

Tom Davies Square  
200 Brady St

Wednesday, January 31, 2024

PUBLIC HEARINGS

**A0001/2024**

**CURTIS ANTOINE  
MELANIE ANTOINE**

Ward: 7

PIN 73513 0483, Surveys Plan 53R-11842 Part(s) 2 & Plan 53R-19948 Part(s) 1, Lot(s) Part 37, Summer Resort Location, Subdivision M-137, Lot Part 6, Concession 4, Township of MacLennan, 102 Silverbirch Crescent, Sudbury, [2010-100Z, R1-1 (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, to facilitate the construction of a detached garage providing a maximum height of 7.3m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B201/11 (26 JAN 12)

**A0002/2024**

**1930167 ONTARIO LIMITED**

Ward: 12

PINs 02132-1279, 02132-1282 and 02132-1284, Part Lots 6-10 and Lots 34-36, Plan 28SB, Part Lots 33, 37, 38 & 39, and Part Pearl Street closed by By-law, Plan 28SA, being Parts 2, and 4 to 18, Plan 53R-17879, subject to easements over Parts 4, 5, 7, 10, 12, 15, 16, 17, Plan 53R-17879, Part Lot 5, Concession 4, Township of McKim, 0 Pearl Street, Sudbury, [2010-100Z, C3(17) Limited General Commercial]

For relief from Part 4, Section 4.2, subsection 4.2.9 b) i) and Section 4.15, subsection 4.15.1 e) and Part 5, Section 5.2, subsection 5.2.4.3, paragraph c), clause ii) and 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 a 38-unit affordable housing development with main floor office space on a lot to be retained, subject to Consent Application B0074/2023, firstly, to permit the refuse storage area to be located in an exterior yard, where refuse storage areas shall be located in the interior yard only, secondly, to permit no landscaped area along the lot line abutting Fairview Avenue, where a 3.0m wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m, thirdly, to locate parking within 0.0m of the north lot line, where no outdoor parking area shall be permitted within 3.0m to any road having a width of more than 10.0m and fourthly, to permit a 2.9m high retaining wall along the northerly property line providing a minimum rear yard setback of 0m, where a minimum rear yard setback of 7.5m is required.

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B74/23 (6 NOV 23)

**A0003/2024**

**ROBERT DESJARDINS**

Ward: 5

PIN 02171 0207, Parcel 12919 SEC SES, Lot(s) Part 28, Subdivision M-190, Lot Part 3, Concession 6, Township of McKim, 1178 Rideau Street, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 4, Section 4.2, subsection 4.2.3 and subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage with secondary dwelling unit providing firstly, an accessory lot coverage of 12.47%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, and secondly, a maximum height of 7.34m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

**A0004/2024****2442618 ONTARIO LIMITED**

Ward: 1

PIN 73586-1076, Lot 6 as in Instrument 80995, Plan 58-S, Lot 7, Concession 3, Township of McKim, 723 Lorne Street, Sudbury, [2010-100Z, C2 (General Commercial)]

For relief from Part 4, Section 4.2, Table 4.1, Part 5, Section 5.2, subsection 5.2.9.3, and Part 7, Section 7.2, Table 7.1 and 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 permit firstly, a residential use on the ground floor of a proposed detached garage containing a second-storey residential unit, where any dwelling containing not more than two dwelling units must have a permitted non-residential use as a main use on the ground floor provided that the lot is a fully serviced lot, secondly, a minimum rear yard setback of 1.2m, where a minimum rear yard setback of 7.5m is required, thirdly, an interior side yard setback of 1.2m, where a minimum interior side yard setback of 2.4m is required, fourthly, eaves to encroach 0.6m into the proposed 1.2m interior side yard setback and rear yard setback, where eaves may encroach 0.6m into the required interior side yard and 1.2m into the required rear yard, but not closer than 0.6m to the lot line, and fifthly, a minimum driveway width of 5.24m, where a minimum driveway width of 6.0m is required for two-way traffic.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A280/89 (23 OCT 89) AND A67/82 (12 JUL 82)

**A0005/2024****STEPHANIE MUZYKA  
MIKE MUZYKA**

Ward: 6

PIN 73504 0841, Parcel 43110 SEC SES SRO, Survey Plan 53R-6839 Part(s) 1, subject to LT114876 and LT114877, Lot(s) Part 63, Subdivision M-396, Lot 4, Concession 2, Township of Hanmer, 4139 Frost Avenue, Hanmer, [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, to facilitate the construction of a detached garage providing a maximum height of 5.75m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

PREVIOUSLY SUBJECT TO CONSENT APPLICATION B0301/1976 (7 JUN 76)

**A REMINDER... THE NEXT SCHEDULED MEETING IS  
THURSDAY, FEBRUARY 15, 2024**



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

Office Use Only 2023.01.01
A0001/2024
S.P.P. AREA YES _____ NO <input checked="" type="checkbox"/>
NDCA REG. AREA YES <input checked="" type="checkbox"/> NO _____

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

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

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

Registered Owner(s): Curtis ANTOINE / MELANIE ANTOINE Email: [REDACTED]  
Mailing Address: 102 Silver Birch CRO. Home Phone: [REDACTED]  
Business Phone: [REDACTED]  
City: Sudbury Postal Code: P6M 2Y0 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: Curtis ANTOINE Email: [REDACTED]  
Mailing Address: SAME AS OWNER Home Phone: [REDACTED]  
Business Phone: [REDACTED]  
City: [REDACTED] Postal Code: [REDACTED] Fax Phone: [REDACTED]

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

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

Name: NONE  
Mailing Address: [REDACTED]  
City: [REDACTED] Postal Code: [REDACTED]

- 4) Current Official Plan designation: LIVING AREA 2 Current Zoning By-law designation: R1-1

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

Variance To	By-law Requirement	Proposed	Difference
4.2.4(A) Height	5.0 Meters	7.3 m	2.3 m

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: 3 (m)

- c) Description of Proposal: Adjustment of Height to allow  
BOAT AND RV STORAGE

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

Height Allowance to facilitate boat winter storage  
13' / 4m DOOR + ROOF LINE AND Header SPACE.

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

PIN(s): \_\_\_\_\_ Township: MacLENNAN  
 Lot No.: \_\_\_\_\_ Concession No.: \_\_\_\_\_ Parcel(s): 53R11842 + part 2 RPS3R19948 part 1  
 Subdivision Plan No.: M137 Lot: 37 Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 102 SILVER BIRCH cres

- 7) Date of acquisition of subject land.

July 1<sup>st</sup> 2018

- 8) Dimensions of land affected.

Frontage 44.55 (m) Depth 181.05 (m) Area 12950 (m<sup>2</sup>) Width of Street \_\_\_\_\_ (m)

- 9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	<del>110</del> 120 (m <sup>2</sup> )	139.52 (m <sup>2</sup> )
Gross Floor Area:	155 <del>120</del> 128 (m <sup>2</sup> )	139.52 (m <sup>2</sup> )
No. of storeys:	2	1 <del>139.52</del>
Width:	8.02 (m)	10.9 (m)
Length:	15.8 (m)	12.8 (m)
Height:	7.62 (m)	7.3 (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:	<del>180</del> 160.5 (m)	100 (m)
Rear:	12.1 (m)	89 (m)
Side:	36.64 (m)	4.5 (m)
Side:	32 (m)	63 (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.

July 2019

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

Use(s): PERMANENT RESIDENCE Length of time: 3 years

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

Same as #13 ☒ or, \_\_\_\_\_

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

ONE

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

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

- 17) Existing uses of abutting properties:

SEASONAL / RESIDENTIAL



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

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

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

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

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

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

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?

☐ Yes ☒ No

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

#### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Curtis Antoine and Melanie Antoine (please print all names), the registered owner(s) of the property described as 102 SILVERBIRCH CREST 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 Curtis Antoine (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 17th day of December, 2023

(witness)

MICHAEL PAUL

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

Print Name: CURTIS ANTOINE

\*I have authority to bind the Corporation

A0001/2024

③

### PART B: OWNER OR AUTHORIZED AGENT DECLARATION

1We, Curtis Antoine & Melanie Antoine (please print all names),

the registered owner(s) or authorized agent of the property described as

102 Silver Birch

UBESSENT

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 ~~17th~~ <sup>22</sup> day of ~~December~~ <sup>2023</sup>

December, 20 23

Commissioner of Oaths

Commissioner of Oaths

Paula Elizabeth Turkington-Green, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury.

~~20~~

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

*NA*

~~SECRET~~

Print Name: Curtis Antoine

\*I have authority to bind the Corporation

Curtis Antoine.

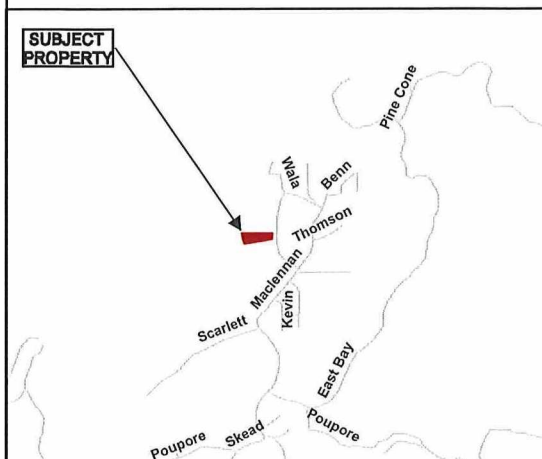
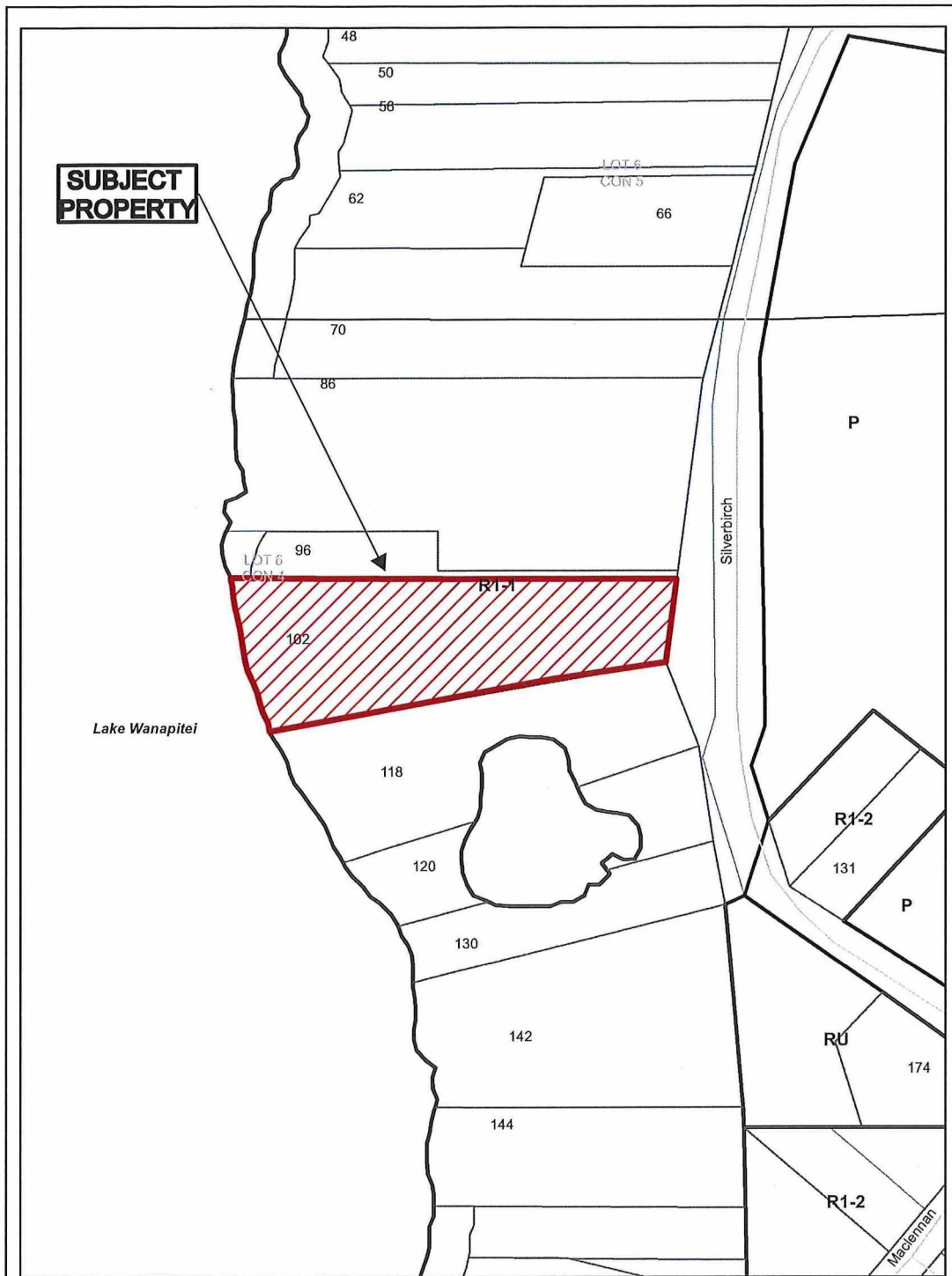
\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: Jan 2/24 Hearing Date: Jan 31/24 Received By: S. Pinkerton  
Zoning Designation: R1-1 Resubmission: ☐ Yes ☒ No  
Previous File Number(s):  
Previous Hearing Date:  
Notes: BO201/2011 (Jan 26/12)

