any other general policies within the PPS to be satisfied. It represents an appropriate development of the land, which is consistent with the settlement area policies of the PPS.

It is therefore the opinion of the undersigned, that the proposed Minor Variance is consistent with the policies of the PPS as a whole.

City of Greater Sudbury Official Plan

The City OP was adopted in June 2006, and has been amended a number of times since. The most recent consolidation includes all amendments in effect up to March 2022. The policies most relevant to the proposed Minor Variance are set out below.

The schedules which support the City OP identifies the Site as follows: **Schedule 1a** (Land Use Overview) and **Schedule 1c** (Land Use – Community Insets) designate the Site as 'Mixed Use Commercial' and as 'Living Area I' (see **Figure 4** below). **Schedule 3** (Settlement and Built Boundary) confirms that the site is within the built boundary and the settlement area. **Schedule 5** (Natural Heritage) confirms that there are no natural features identified in or adjacent to the Site and **Schedule 6** (Hazard Lands) confirms that the Site is within the floodplain.

Section 2.3.2 sets out policies specific to settlement areas. The policies in this section focus growth and development in settlement areas and encourage intensification and development within the built boundary.

As per **Section 19.9**, boundary designations on maps are to be considered general guidelines *"except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features"*. With respect to the Site, it is considered that only 'Mixed Use Commercial' applies for the entirety of the Site based on the current build out of the Site and the implementing Zoning By-law which confirms it as a Commercial site. Therefore, the designation 'Living Area I' does not apply to this site.

Section 4.3 sets out the policies specific to the 'Mixed Use Commercial' designation. **Policy 4** notes that new development may be permitted provided that, among other requirements, the traffic carrying capacity of the Arterial Road is not significantly affected and that buffering between non-residential and residential uses will be provided. Policy 4 additionally requires that proposals meet Sections 11.3.2, 11.8 and 14.0 of City OP.

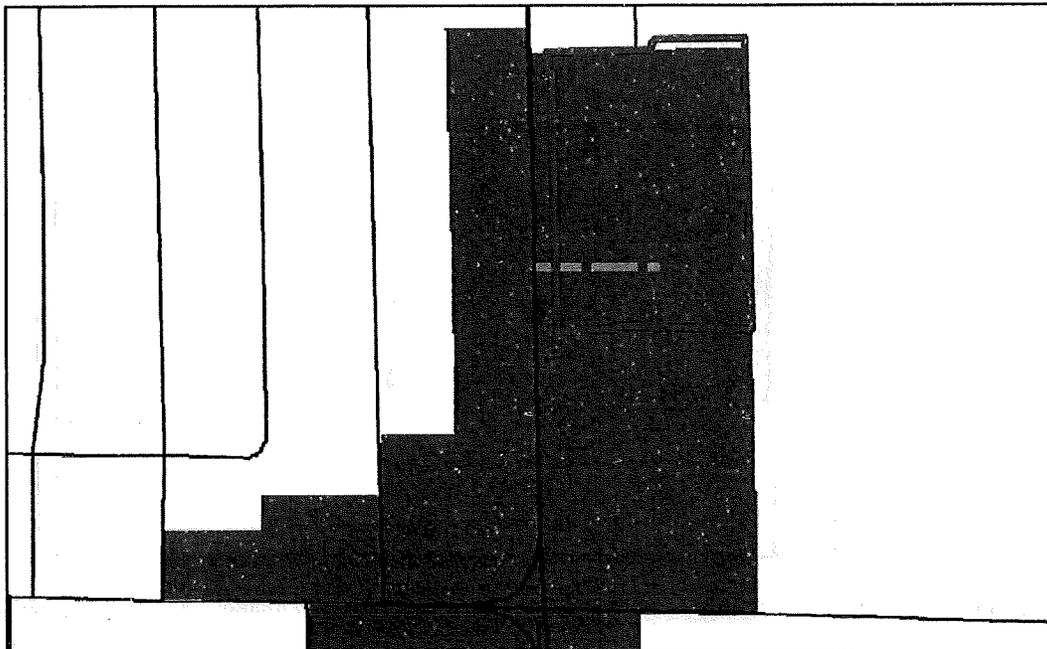
Section 11.3.2 sets out policies which support transit needs and **Section 11.8** sets out that accessibility is a key consideration. **Section 14** sets out general urban design policies.

The proposed Minor Variance allows for the construction of a drive-through in an existing paved area of the Site. Both the existing commercial floor area and area of paving is not proposed to increase. The existing buffer between the commercial site and the abutting residential properties will not be altered. The intensification of the existing commercial use is permitted within the defined Built Boundary area.

It is noted no additional commercial GFA is proposed, the proposed 4th drive-through is associated with a re-demise of an existing commercial unit on the Site.

It is therefore the opinion of the undersigned that the proposed Minor Variance conforms to the policies of the City of Greater Sudbury Official Plan.

Figure 4: City OP Land Use. The Site location is approximately outlined in blue. Yellow indicates 'Living Area' and red indicates 'Mixed Use Commercial'.



Phase 2 Official Plan Review

It is noted that the City is currently undertaking Phase 2 of the Official Plan review, which will result in a number of recommended land use policy changes following a Transportation Background Study update and a Water/Wastewater Master Plan. Phase 2 will additionally address any changes which have resulted from new provincial legislation.

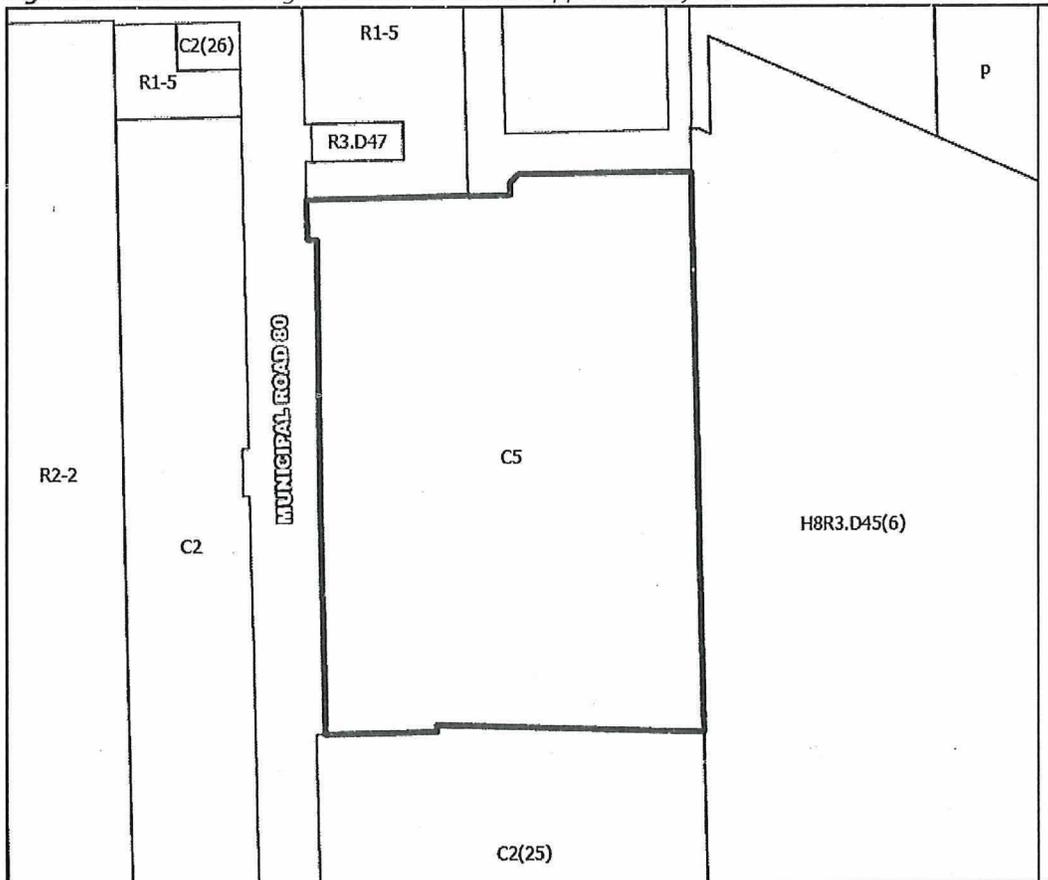
At the time of writing, the Phase 2 Official Plan Review is still in draft and has not been adopted. Notwithstanding this, the amendments proposed in the Review do not pertain to the proposed Minor Variance. Phase 1 amendments have already been incorporated into the current Official Plan and have been considered as part of the review above.

City of Greater Sudbury's Zoning By-law 2010-100Z

The City's Zoning By-law (ZBL) came into effect September 2010 and has been modified a number of times since. The most recent consolidation was passed November 17 2022.

The Site is currently zoned Shopping Centre Commercial (C5) (see **Figure 5**).

Figure 5: Extract of Zoning Schedule with the Site approximately outlined in red.



Part 3 (definitions) **Term 91** defines a Drive-Through Service Facility as follows: "A building or structure or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle that is in a designated queueing space by way of a service window, kiosk, or automated machine where goods, money or materials are exchanged. Kiosks within a parking structure or associated with a surface parking area are not considered to be drive-through service uses."

Part 4 sets out general provisions, and **Section 4.2.1 e)** notes that except in the case of a C6 Zone, "a drive-through service facility shall be permitted as an accessory use to a permitted restaurant, financial institution, retail store, automotive service station, gas bar and automated car wash use, subject to: i) The number of drive-through service facilities accessory to restaurants, financial institutions, retail stores and automated car washes located on a lot shall not exceed a total of two. Drive-through service facilities accessory to gas bars or service stations shall not be included in the calculation of the maximum number of drive-through service facilities permitted on a lot [and] ii) The requirements of Section 5.7 of this By-law shall be satisfied."