A0001/2024

④



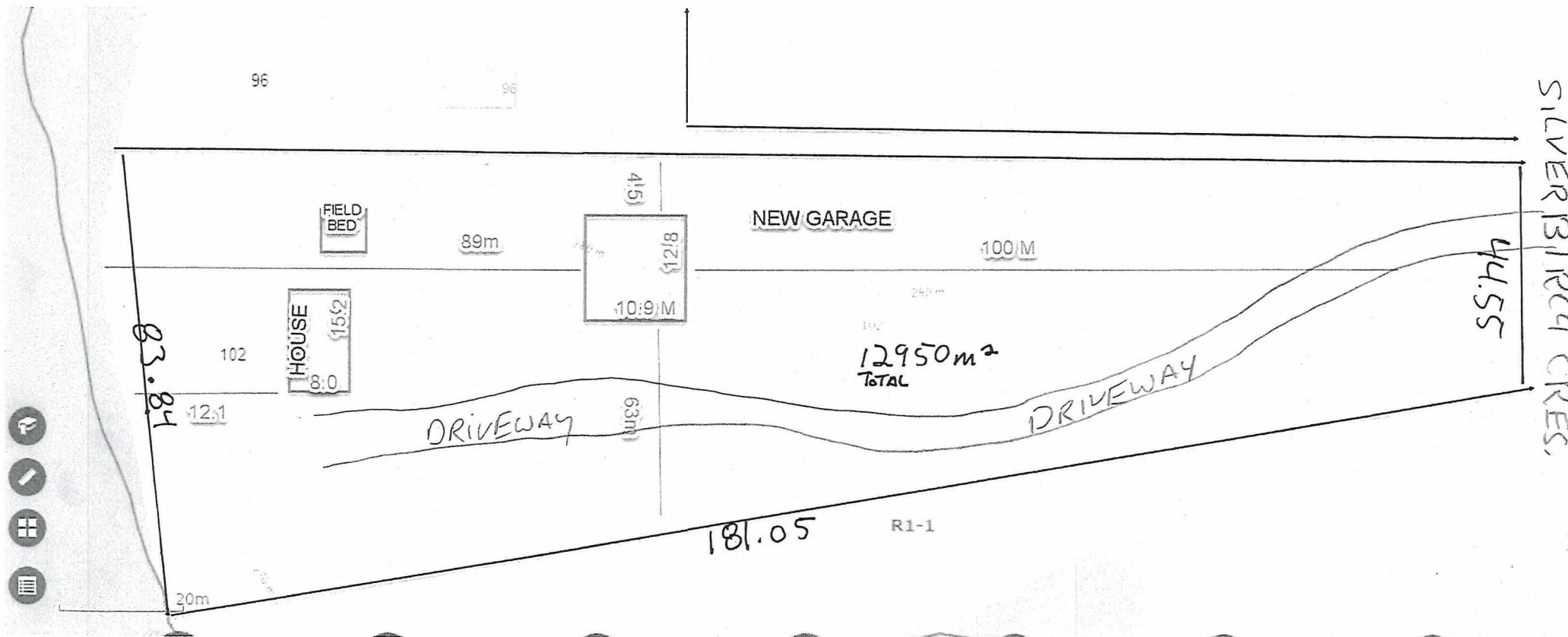
## Application for Minor Variance or Permission



Subject Property being PIN 73513-0483,  
Summer Resort Location, Part Lot 37, Plan M-137,  
Part 2, Plan 53R-11842, Part 1, Plan 53R-19948,  
Part Lot 6, Concession 4, Township of MacLennan,  
102 Silverbirch Crescent, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