Part 5 sets out provisions related to parking and loading. **Section 5.7** sets out provisions specific to queuing lanes. Among other provisions, it sets out the minimum queuing space requirements within a queuing lane for various uses and notes that a queuing lane cannot be located closer than 10 metres from any Residential Zone.

Part 7 sets out the provisions for Commercial Zones. The Site is zoned C5. At **Table 7.3** it sets out the standard provisions for each zone. The standard provisions are not affected by the proposed Minor Variance.

As noted above, the proposal is to allow for the construction of a drive-through to serve a new retail-commercial tenant on the Site. Contrary to the current ZBL, the Site, being over 7000sqm in size, currently hosts 3 drive-through facilities. The proposal is to accommodate a fourth drive-through and regularise (from a zoning perspective) the 3rd existing drive-through. Accordingly a minor variance is required to facilitate the development and **Table 1** below provides a summary of the variances requested.

Table 1: Proposed Minor Variance against Existing ZBL provisions

Section 4.2.1	Provision	Proposed in Development	Minor Variance Requested	Difference
e) i)	The number of drive-through service facilities located on a lot shall not exceed a total of two	Regularisation of existing drive-through. Construction of an additional drive-through	The number of drive-through service facilities located on the Site shall not exceed a total of four	2

The evaluation below will set out how the proposal, while not in keeping with the standard provisions, is in keeping with the intent of the Zoning By-law.

Proposed Minor Variance – Four Tests Evaluation

When considering the proposed development as outlined above, the Committee of Adjustment needs to be satisfied that the proposal satisfies the “four tests” of a minor variance, as established in **Section 45(1)** of the *Planning Act*. The purpose of this section of the Planning Justification Letter is to provide a review of how the requested Minor Variance satisfies each of the following four tests:

1. The Minor Variance maintains the intent of the Official Plan;
2. The Minor Variance maintains the intent of the Zoning By-law;
3. The Minor Variance is desirable for the appropriate development or use of the land; and
4. It is minor.

As stated, the Minor Variance being requested is to accommodate the construction of a fourth drive-through which will serve the unit to be occupied by One Stop Naturals (a food store). The variance is as follows:

- An increase in the maximum number of drive-through service facilities permitted on a lot from 2 to 4.

1. Maintains the General Intent and Purpose of the Official Plan

The Site is designated 'Mixed Use Commercial' in the City OP. It is located within the Settlement Area and Built Boundary. The OP focuses and encourages growth, intensification and development in these areas. The proposed development is a permitted use on the Site and, as confirmed by the letter from Tatham Engineering, is not expected to have any material impact on the circulation of vehicles within the site. Accordingly, it is the opinion of the undersigned that the requested Minor Variance maintains the general intent and purpose of the Town OP.

2. Maintains the General Intent and Purpose of the Zoning By-law

The Site is zoned 'Shopping Centre Commercial' (C5). The zone permits the existing use on-site and the standard provisions of the zone are not proposed to be varied. The general provisions, set out in Part 4 of the City's ZBL, stipulates at Section 4.2.1, that a maximum of two (2) drive-through service facilities can be located on a lot. The proposal is for four (4) such facilities on the Site.

A maximum number of drive-through service facilities is typically established to ensure that vehicular traffic operations onsite are appropriate and not negatively impacted.

The established maximum of two (2) drive-through facilities is also imposed so as to prevent too many facilities being located on any given site. However, this is a broad provision that is applied regardless of whether a site is 1 acre or 8 acres and accordingly does not scape up appropriately in concert with the size of the Site. It is noted that if the Site were to be severed in half, two drive-through facilities would be permitted on either side of the new lot line for a total of four (4).

The Site is a large commercial lot of over 11 acres. The three existing drive-through service facilities are not adjacent to one another and the queuing lanes serving each unit do not coincide. The drive-through entrances have been laid out in a way that if, on the odd occasion, the queue were to spill out of the drive-through lane, the traffic does not overflow off-site. The fourth drive-through proposed is to be located to the north-east of the Site, and similar to the existing drive-through facilities on-site, is not located in proximity to another queuing lane nor will vehicles spill out onto the arterial road (Old Highway 69). The new drive-through is additionally designed in a way that it will not impede pedestrian traffic on-site.

It is thus the opinion of the undersigned that the requested Minor Variance maintains the general intent and purpose of the City's ZBL.

3. Desirable for the Appropriate Development or Use of the Land

The Site is a large commercial shopping plaza which accommodates a number of commercial units. It is located within the Built Boundary and Settlement Area where commercial uses are directed. The proposed additional drive-through is an appropriate ancillary use of the land and supports the local business (One Stop Shop) to remain on-site in Val Caron and supports the continued economic viability of the existing shopping plaza.

For this reason, it is the opinion of the undersigned that the requested Minor Variance is desirable in the context of the Site.

4. Minor in Nature

In the context of the existing drive-through facilities on the large Site, the request is modest and will facilitate the local business (One Stop Shop) to remain on-site. Though the proposed increase is from two (2) to four (4) drive-through service facilities, a third drive-through already exists on-site. The modest increase of one (1) additional drive-through, situated to the north-east corner of the lot will not be

perceptible across the large Site. As noted earlier if the Site would be severed in half, four drive-through facilities in total would be permitted as-of-right (two on each property). The Owner does not wish to sever the existing commercial shopping plaza and is therefore seeking permission for the 4th drive-through, through the proposed minor variance.