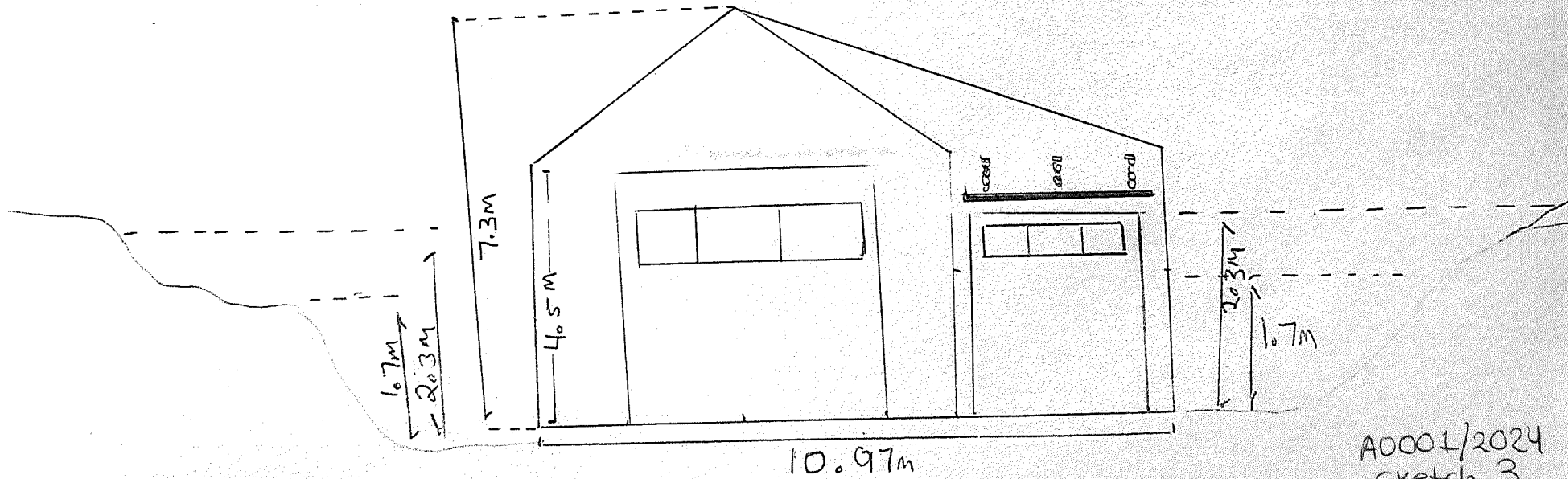
A0001/2024  
Date: 2024 01 08



A0001/2024  
Sketch 2

102 SILVERBIRCH SKEAD	
PROPOSED GARAGE PLOT PLAN	
DRAWN BY CURTIS ANTOINE	DATE DEC 21 2023

### SOUTH ELEVATION

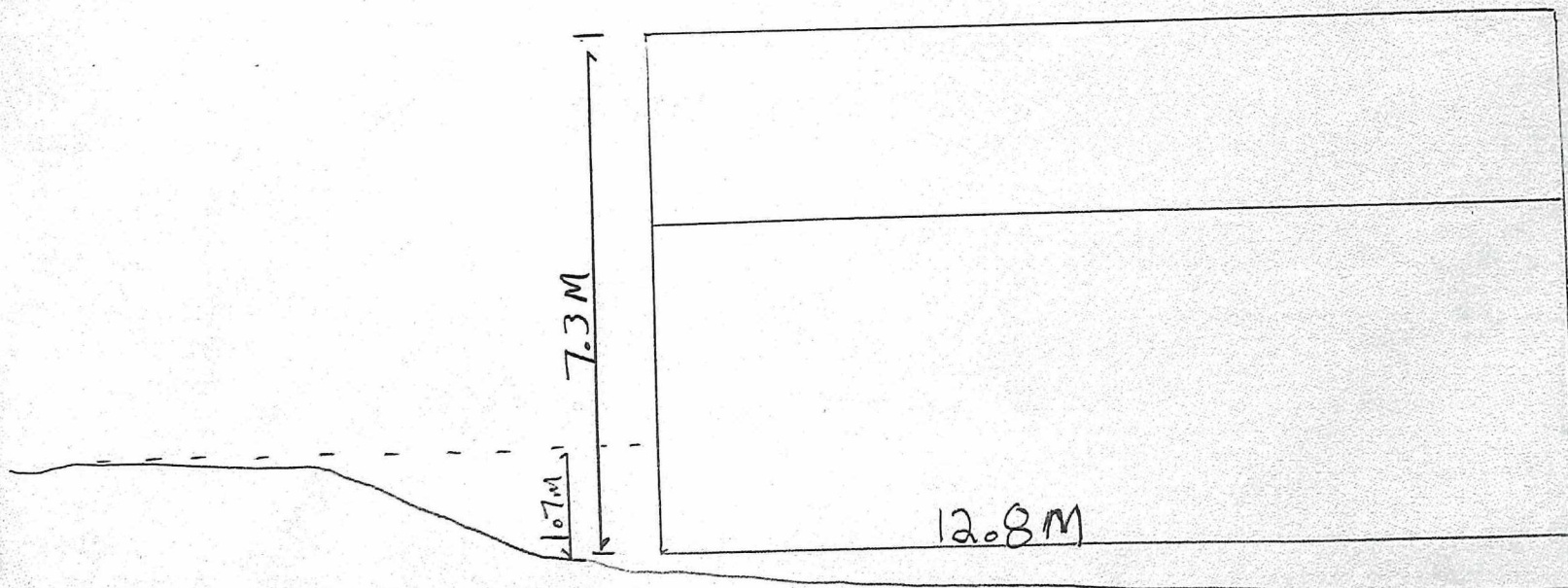


A0001/2024  
sketch 3

102 SILVER BIRCH CRST.  
SOUTH ELEVATION  
DEC 24 2023 | 10mm = 1M



EAST ELEVATION

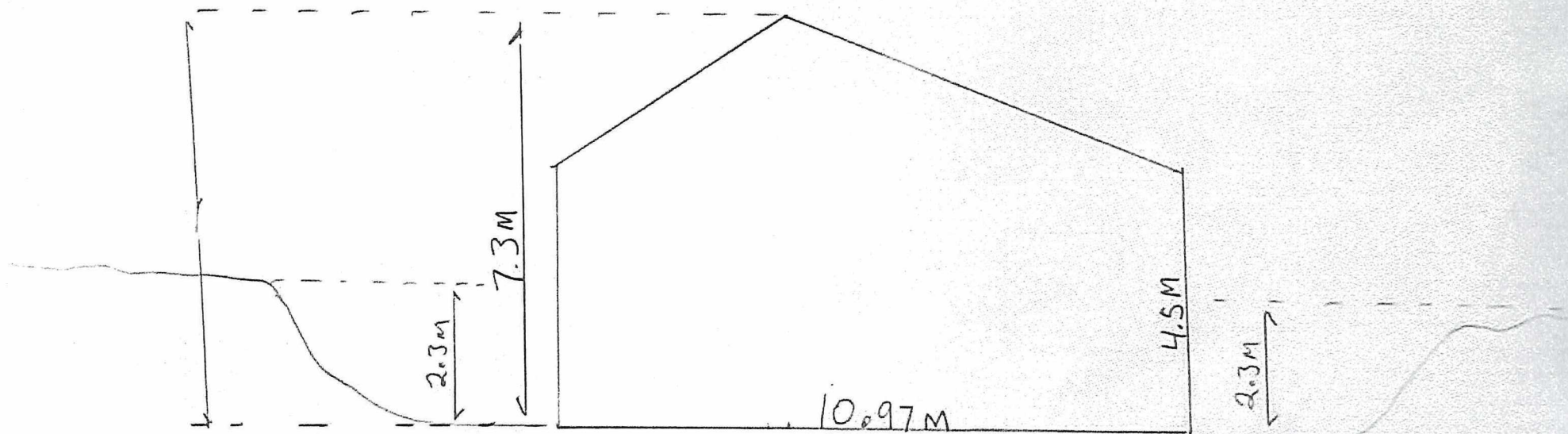


A0001/2024  
Sketch 4

102 SILVERBIRCH
EAST SIDE ELEVATION
DEC 24 2024   10mm = 1M



NORTH ELEVATION

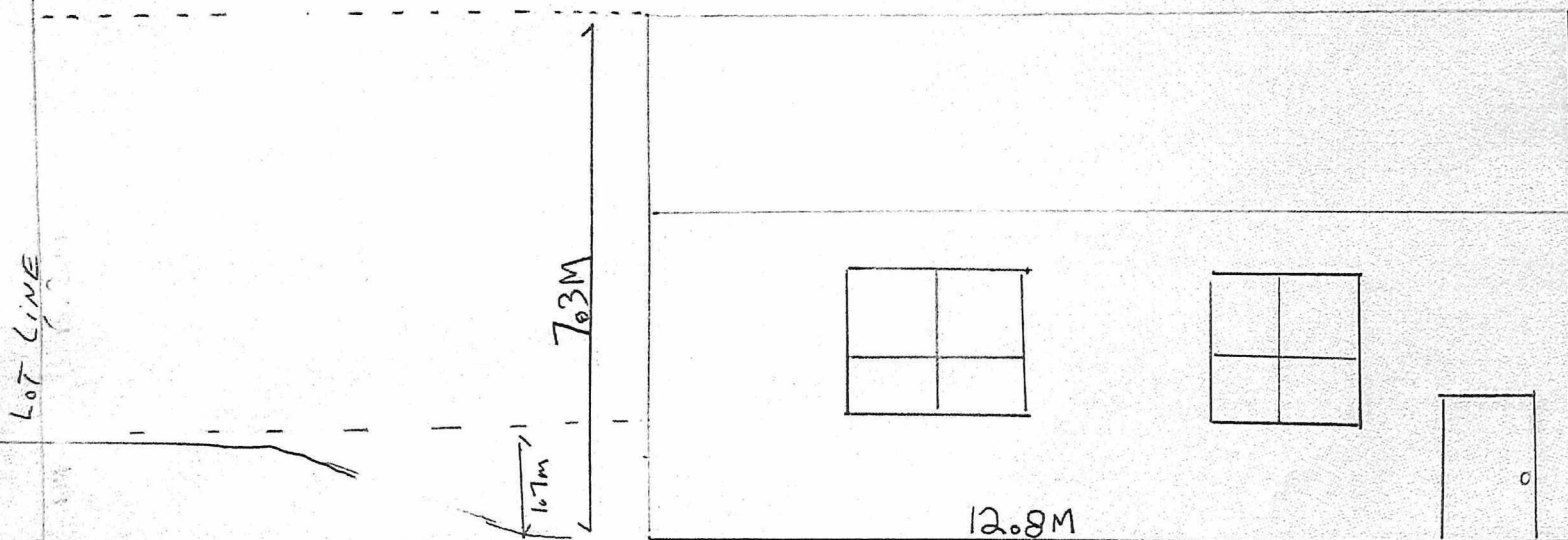


A0001/2024  
sketch 5

102 SILVER BIRCH CRST
NORTH ELEVATION
DEC 24 2023   10mm = 1m



WEST ELEVATION



A0001/2024  
Sketch 6

102 SILVERBIRCH CRST	
WEST ELEVATION GARAGE	
Dec 24/2023	10mm = 1M



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

Office Use Only 2023.01.01	
A0002/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES	NO <input checked="" type="checkbox"/>

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

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

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

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

Registered Owner(s): 1930167 ONTARIO LIMITED	Email:	
Mailing Address: 874 Lapointe Street	Home	
	Business	
City: Sudbury	Postal Code: P3A 5N8	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	Email:	
Mailing Address: 1942 Regent Street Unit L	Home P	
	Business	
City: Sudbury	Postal Code: P3E 5V5	Fax Phc

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: N/A
City: N/A
Postal Code: N/A

- 4) Current Official Plan designation: Living Area 1      Current Zoning By-law designation: C3(17)

- 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
See Schedule A			

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

- c) Description of Proposal:

The proposed variances are required to facilitate the construction of a 38-unit affordable housing development following first-round Site Plan Control comments from the City of Greater Sudbury.

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

Topographic constraints/grading resulting in need for retaining walls, separated parking areas, and lack of adequate space for landscaped area's along the entirety of the right-of-way

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

PJN(s): 021321279 & 021321282 & 021321284 Township: \_\_\_\_\_  
 Lot No.: \_\_\_\_\_ Concession No.: \_\_\_\_\_ Parcel(s): \_\_\_\_\_  
 Subdivision Plan No.: 28SB & 28SA Lot: \_\_\_\_\_ Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 0 Pearl Street, Sudbury, ON (see legal descriptions)

- 7) Date of acquisition of subject land. 22/07/2016

- 8) Dimensions of land affected.

Frontage 89.87 (m) Depth 74.4 (m) Area 3607 (m<sup>2</sup>) Width of Street 20.0 (m)

- 9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	No existing development (m <sup>2</sup> )	538 (m <sup>2</sup> )
Gross Floor Area:	" (m <sup>2</sup> )	2174.5 (m <sup>2</sup> )
No. of storeys:	"	5
Width:	" (m)	14.1 (m)
Length:	" (m)	34.8 (m)
Height:	" (m)	19.0 (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	Multiple Dwelling	Proposed	Accessory structures
Front:	No existing development (m)	17.4(m)	3.25	(m)
Rear:	" (m)	14.7(m)	2.2	(m)
Side:	" (m)	16.3(m)	0.0	(m)
Side:	" (m)	0.0(m)	0.0	(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.

Date of water tower unavailable.

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

Use(s): Vacant Length of time: 50+ Years

- 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 Existing

- 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 Vacant Open Space

A0002/2024

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

- If "yes", indicate application number(s) and status of application(s): B0074/2023

- If 'Yes', indicate application number(s) and status of application(s):

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

I/We, 1930167 ONTARIO LIMITED (please print all)

A0002/2024

I/We, 1930167 ONTARIO LIMITED

\_\_\_\_ (please print all names),

LOTS 34 TO 36 PL 285B & PITS L7S 33, 37 TO 39 PL 285A BEING PITS 2, 4, 5, 6, 7 & 8 53R17879; S/T EASEMENT IN GROSS OVER PITS 1 & 2 53R17879; S/T EASEMENT IN GROSS OVER PITS 4, 5 & 7 53R17879 AS IN SD106666; GREATER SUDBURY & PT PEARL S/T PL 285A CLOSED BY BY-LAW AS IN SD140922 BEING PITS 9, 10, 11, 12 & 13 53R17879; S/T EASEMENT IN GROSS OVER PT 12 53R17879 AS IN SD106666; S/T EASEMENT IN GROSS OVER PITS 10 & 12 53R17879 AS IN SD106666; GREATER SUDBURY & P L7S 6 TO 10 PL 285B BEING PITS 14 TO 18 53R17879; S/T EASEMENT IN GROSS OVER PT 17 53R17879 AS IN SD106666; S/T EASEMENT IN GROSS OVER PITS 15 TO 17 53R17879 AS IN SD106666; GREATER SUDBURY

in the City of Greater Sudbury;

Dated this 17<sup>th</sup> day of November, 2023

David M. L.  
Commissioner of Oaths

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

Print Name: DARIO ZULICH  
 \*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: Dec 23/23 Hearing Date: Jan 31/24 Received By: S. Pinkerton  
Zoning Designation: C3(17) Resubmission: ☐ Yes ☒ No  
Previous File Number(s):  
Previous Hearing Date:  
Notes: BOOTH/2023 (NOV 6/23)

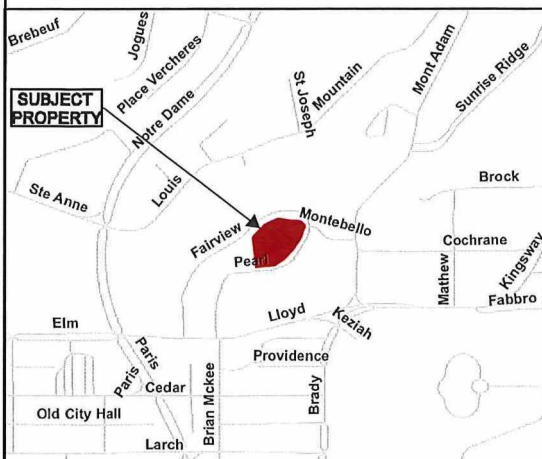
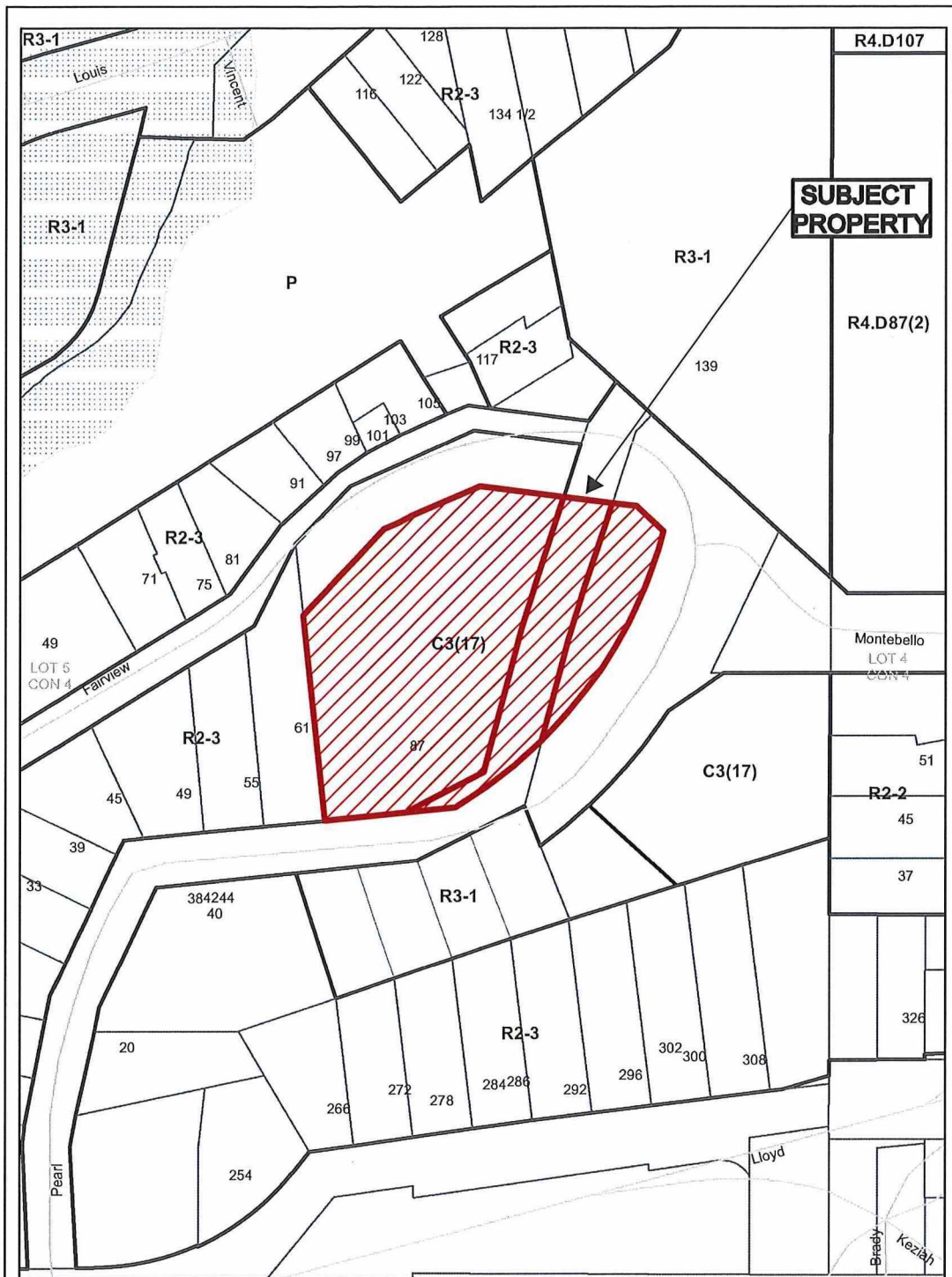
A0002/2024