It is the opinion of the undersigned that the proposed minor variance to increase the number of drive-through service facilities is minor in nature.

Traffic Opinion Letter – Tatham Engineering

In support of the Minor Variance, Tatham Engineering have confirmed, in a traffic opinion letter dated November 24th, 2022, that the proposed drive-through facility is not expected to have any material impact on the circulation of vehicles within the Site.

Summary & Conclusions

The Minor Variance requested seeks relief from the maximum number of drive-through service facilities permitted for the Site at 3140 Old Highway 69, Val Caron, which is zoned Shopping Centre Commercial (C5).

The proposed Minor Variance will facilitate the creation of a fourth drive-through which will support a local business to remain on-site.

It is the opinion of the undersigned that the proposed Minor Variance meets the four tests as set out in the *Planning Act*, maintaining the intent of the City of Greater Sudbury Official Plan and Zoning By-law, both which confirm the acceptability of the type of development proposed on the Site. The Minor Variance is desirable and is minor in nature in the context of the existing built form and the size of the large site and it will facilitate the retention of a local business on-site and the continued economic viability of the existing shopping plaza.

It is also the opinion of the undersigned that the requested Minor Variance is consistent with the policies set out within the Provincial Policy Statement, the City of Greater Sudbury Official Plan and is in keeping with the overall aims and intent of the City of Greater Sudbury Zoning By-law.

Should you require any additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

MHBC



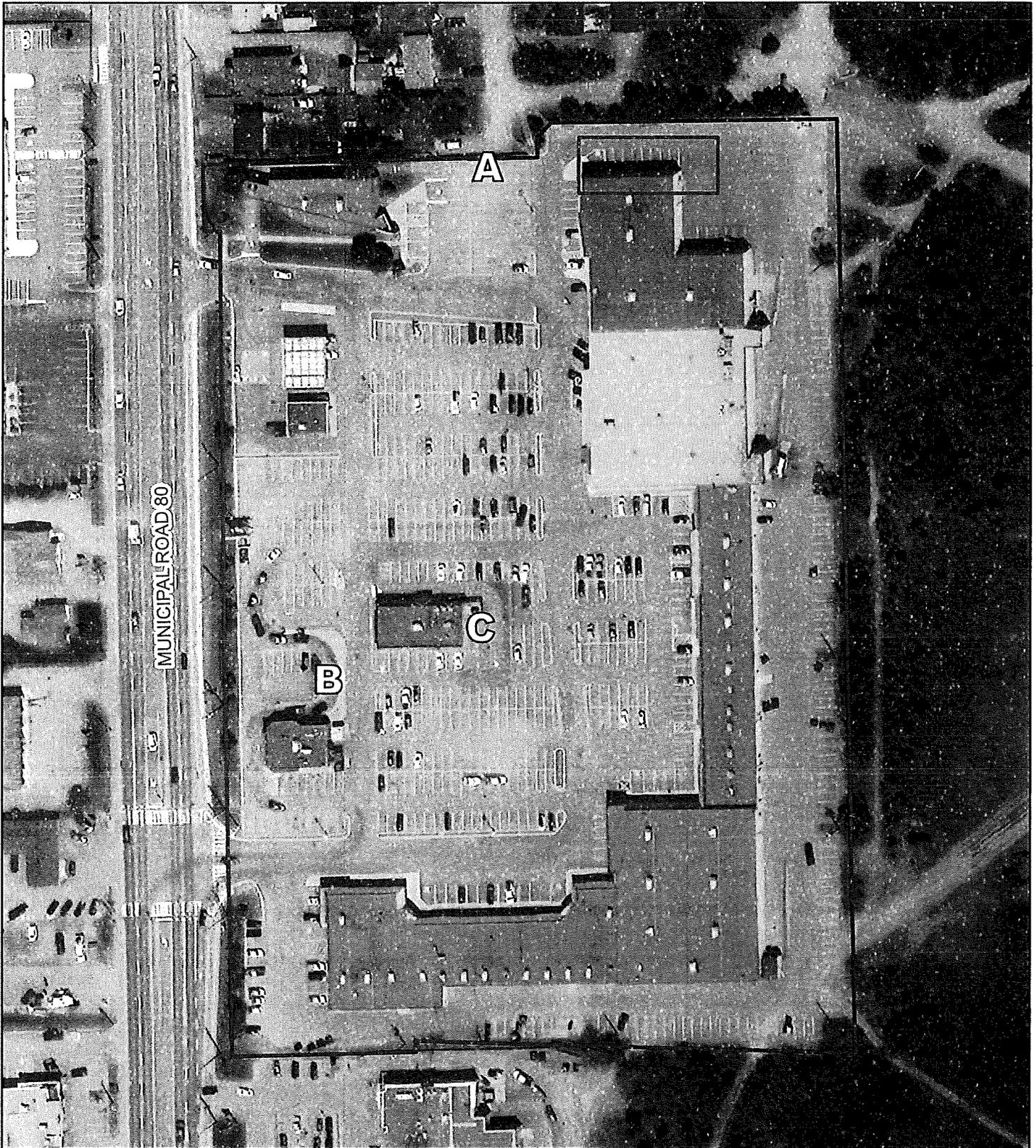
Kory Chisholm, BES, M.Sc., MCIP, RPP
Partner