**SCHEDULE A – LIST OF RELIEFS**

VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
<b>LANDSCAPING REQUIREMENTS</b>			
<b>REDUCE LANDSCAPE AREA (4.15.1(e))</b>	<i>A 3.0-metre-wide landscaped area adjacent to the full length of a lot line shall be required abutting all public roads having a width greater than 10.0 metres in all Zones</i>	0.0m landscaped area along lot line of all roads having a width greater than 10.0m	3.0m landscaped wide
<b>REFUSE STORAGE</b>			
<b>PERMIT REFUSE STORAGE IN AN EXTERIOR YARD (4.2.9(b)(i))</b>	<i>An accessory building or structure containing a refuse storage area shall be located i) In an interior yard only</i>	An exterior side yard	Located in exterior yard
<b>LOCATION OF PARKING</b>			
<b>PARKING WITHIN 3.0M OF ROAD (5.2.4.3(c)(ii))</b>	<i>5.2.4.3(c)(ii) c) Closer to any road having a width of more than 10.0 metres, or any Residential Zone than:  ii) 3.0 metres in a Commercial (C) or Institutional (I) Zone.</i>	0.0m	3.0m
<b>RETAINING WALLS</b>			
<b>REAR YARD SETBACK FOR A 2.9M HIGH RETAINING WALL (RUNNING ALONG NORTHERLY PROPERTY LINE)</b>	7.5m	0.0m	7.5m

A0002/2024



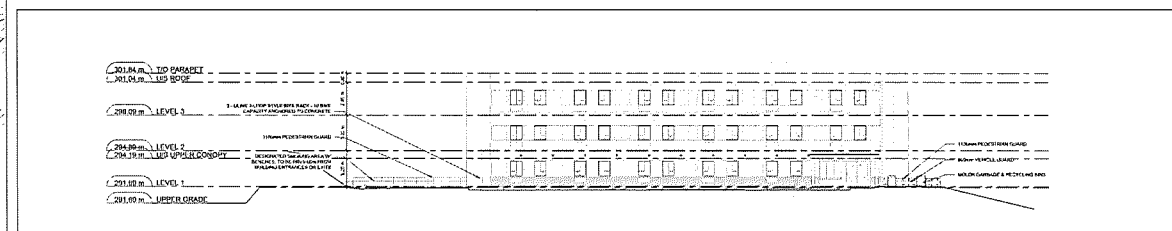
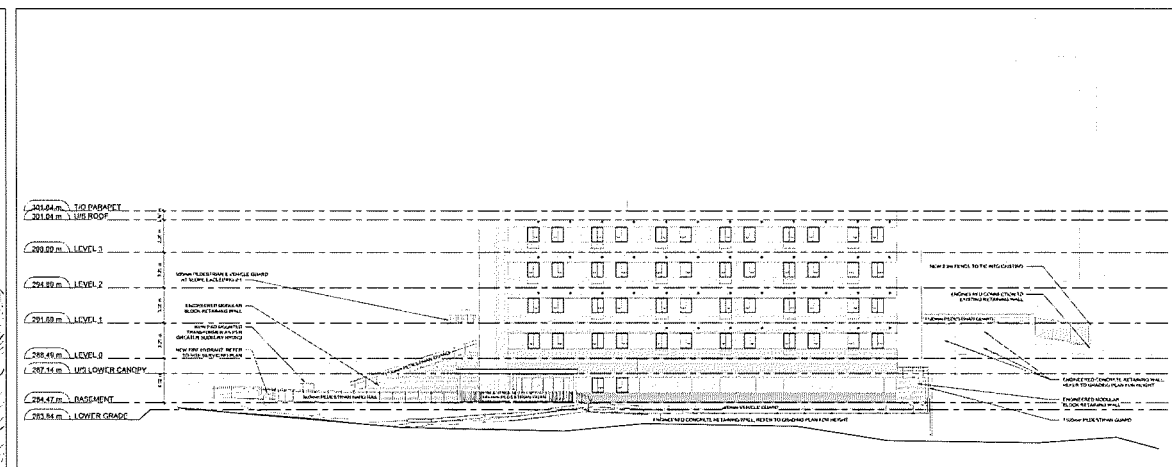
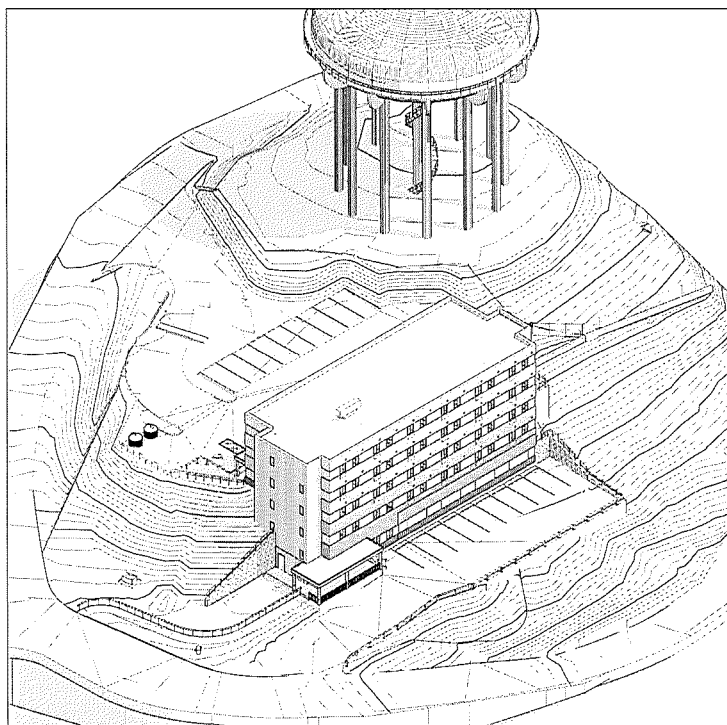
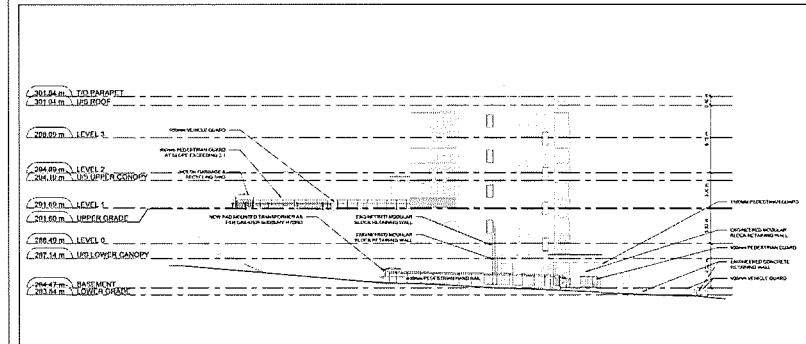
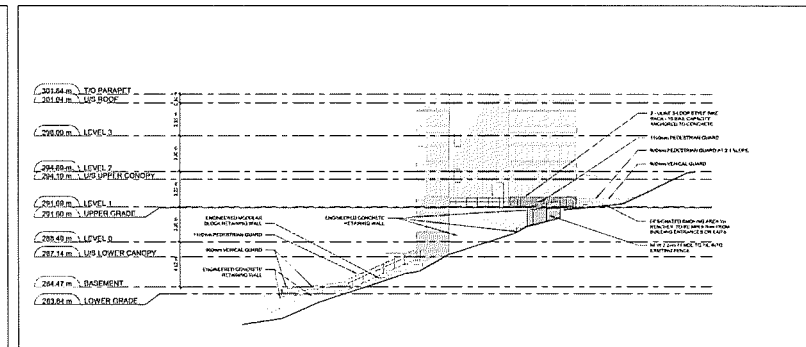
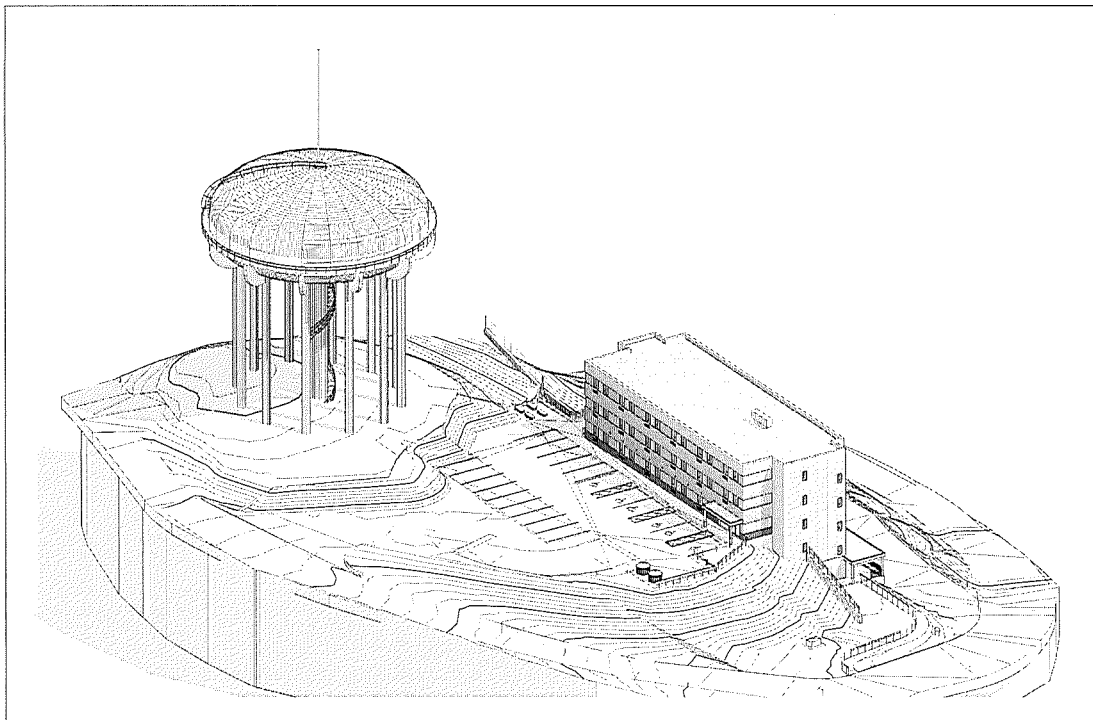
## Application for Minor Variance or Permission

Subject Property being PINs 02132-1279, 02132-1282 and 02132-1284, Part Lots 6-10 and Lots 34-36, Plan 28SB, Part Lots 33, 37, 38 & 39, and Part Pearl Street closed by By-law, Plan 28SA, being Parts 2, and 4 to 18, Plan 53R17879, subject to easements over Parts 4, 5, 7, 10, 12, 15, 16, 17, Plan 53R-17879, Part Lot 5, Concession 4, Township of McKim, 0 Pearl Street, Sudbury, City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0002/2024  
Date: 2024 01 08







Q All Address, Name, PIN, ARN, Instrument, Plan

In Sudbury (change)

Search

Search Compar



Valuation & Sales Plans, Surveys & Easements Residential Relocation HoodQ™ Demographics

Print PDF Comparables

Sudbury

[Suggest an address correction](#)