Opani Mudalige, Hon.BA, M.Sc. MRTPI
Intermediate Planner

Appendices

Appendix **1**



Appendix 1
**DRIVE-THROUGH
 LOCATION**

**3140 Old Highway 69
 Minor Variance**

Part of Lot 6, Concession 6
 Geographic Township of Blezard
 City of Greater Sudbury

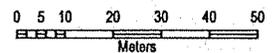
LEGEND

-  Subject Site
- A** Previously RBC; Now Mary-Brown's; Unit 30A
- B** Tim Hortons; Unit 33
- C** Historically Harvey's; Recently One Stop Naturals; Now Burger King; Unit 32
-  Proposed New Drive Though

DATE Oct. 20, 2022

SOURCES

ESRI

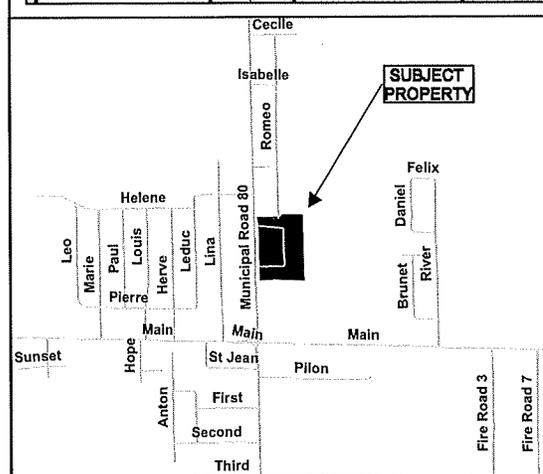
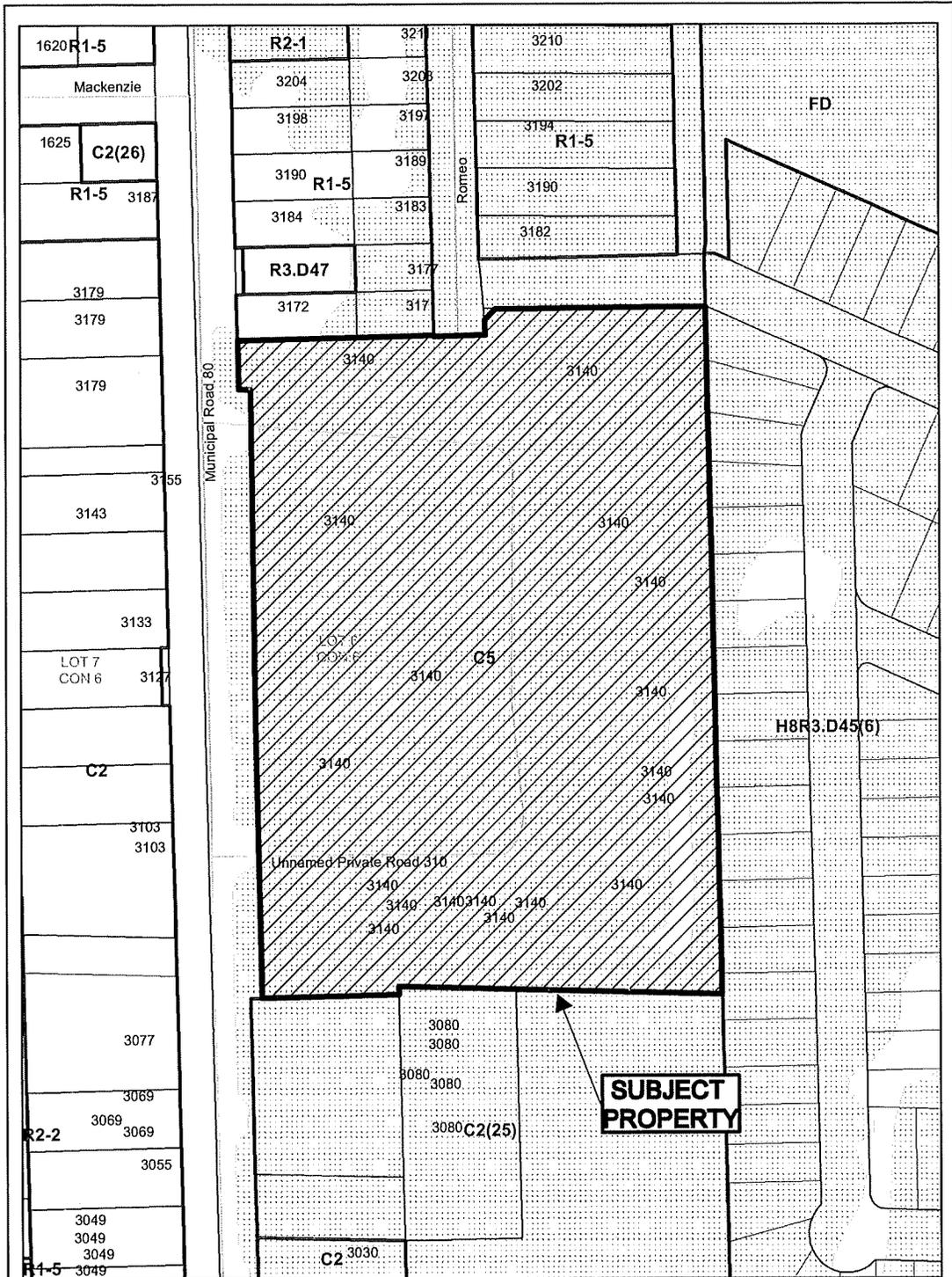