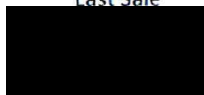


Owner Name

1930167 ONTARIO LIMITED



Last Sale



Lot Size

3,692 m<sup>2</sup>

Area

245 m

Perimeter

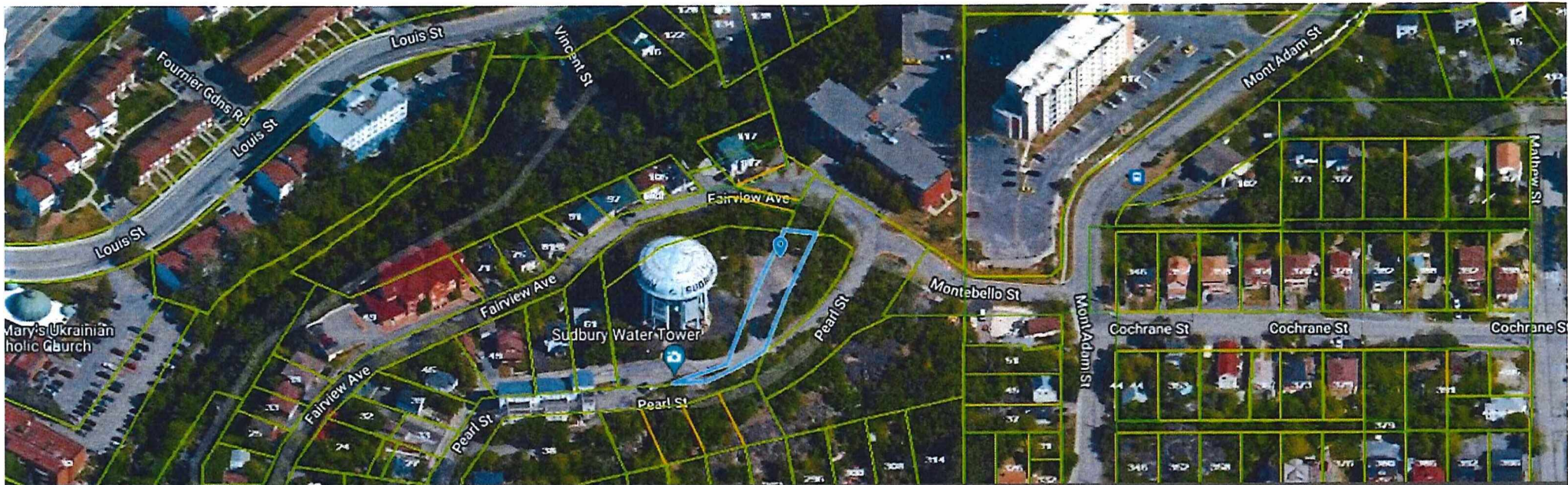
[View Measurements](#)

### Legal Description

LOTS 34 TO 36 PL 28SB & PTS LTS 33, 37 TO 39 PL 28SA BEING PTS 2, 4, 5, 6, 7 & 8 53R17879; S/T EASEMENT IN GROSS OVER PTS 4 & 7 53R17879 ASIN SD106665; S/T EASEMENT IN GROSS OVER PTS 4, 5 & 7 53R17879 AS IN SD106666; GREATER SUDBURY [less](#)

A0002/2024  
Sketch 4





ation & Sales Plans, Surveys & Easements Residential Relocation HoodQ™ Demographics Print PDF

Sudbury

[Suggest an address correction](#)



Owner Name

1930167 ONTARIO LIMITED



Last Sale



Lot Size

877 m<sup>2</sup>

Area

208 m

Perimeter

[View Measurements](#)

Legal Description

PT PEARL ST PL 285A CLOSED BY BY-LAW AS IN SD40922 BEING PTS 9, 10, 11, 12 & 13 53R17879; S/T EASEMENT IN GROSS OVER PT 12 53R17879 AS IN SD106665; S/T EASEMENT IN GROSS OVER PTS 10 & 12 53R17879 AS IN SD106686; GREATER SUDBURY [less](#)

A0002/2024  
Sketch 5





Sudbury

[Suggest an address correction](#)



Owner Name

1930167 ONTARIO LIMITED



Last Sale



Lot Size

687 m<sup>2</sup>

Area

142 m

Perimeter

[View Measurements](#)

Legal Description

PT LTS 6 TO 10 PL 28SB BEING PTS 14 TO 18 53R17879; S/T EASEMENT IN GROSS OVER PT 17 53R17879 AS IN SD106665; S/T EASEMENT IN GROSS OVER PTS 15 TO 17 53R17879 AS IN SD106666; GREATER SUDBURY [less](#)

A0002/2024  
sketch 6



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

Office Use Only 2023.01.01
A 0003 / 2024
S.P.P. AREA YES _____ NO <input checked="" type="checkbox"/>
NDCA REG. AREA YES _____ NO <input checked="" type="checkbox"/>

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

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

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

Registered Owner(s): ROBERT DESTARDINS Email: [REDACTED]  
Mailing Address: 89 NEPAHWIN AVE Home Phone: [REDACTED]  
City: SUDBURY Postal Code: P3E 2H5 Fax Phone: [REDACTED]

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

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

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

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

Name: DESTARDINS CHASSE Populaire  
Mailing Address: 1380 LAGASSE BLVD  
City: SUDBURY 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
4.24a Building Height	5.0m	7.34m	2.34m
4.2c3	10%	12.46%	2.46%

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

- c) Description of Proposal: DETACHED GARAGE w/ SECOND STORY  
SECONDARY UNIT, KITCHEN, 1 BATH

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: in order to  
OBTAIN proper ceiling height in second story. Secondary unit  
an increase in overall building height is required  
The size of building to accommodate indoor stairs to upper  
unit.

~~Total~~ Total  
Gross floor area.

79.89m<sup>2</sup> x ?

A0003/2024



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

PIN(s): 02171-0207 Township: Mckim  
 Lot No.: 3 Concession No.: 6 Parcel(s): 12919  
 Subdivision Plan No.: M190 Lot: 28 Reference Plan No.: 1 Part(s):  
 Municipal Address or Street(s): 1178 Rideau St

*\* SEE ATTACHMENTS for addition Abutting Property*

- 7) Date of acquisition of subject land.
- 2012

- 8) Dimensions of land affected.

Frontage 41.15 (m) Depth 70.42 (m) Area 840.31 (m<sup>2</sup>) Width of Street (m)

- 9) Particulars of all buildings:

	SFD <sup>R</sup> Existing	GARAGE to be demo	Proposed
Ground Floor Area:	<u>84.72</u>	<u>32.51 (m<sup>2</sup>)</u>	<u>104.72 (m<sup>2</sup>)</u>
Gross Floor Area:	<u>84.72</u>	<u>32.51 (m<sup>2</sup>)</u>	<u>186.51 (m<sup>2</sup>)</u>
No. of storeys:	<u>1</u>	<u>1</u>	<u>2</u>
Width:	<u>10.84</u>	<u>4.06 (m)</u>	<u>13.12 (m)</u>
Length:	<u>8.43</u>	<u>8.03 (m)</u>	<u>7.81 (m)</u>
Height:	<u>5.05</u>	<u>3.38 (m)</u>	<u>7.34 (m)</u>

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

	SFD Existing	Detached Garage	Proposed
Front:	<u>5.91</u>	<u>5.98 (m)</u>	<u>10.25 (m)</u>
Rear:	<u>5.21</u>	<u>6.54 (m)</u>	<u>2.12 (m)</u>
Side:	<u>1.83</u>	<u>15.11 (m)</u>	<u>21.37 (m)</u>
Side:	<u>27.88</u>	<u>21.94 (m)</u>	<u>6.01 (m)</u>

*Shower in back of house*

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

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.

1940 +/-

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

Use(s): Residential Length of time: 83 years +/-

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

Same as #13 ☒ or, \_\_\_\_\_

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

1

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

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

- 17) Existing uses of abutting properties:

Residential

A0003/2024

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

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

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

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

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

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

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

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

#### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Robert Desjardins (please print all names), the registered owner(s) of the property described as  
1178 Rideau st. Sudbury Ontario P3A3H4  
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;

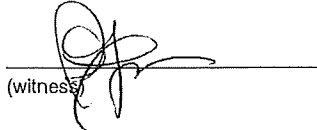
##### Authority to Enter Land and Photograph

- 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 \_\_\_\_\_ (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 2nd day of January, 2024

(witness) 