0778AU - Minor Variance Figures



2016712022

Appendix **2**

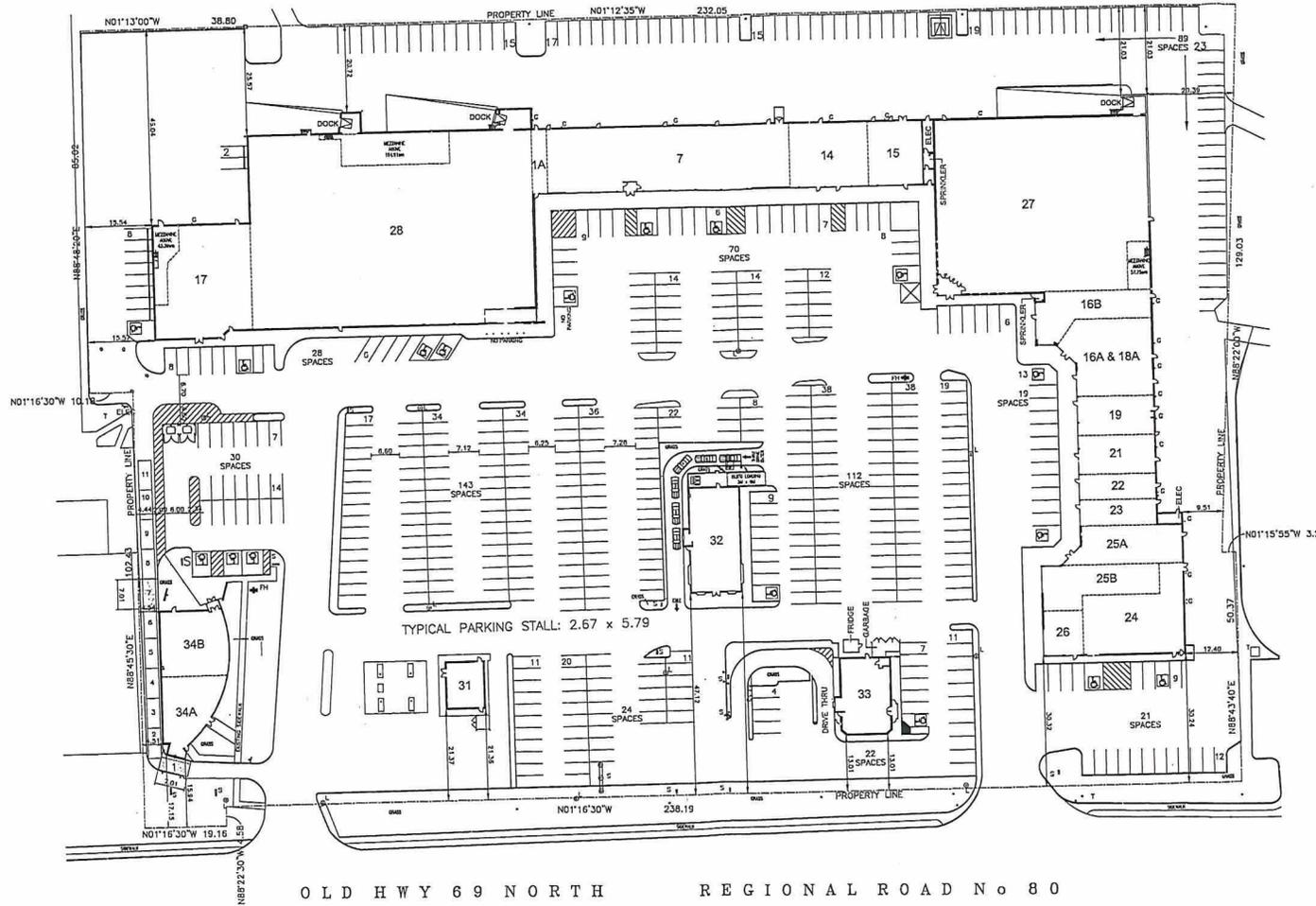


Application for Minor
Variance or Permission

Subject Property,
 PIN 73502-0055, Parcel 51750 SEC SES,
 Firstly, Part Lot 6, Concession 6, Parts 1 to 6 on,
 Plan 53R-10061; Secondly, Part Lot 49 on,
 Plan M-323, Parts 7, 8 and 10 on Plan 53R-12782;
 Thirdly, Block A on Plan M323, Part 4 on Plan 53R-12782;
 Fourthly, Part Romeo Street on Plan M-323, Part 3 on,
 Plan 53R-12782; Fifthly, Lot 1 on Plan M-323,
 Township of Blezard, 3140 Highway 69 North, Val Caron,
 City of Greater Sudbury