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

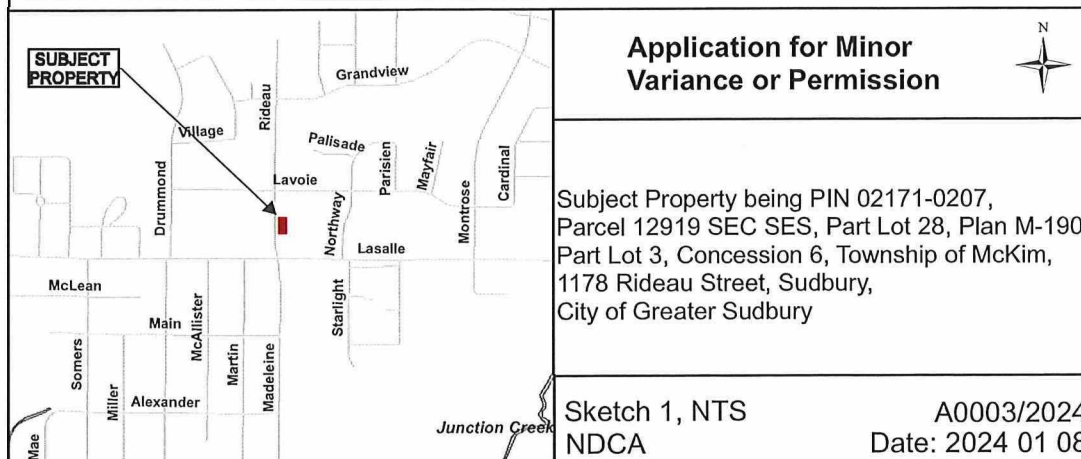
Print Name: Robert Desjardins

\*I have authority to bind the Corporation

A0003/2024

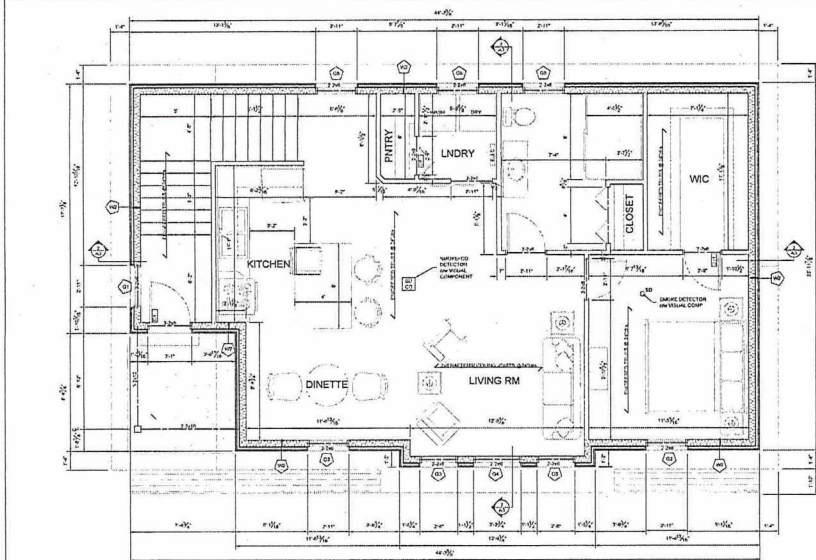












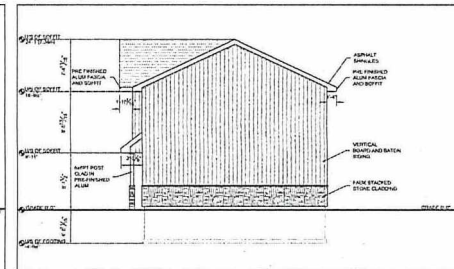
SECOND STORY FLOOR PLAN

1-A3



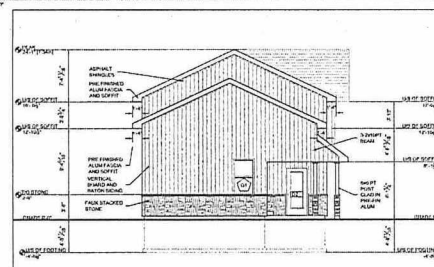
EAST ELEVATION

3-A3



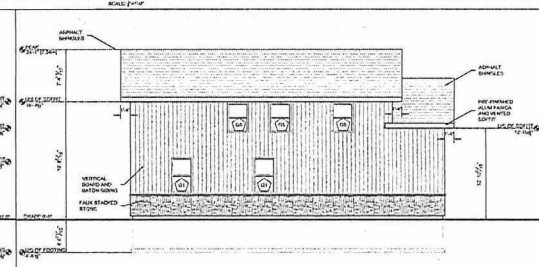
SOUTH ELEVATION

5-A3



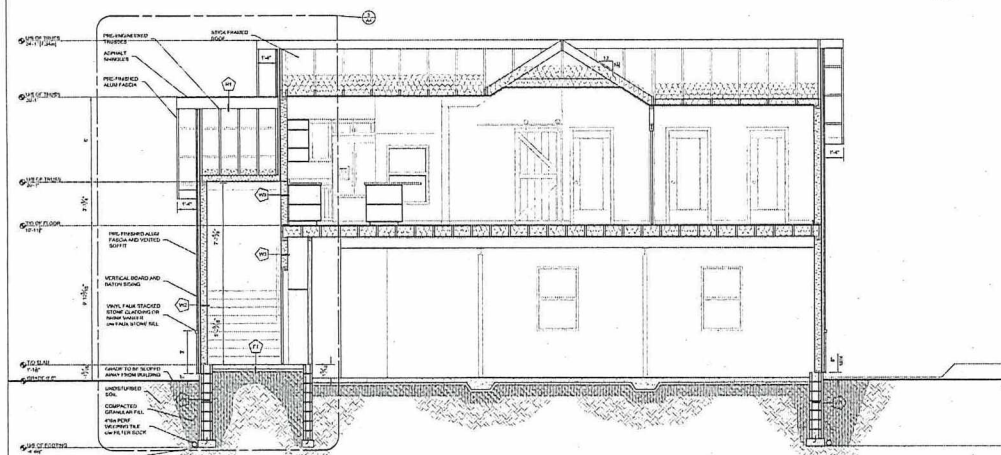
NORTH ELEVATION

4-A3



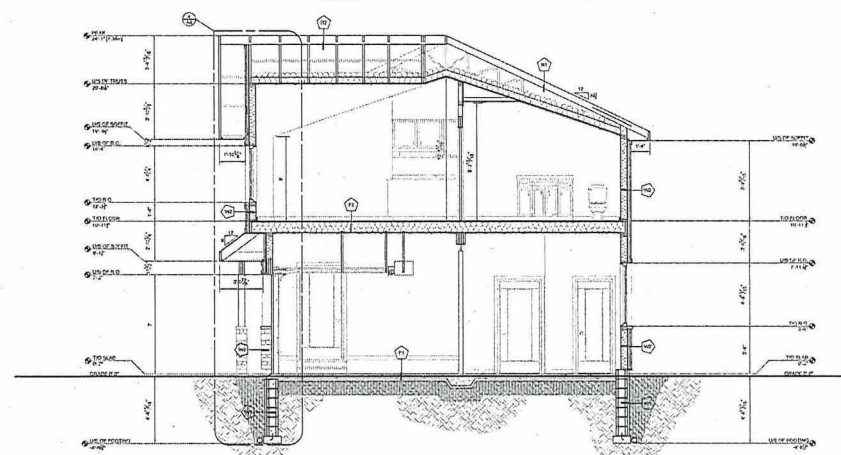
WEST ELEVATION

6-A3



BUILDING SECTION

2-A3



BUILDING SECTION

7-A3

DO NOT SCALE DRAWINGS  
CONSTRUCTOR SHALL CHECK AND VERIFY  
ALL EXISTING CONDITIONS ON SITE AND  
SHALL CHECK AND VERIFY ALL DRAWING  
DIMENSIONS AND REPORT ANY  
INCONSISTENCIES TO THE DESIGNER  
BEFORE PROCEEDING WITH THE WORK

REVISIONS

FOR CLIENT REVIEW  
FOR MINOR VARIANCE  
FOR CLIENT REVIEW

2023-07-28  
2023-08-02  
2023-08-15



CLIENT NAME/ADDRESS

ROBERT DESJARDINS  
1178 RIDEAU STREET  
SUDBURY, ONTARIO

DRAWING TITLE

SECOND STORY FLOOR PLAN  
ELEVATIONS  
BUILDING SECTIONS

SCALE

DATE 2023-07-31  
AS NOTED

CHECKED

DRAWN BY AAL  
RW

DRAWING

PROJECT

2023-013  
A3

A0003/2024  
sketch 3



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

Office Use Only 2024.01.01
A0004/2024
S.P.P. AREA YES _____ NO <input checked="" type="checkbox"/>
NDCA REG. AREA YES _____ NO <input checked="" type="checkbox"/>

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

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

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

Registered Owner(s): 2442618 ONTARIO LIMITED Email: [REDACTED]  
Mailing Address: 715 LORRAINE ST Home Phone: [REDACTED]  
City: SUDBURY Postal Code: P3C 7R5 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: ADRIAN BORTOLUSSI Email: [REDACTED]  
Mailing Address: 144 ELM ST Home Phone: [REDACTED]  
City: SUDBURY Postal Code: P5C 1T7 Fax Phone: [REDACTED]  
Note: Unless otherwise requested, all communication will be sent to the agent, if any.

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

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

- 4) Current Official Plan designation: MIXED USE COMMERCIAL Current Zoning By-law designation: C-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
BYLAW 2010-100Z	7.50 m REAR YARD SETBACK	1.20 m	6.3 m
	1.80 m SIDE YARD SETBACK	1.20 m	0.60 m
	6.0 m DRIVEWAY WIDTH	5.24 m	0.76 m
	SEPARATE STRUCTURE	GARAGE ON MAIN FLOOR RESIDENTIAL UNIT ON TOP	

- b) Is there an eave encroachment? ☒ Yes ☐ No If 'Yes', size of eaves: 0.60 (m)

- c) Description of Proposal: CONSTRUCT GARAGE - MAIN FLOOR WITH 2ND STOREY RESIDENTIAL UNIT

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



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

PIN(s): 73586-1076 Township: McKim  
 Lot No.: 7 Concession No.: 3 Parcel(s):  
 Subdivision Plan No.: RP 58-S Lot: 6 Reference Plan No.: Part(s):  
 Municipal Address or Street(s): # 723 LOUNE ST

- 7) Date of acquisition of subject land.
- Dec 2023

- 8) Dimensions of land affected.

Frontage 2174 (m) Depth 36.55 (m) Area 794.35 (m<sup>2</sup>) Width of Street 20.117 (m)

- 9) Particulars of all buildings:

	Existing			Proposed	
Ground Floor Area:	<u>FRAME GARAGE</u> <u>88.00</u>	<u>HOUSE</u> <u>87.36</u>	<u>METAL GARAGE</u> <u>80.50</u>	<u>83.24</u>	(m <sup>2</sup> )
Gross Floor Area:	<u>88.00</u>	<u>148.64</u>	<u>80.50</u>	<u>166.84</u>	(m <sup>2</sup> )
No. of storeys:	<u>1</u>	<u>2</u>	<u>1</u>	<u>2</u>	(m)
Width:	<u>8.50</u>	<u>7.31</u>	<u>6.23</u>	<u>8.53</u>	(m)
Length:	<u>10.25</u>	<u>11.92</u>	<u>12.91</u>	<u>9.75</u>	(m)
Height:	<u>3 1/2</u>	<u>6 1/2</u>	<u>4 1/2</u>	<u>6 1/2</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>26.33</u>	<u>6.78</u>	<u>22.67</u>	<u>25.57</u>	(m)
Rear:	<u>0.12 OVER</u>	<u>17.81</u>	<u>0.97</u>	<u>1.20</u>	(m)
Side:	<u>0.15</u>	<u>0.99</u>	<u>0.45</u>	<u>1.20</u>	(m)
Side:	<u>12.88</u>	<u>13.44</u>	<u>15.00</u>	<u>11.98</u>	(m)

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

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

What type of access to the land?

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

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

House 1927 FRAME GARAGE +/- 1950 METAL GARAGE 1990

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

Use(s): RESIDENTIAL / COMMERCIAL Length of time: unknown

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

Same as #13 ☐ or, Commercial

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

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

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

- 17) Existing uses of abutting properties:
- Commercial (BOTH SIDES)

A0004/2024

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

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

or, describe briefly, \_\_\_\_\_

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

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

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

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

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

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

#### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, 2442618 ONTARIO LIMITED (please print all names), the registered owner(s) of the property described as # 723 LORNE ST

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 Aurimo Bortolussi (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 4TH day of January, 20 24

Ueno Bortolussi  
(witness)

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

Print Name: Louie Zagardo

\*I have authority to bind the Corporation


A0004/2024

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

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 4<sup>th</sup> day of January, 2024

  
Commissioner of Oaths

**Christopher Bortolussi,  
a Commissioner, ect.,  
Province of Ontario,  
for Bortolussi Surveying Ltd.  
Expires August 31, 2025.**

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

Print Name: ADRIAN BARTOLUSSI  
 \*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: Jan 5/24	Hearing Date: Jan 31/24	Received By: S. Pinkerton
Zoning Designation: C2	Resubmission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Previous File Number(s): A280/89	A67/82	
Previous Hearing Date: (23 Oct 89)	(12 Jul 82)	
Notes:		

170004/2024

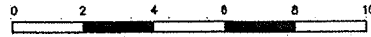




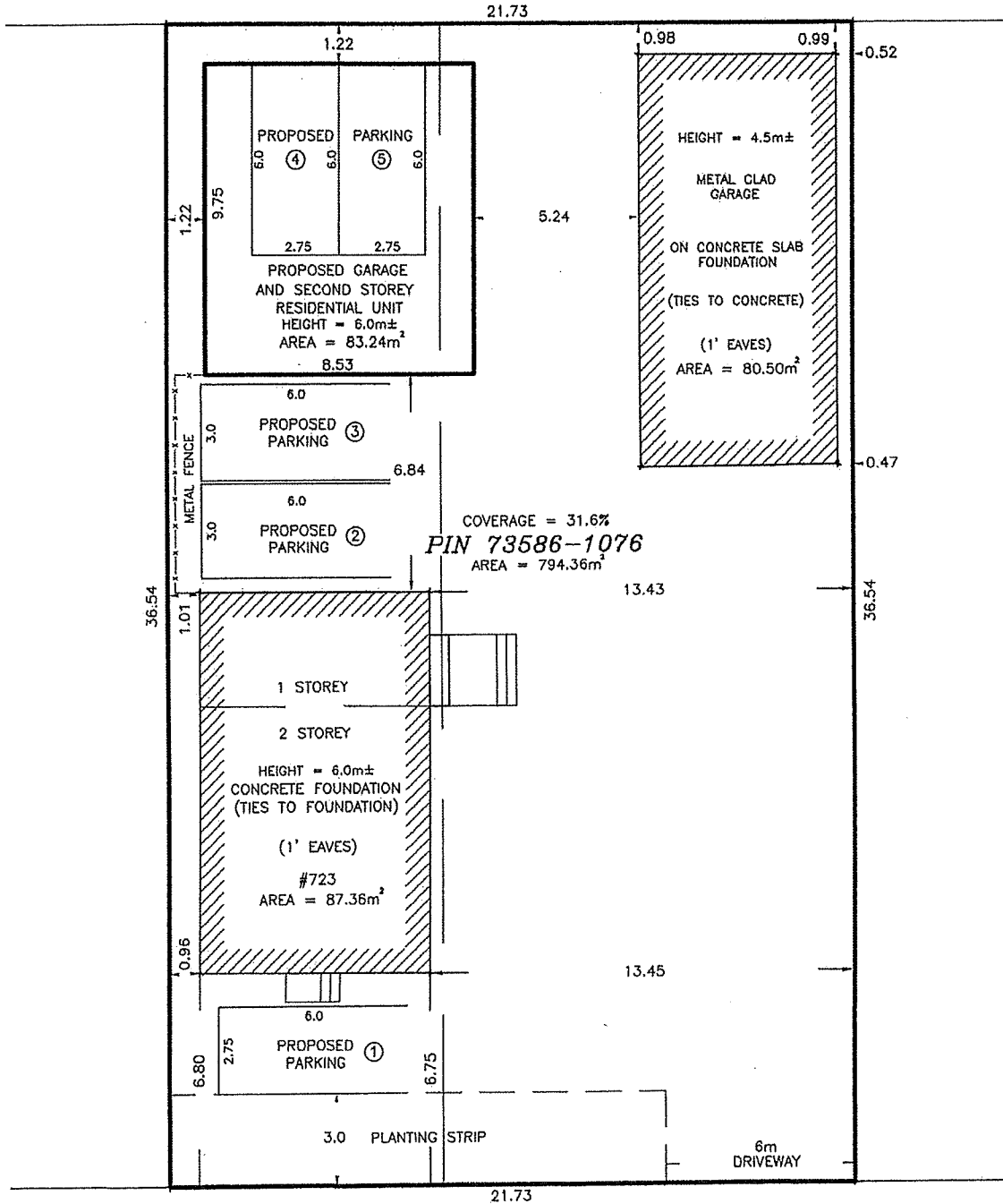
PLOT PLAN

#723 LORNE STREET

SCALE 1 : 200 METRIC



LANE



LORNE STREET

A0004/2024  
Sketch 2



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

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

Office Use Only 2024.01.01
A000512024
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"/>

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

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

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

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

Registered Owner(s): Mike / Stephanie Muzyka Email: [REDACTED]  
Mailing Address: 4139 Frost Ave Home: [REDACTED]  
City: Hammer ON Postal Code: P3P 1E2 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: Mike Muzyka Email: [REDACTED]  
Mailing Address: See Above Home Phone: [REDACTED]  
City: [REDACTED] Postal Code: [REDACTED] Business Phone: [REDACTED]  
Fax Phone: [REDACTED]  
Note: Unless otherwise requested, all communication will be sent to the agent, if any.