Sketch 1, NTS
 NDCA A0167/2022
 Date: 2022 12 23

ADULT/2022
Sketch 2

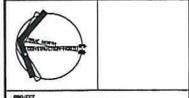


OLD HWY 69 NORTH REGIONAL ROAD No 80

LEGEND
S = SIGNAGE
L = LIGHT STANDARD
FH = FIRE HYDRANT
T = TRANSFORMER
C = NATURAL GAS

REV	BY	DESCRIPTION	DATE

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. DO NOT SCALE DRAWING.



PROJECT: WAL EST MALL
EXISTING SITE PLAN
EXISTING UNITS

3145 OLD HWY 69 N VAL CAROL, ON

OVERALL SITE PLAN

DRAWN BY: AK/RS
CHECKED BY: AZ
DATE: 22-03
SCALE: 1" = 10' - 0"



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 2022.01.01	
A 0116/2022	
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: \$1,025.00 (includes \$245.00 legal notice fee)
APPLICATION FEE FOR HEDGEROWS: \$312.00 (includes \$245.00 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): <u>A3 Construction Inc.</u>	Email:
Mailing Address: <u>157 Silpaa Street</u>	Home:
	Business:
City: <u>Sudbury</u>	Postal Code: <u>P3B 3E5</u> Fax:

- 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: <u>Michael Yallowega (Co-Owner)</u>	Email:
Mailing Address: <u>72 Durham Street</u>	Home:
<u>157 Silpaa Street</u>	Business:
City: <u>Sudbury</u>	Postal Code: <u>ON</u> Fax:

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: <u>RBC</u>
Mailing Address: <u>72 Durham Street</u>
City: <u>Sudbury, ON</u> Postal Code: <u>P3E 3M6</u>

- 4) Current Official Plan designation: Mixed commercial use Current Zoning By-law designation: C2

- 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
Reduction of rear yard set back.	7.5	1.2	6.3

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

- c) Description of Proposal:
Construct new boardroom/ lunch room addition.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:
Existing building rear yard setback doesn't meet the bylaw. We need to expand to add a board room and lunch room.

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

PIN(s): 73580-0295 Township: McKim
 Lot No.: 2 Concession No.: 4 Parcel(s):
 Subdivision Plan No.: Lot: Reference Plan No.: 53R- 53R1 54 Part(s): 1
 Municipal Address or Street(s): 157 Silpaa Street

7) Date of acquisition of subject land. August 30, 2019

8) Dimensions of land affected.

Frontage 23.75 (m) Depth 15.29 (m) Area 363.14 (m²) Width of Street 8? (m)

9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	78.31	(m ²)	101.43	(m ²)
Gross Floor Area:	156.63	(m ²)	179.75	(m ²)
No. of storeys:	1 + basement		1 no basement	
Width:	10.04	(m)	11.54	(m)
Length:	7.63	(m)	11.29	(m)
Height:	6	(m)	6	(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:	1.73	(m)	1.73	(m)
Rear:	4.91	(m)	1.2	(m)
Side:	9.35	(m)	7.82	(m)
Side:	4.28	(m)	4.28	(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.

Unsure.

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

Use(s): Commercial office Length of time: August 30, 2019

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

Same as #13 or, _____

15) What is the number of dwelling units on the property? 0

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: Commercial

A0116/2022

- 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, A3 Construction Inc. (please print all names), the registered owner(s) of the property described as Michael Yallowega and Rick Yallowega

in the City of Greater Sudbury:

Collection, Use and Disclosure of Information:

- 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;
- 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;
- 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;
- 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;

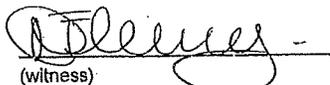
Authority to Enter Land and Photograph

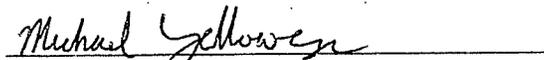
- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, 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

- appoint and authorize Michael Yallowega and Rick Yallowega (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.