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

Name: Manulife Bank  
Mailing Address: 500 King St North  
City: Waterloo, ON Postal Code: N2T 4C6

- 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
Building height 4.2.4(A)	5m	5.75m	0.75m

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

- c) Description of Proposal: 40x30 garage with 3 bay doors on full foundation with 10 ft walls on 2 ft foundation

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

The building height is above 5m, 10ft walls for deck storage

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

PIN(s): 73504-0841 Township: Hammer  
 Lot No.: 4 Concession No.: 2 Parcel(s): 43110  
 Subdivision Plan No.: M396 Lot: Part 63 Reference Plan No.: \_\_\_\_\_ Part(s): 1  
 Municipal Address or Street(s): 4139 Frost Ave

- 7) Date of acquisition of subject land.
- Oct 7, 2022

- 8) Dimensions of land affected.

Frontage 16.15 (m) Depth 124.76 (m) Area 1366 (m<sup>2</sup>) Width of Street \_\_\_\_\_ (m)

- 9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	<u>182.5</u> (m <sup>2</sup> )	<u>120.35</u> (m <sup>2</sup> )
Gross Floor Area:	<u>365</u> (m <sup>2</sup> )	<u>120.35</u> (m <sup>2</sup> )
No. of storeys:	<u>1</u>	<u>1</u>
Width:	<u>9.78</u> (m)	<u>12.79</u> (m)
Length:	<u>21</u> (m)	<u>9.41</u> (m)
Height:	<u>6.70</u> (m)	<u>5.75</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>7.62</u> (m)	<u>11.5</u> (m)
Rear:	<u>99.86</u> (m)	<u>54</u> (m)
Side:	<u>3.66</u> (m)	<u>18</u> (m)
Side:	<u>1.2</u> (m)	<u>3.6</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.

2011

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

Use(s): Single family dwelling Length of time: 15 years

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

Same as #13 ☒ or, \_\_\_\_\_

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

1

- 16) If this application is approved, would any existing dwelling units be legalized?

Yes

No

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

- 17) Existing uses of abutting properties:

Residential, Sports Complex

A0005/2024

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

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

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

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

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

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

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

If "yes", provide details on how the property is designated in the Source Protection Plan. See Attached  
Section 59 Application

#### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Mike / Stephanie Muzyka (please print all names), the registered owner(s) of the property described as 4139 Frost Ave

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 Mike Muzyka (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 5<sup>th</sup> day of January, 20 24

[Signature]  
(witness)

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

Print Name: Mike & Stephanie Muzyka

\*I have authority to bind the Corporation


A000 5/2024



1We, Mike / Stephanie Muzyka (please print all names),  
the registered owner(s) or authorized agent of the property described as 4139 Frost Ave

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 8<sup>th</sup> day of January, 2024

  
Commissioner of Oaths

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

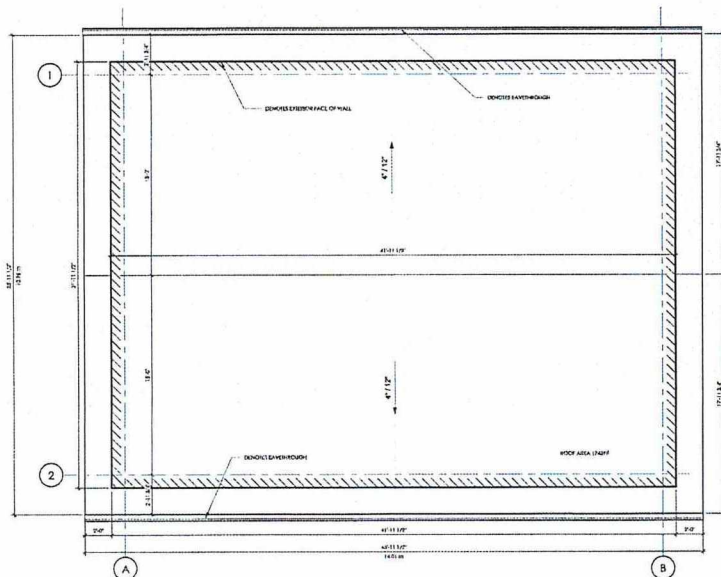
Print Name: Mike Muzyk  
 \*I have authority to bind the Corporation

- FOR OFFICE USE ONLY**

Date of Receipt: Jan 8/24 Hearing Date: Jan 31/24 Received By: S. Pinkerton  
Zoning Designation: R1-5 Resubmission: Yes No  
Previous File Number(s): B301/76  
Previous Hearing Date: (7 Jun 76)  
Notes:

A0005/2024





**ROOF PLAN**  
1/4" = 1'-0"



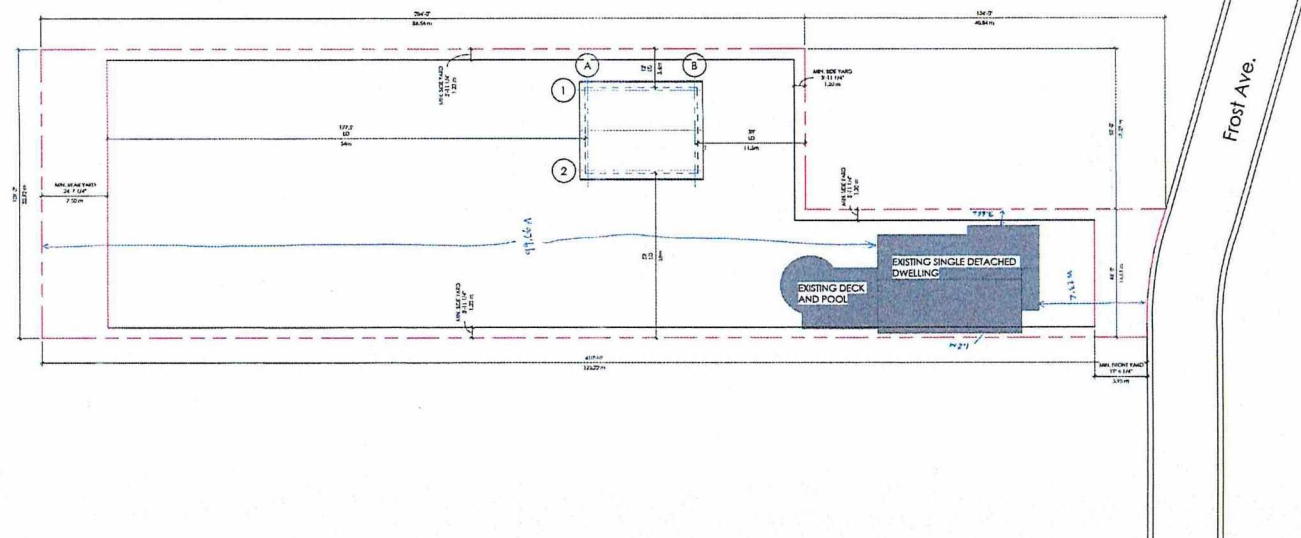
**AIRIAL SITE KEY PLAN OF 4139 Frost Ave., Hammar, ON P3P 1E2**  
DISTRICT: GREATER SUDBURY  
TOWNSHIP: HAMMAR  
ZONE: R1-S  
WHPA: FROST D  
WHPA TYPE: B  
VULNERABILITY: 10

**Table 6.2 – Standards for the Low Density Residential One (R1) Zone** (By-law 2012-1762, 2013-1502)

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Corner Side Yard	Maximum Lot Coverage	Maximum Height
R1-1	4000.0 m <sup>2</sup>	45.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m
R1-2	1300.0 m <sup>2</sup>	36.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m
R1-3	1000.0 m <sup>2</sup>	30.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m
R1-4	665.0 m <sup>2</sup>	18.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m
R1-5	465.0 m <sup>2</sup>	15.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m
R1-6	400.0 m <sup>2</sup>	12.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m
R1-7	279.0 m <sup>2</sup>	9.0 m	30.0 m	6.0 m	7.5 m	1.2 m	4.5 m	40%	11.0 m

**SPECIAL PROVISIONS FOR TABLE 6.2**

1. Corner lots will have the minimum lot frontage plus an additional 2.0 metres.
2. (i) Abutting a primary arterial road – 15.0 metres;  
(ii) Abutting a secondary or tertiary arterial road – 7.5 metres;
3. Plus 0.6 metres for each full storey above the first storey abutting such yard.
4. Abutting a primary arterial road – 15.0 metres.
5. For partially or unserviced lots – 25%.
6. Minimum lot depth for lots abutting a primary arterial road – 45.0 metres.
7. In addition to the minimum lot frontage, no lot shall have a front lot line less than 10.5 metres in length, measured at the street line.

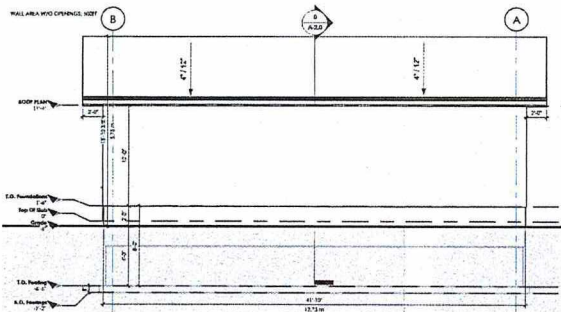


**SITE PLAN**  
1" = 20'-0"

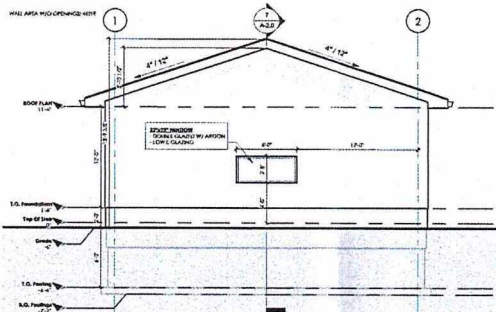
**MUTYKA GARAGE**  
4139 Frost Ave., Hammar, ON P3P 1E2  
10/24/2023

A0005/2024  
Sketch 2

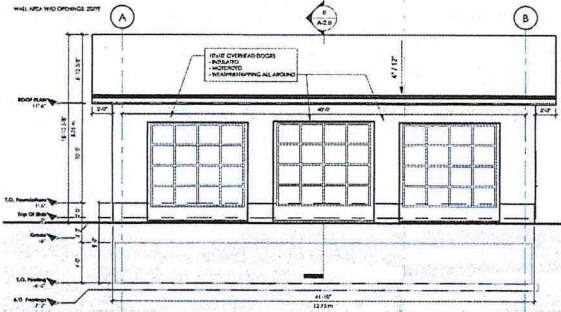




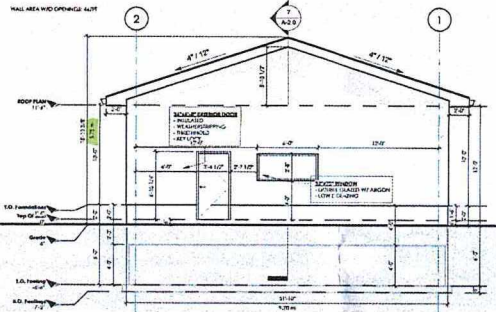
**North Elevation**  
3/16" = 1'-0"



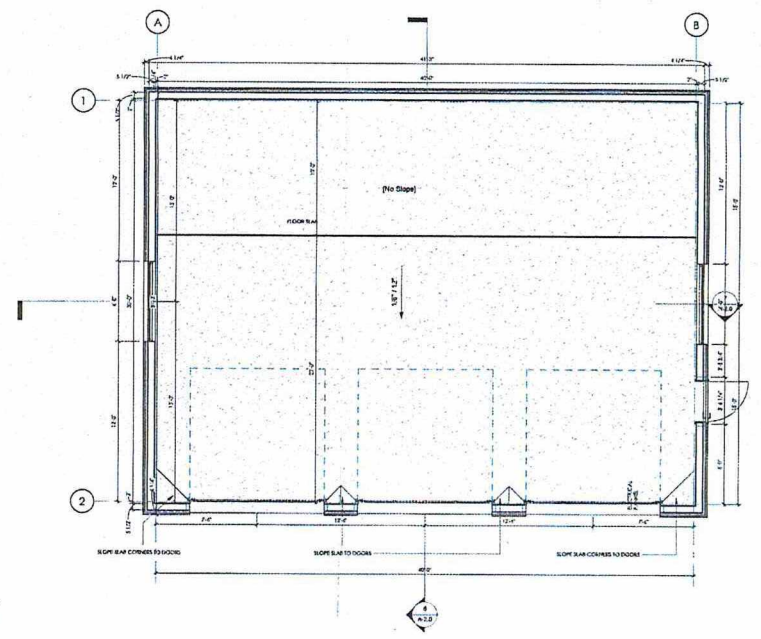
**West Elevation**  
3/16" = 1'-0"



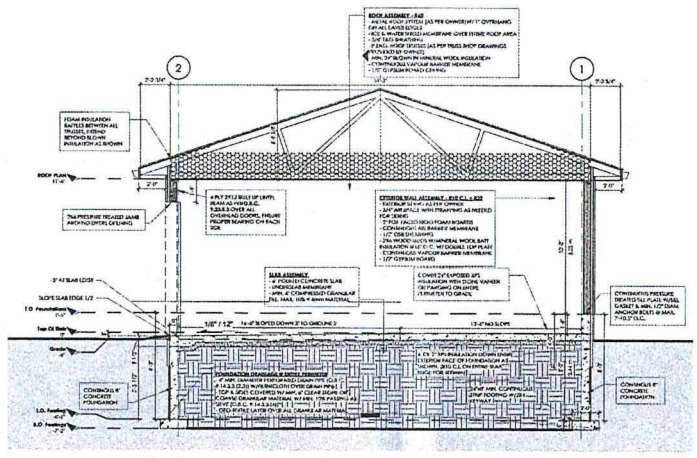
**South Elevation**  
3/16" = 1'-0"



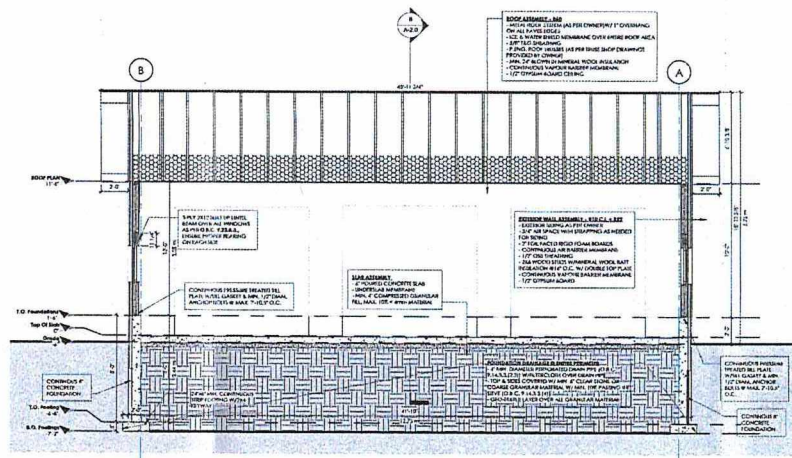
**East Elevation**  
3/16" = 1'-0"  
*Street Facing*



**Top Of Slab**  
1/4" = 1'-0"



**Width Section**  
1/4" = 1'-0"



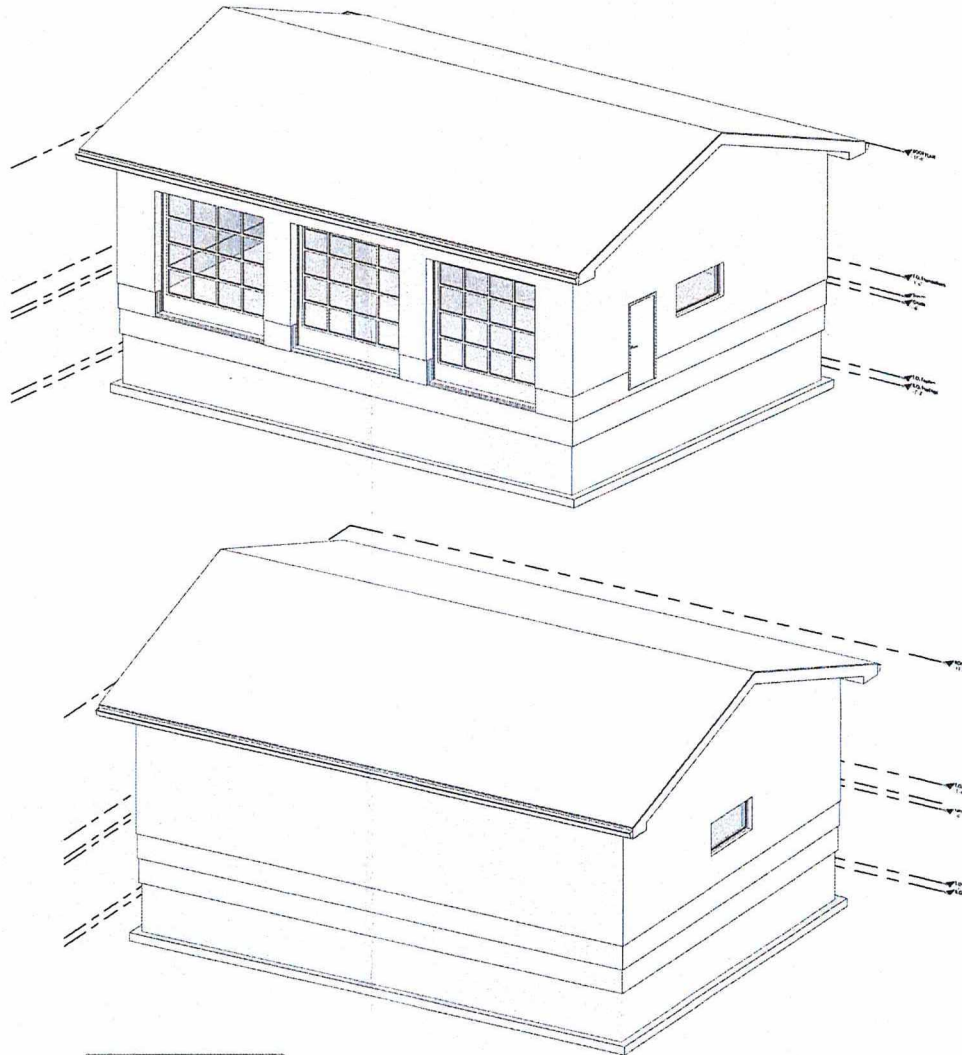
**Length Section**  
1/4" = 1'-0"

MUZYKA GARAGE  
4139 Post Ave, Norcross, GA 30071  
www.muzyka.com

A0009/2024  
sketch 3



# Muzyka Garage



Shoot List		
Sheet	Project Name	Client
Arch.	Contractor/Engineer	Address
Arch.	Contractor/Engineer	Address
Arch.	Contractor/Engineer	Address

## ONTARIO BUILDING CODE DATA MATRIX PART 9 - HOUSING AND SMALL BUILDINGS

Revised: 2021.08.21  
OBC REFERENCE: 17

Name of Practice		Mike Muzyka	
Address 1	4139 Frost Ave, Hammer, ON P3P 1E2		
Address 2			
Contact			
Name of Project	Muzyka Garage		
Location/Address	4139 Frost Ave, Hammer, ON P3P 1E2		
Date	AS NOTED ON SHEET		
9.00 BUILDING CODE VERSION	O.Reg. 332/12	LAST AMENDMENT O.Reg. 191/14	
9.01 PROJECT TYPE	New Construction		[A] 1.1.2.
	New detached wood framed unheated garage		
9.02 OCCUPANCY CLASSIFICATION	OCCUPANCY	USE	9.10.2.
	C Residential	Storage	
9.03 SUPERIMPOSED MAJOR OCCUPANCIES	N/A	9.10.2.3	
9.04 BUILDING AREA (m²)	DESCRIPTION	EXISTING	NEW TOTAL [A] 1.4.1.2
	Garage	0.00	111.40 111.4
	TOTAL	-	111.4 111.4
9.05 GROSS AREA (m²)	DESCRIPTION	EXISTING	NEW TOTAL [A] 1.4.1.2
	Garage	0.00	111.40 111.4
	TOTAL	-	111.4 111.4
9.06 MEZZANINE AREA (m²)	DESCRIPTION	EXISTING	NEW TOTAL 9.10.4.1.
	TOTAL	-	-
9.07 BUILDING HEIGHT	1 STOREYS ABOVE GRADE	5.75 (m) ABOVE GRADE	[A] 1.4.1.2 & 9.10.4.
	0 STOREYS BELOW GRADE		
9.08 NUMBER OF STREETS/ FIRE FIGHTER ACCESS	1 STREET(S)	9.10.20.	
9.09 SPRINKLER SYSTEM	Not Required	Provided	None 9.10.8.2-4.
9.10 FIRE ALARM SYSTEM	Not Required	TYPE PROVIDED N/A 9.10.16.	
9.11 WATER SERVICE/ SUPPLY IS ADEQUATE	Yes		
9.12 CONSTRUCTION TYPE	RESTRICTIONS	Combustible Permitted	9.10.6.
	ACTUAL	Combustible	HEAVY TIMBER CONSTRUCTION N/A
9.13 POST-DISASTER BUILDING	NO	[A] 1.1.2.2 (2)	
9.14 OCCUPANT LOAD	FLOOR LEVEL/AREA	OCCUPANCY TYPE	BASED ON OCCUPANT LOAD (PERSONS) 3.1.17.
	N/A	C	Design of space -
	TOTAL		-
9.15 BARRIER-FREE DESIGN	No	[provide explanation here]	Private Use 9.5.2.
9.16 HAZARDOUS SUBSTANCES	No	9.10.1.3.	
9.17 REQUIRED FIRE RESISTANCE RATINGS	HORIZONTAL ASSEMBLY	FIRE RESISTANCE RATING (H)	SUPPORTING ASSEMBLY (H) 9.10.8.
	FLOORS EXCEPT CRAWLSPACE	n/a	n/a
	MEZZANINE	n/a	n/a
	ROOF	n/a	n/a
9.18 SPATIAL SEPARATION	WALL	EBF AREA (m²)	L.D. (m) REQUIRED FRR (H) CONSTRUCTION TYPE CLADDING TYPE 9.10.14.
	North	41.8	3.05 45min Combustible Permitted Combustible Permitted
	East	45.0	25.00 N/A Combustible Permitted Combustible Permitted
	South	41.8	17.98 N/A Combustible Permitted Combustible Permitted
	West	45.0	11.58 N/A Combustible Permitted Combustible Permitted
9.21 NOTES			

### 9.21 NOTES

ALL REFERENCES ARE TO DIVISION B OF THE OBC UNLESS PRECEDED BY [A] FOR DIVISION A AND [C] FOR DIVISION C

Ontario Building Code Data Matrix, Part 9  
© Ontario Association of Architects

\* April 2017

MUZYKA GARAGE  
4139 Frost Ave, Hammer, ON P3P 1E2  
Created: 10/2/2021

A0005/2023  
sketch 4