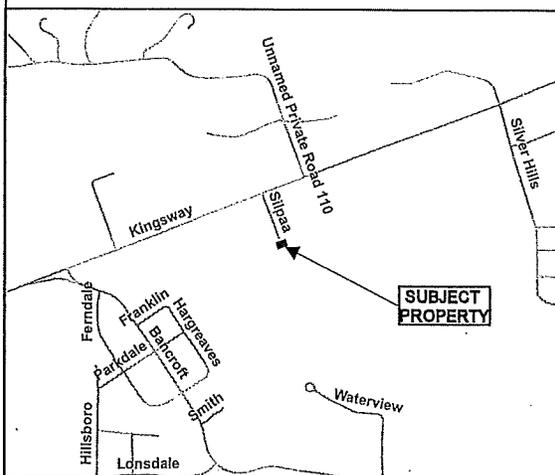
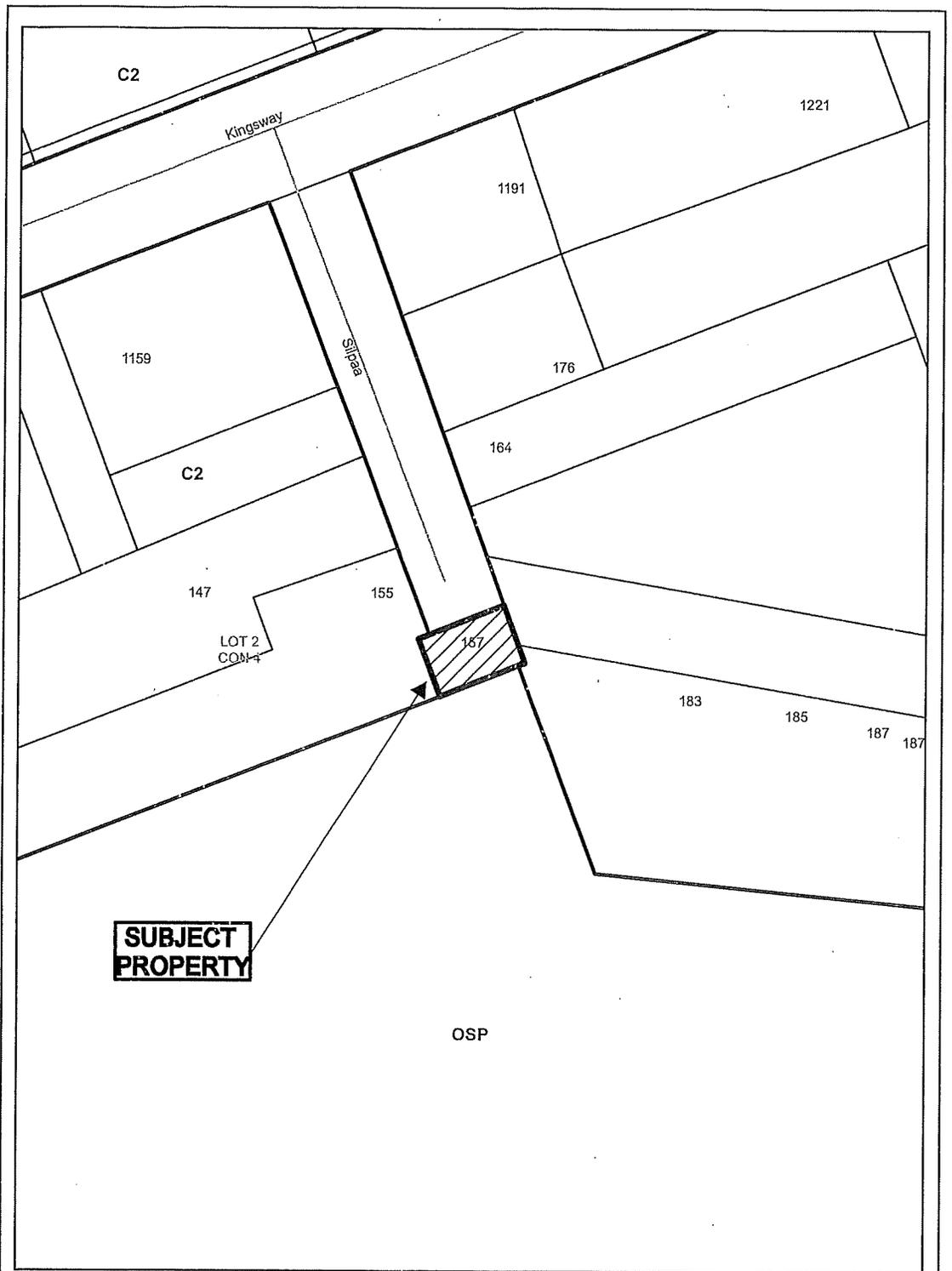
Dated this Wednesday day of November 30, 2022


(witness)


signature of Owner(s) or Signing Officer or Authorized Agent
Print Name: Michael Yallowega

*I have authority to bind the Corporation

April 16/2022



Application for Minor Variance or Permission



Subject Property being
 PIN 73580-0295,
 Parcel 13801 SEC SES,
 Part Lot 2, Concession 4,
 Part 1 on Plan 53R-15645,
 Township of McKim,
 157 Silpaa Street, Sudbury,
 City of Greater Sudbury

Sketch 1, NTS
 NDCA

A0116/2022
 Date: 2022 08 08

