

SUBMISSION NO. A0076/2024

August 15, 2024

OWNER(S): CHARLOTTE VILLENEUVE, 1273 Howey Drive Sudbury ON P3B 1H6
MARC VILLENEUVE, 1273 Howey Drive Sudbury ON P3B 1H6

AGENT(S):

LOCATION: PIN 73581 0120, Parcel 7682 SEC SES, Survey Plan 53R-5200 Part(s) 3, Lot Part 2, Concession 3,
Township of McKim, 1273 Howey Drive, Sudbury

SUMMARY

Zoning: The property is zoned R2-2 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit an addition with eaves on the existing single detached dwelling and a shed on the subject property providing encroachments, yard and railway setbacks, landscaped area and landscaped open space at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 09, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Strategic and Environmental Planning, August 08, 2024

No concerns.

CGS: Development Approvals Section, August 07, 2024

The purpose and effect of the application is to facilitate the construction of an addition on the existing single detached dwelling with the following variances:

1. A minimum front yard setback of 1.9m with eaves encroaching 0.51m into the proposed 1.9m front yard setback, where a minimum front yard setback of 7.5m is required and where eaves may encroach 1.2m into the required front yard but not closer than 0.6m to the lot line;
2. A minimum 1.9m wide landscaped open space adjacent to the full length of the lot line abutting Howey Drive, 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;
3. A minimum of 30% landscaped open space, where a minimum of 50% of all required front yards shall be maintained as landscaped open space in low density residential one zones;
4. A minimum railroad setback of 20.7m, where all buildings and structures shall be setback 30.0m from any lot line abutting a railroad right-of-way;
5. To permit shed 2 as identified on the site plan to provide a rear yard setback of 0.0m, where any accessory building and structure greater than 2.5m in height shall be no closer than 1.2m from the rear lot line.

Staff also note that relief is required from Part 4, Section 4.37, subsection 4.37.2 of By-law 2010-100Z for the existing sheds located 1.2 metres (Shed 1) and 0 metres (Shed 2) from the lot line abutting a

railroad right-of-way, where all buildings and structures shall be setback 30.0 metres from any lot line abutting a railroad right-of-way. Staff have reviewed the application with this variance in mind.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury's Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law. Surrounding uses are residential. The property abuts a Canadian Pacific railway.

The subject lands contain an existing single detached dwelling with accessory sheds in the rear yard. The dwelling encroaches onto the City's right-of-way and will need to be addressed through a letter of tolerance or other process as deemed appropriate. There are several structures on-site that have been built without benefit of a building permit, including Shed 1, a covered deck, and a retaining wall, as well as changes in grading that would require a building permit. The proposed addition would still permit the required parking space to the west of the dwelling.

Staff are of the opinion that the variances are considered to be minor in nature given the existing dwelling and that the sheds are non-habitable and not a risk adjacent to the railway, are an appropriate use of the lands, and meet the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted subject to the following conditions:

1. Building permits for Shed 1, the retaining wall, the deck, and the altered grading be applied for through Building Services, as required.
2. A letter of tolerance, an encroachment agreement, or other process as appropriate be obtained to address the encroachment into the City's right-of-way.

CGS: Building Services Section, August 06, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

Building Services acknowledges the receipt of BP-NEW-2024-00937 for the proposed residential addition.

However, Owner to be informed of the following information:

1. A search of our records indicates there is no building permit for the accessory structure identified as "SHED 1", which appears to exceed 15m², as identified on the submitted plans as 3.66m x 4.9m. Storage structures 15m² in area or more require a building permit. A building permit and building permit documents, to the satisfaction of the Chief Building Official, will be required for the accessory structure built without benefit of building permit.
2. Accessory structures are required to comply with the City of Greater Sudbury Zoning By-law 2010-100Z, additional minor variance may be required for "SHED 1" from the railroad.
3. A search of our records indicates that a deck with a covered area has been constructed at the rear of the dwelling without the benefit of building permit. A building permit and building permit documents, to the satisfaction of the Chief Building Official, will be required for the structure built without benefit of building permit.
4. Additionally, a search of our records indicates that retaining wall, for the use of vehicle parking has been constructed within the required front yard of the property without the benefit of building permit. Owners to be informed that retaining walls 1m in height or greater require a building permit and setbacks shall comply with CGS Zoning By-law 2010-100Z regulations, additional minor variance may be required. An approved Professional Engineers design, licensed in the Province of Ontario would be required.
5. It also appears that the finished grade has been altered at the front of the property, around the dwelling. The change in backfill height requires examination via building permit. A building permit and building permit documents, to the satisfaction of the Chief Building Official, is required for the review of backfill against the existing foundations. In the event the backfill heights exceed the maximum backfill heights permitted by the Ontario Building Code (2012), an approved Engineers design is required to be provided by a Professional Structural Engineer, licensed to practice in the Province of Ontario.
6. With respect to additional considerations related to this development, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

Greater Sudbury Hydro Inc., August 02, 2024

All structures, equipment and personnel must maintain proper clearance from energized electrical conductors and apparatus as per the latest edition of the Ontario Electrical Safety Code. Contact GSHI energy supply department if disconnect/reconnect is required.

CGS: Site Plan Control, August 02, 2024

No objections.

Source Water Protection Plan, August 02, 2024

No activity or activities engaged in or proposed to be engaged in on the above noted property are considered to be significant drinking water threats at this time. You may undertake the activity or activities described in your application and proceed to apply for a Building Permit or Planning Approval as they are neither prohibited nor restricted for the purpose of Part IV of the Clean Water Act, 2006.

Nickel District Conservation Authority, August 01, 2024

Conservation Sudbury does not object to Minor Variance A0076/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Ministry of Transportation, August 01, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

CGS: Development Engineering, August 01, 2024

No objection.

The applicant, Marc Villeneuve, appeared before Committee and provided a summary of the Application. Committee Members Castanza, Goswell and Sawchuk expressed support for the Application. Committee Chair Dumont explained the Development Approval's comments and requested conditions. The applicant requested clarification on how to address the second condition and staff provided clarification.

The following decision was reached:

DECISION:

THAT the application by:

CHARLOTTE VILLENEUVE AND MARC VILLENEUVE
the owner(s) of PIN 73581 0120, Parcel 7682 SEC SES, Survey Plan 53R-5200 Part(s) 3, Lot Part 2, Concession 3, Township of McKim, 1273 Howey Drive, Sudbury

for relief from Part 4, Section 4.2, Table 4.1, Section 4.15, subsection 4.15.1 and 4.15.2 Section 4.37, subsection 4.37.2 b) and 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 facilitate the construction of an addition on the existing single detached dwelling providing, firstly, a minimum front yard setback of 1.9m with eaves encroaching 0.51m into the proposed 1.9m front yard setback, where a minimum front yard setback of 7.5m is required and where eaves may encroach 1.2m into the required front yard but not closer than 0.6m to the lot line, secondly, a minimum 1.9m wide landscaped open space adjacent to the full length of the lot line abutting Howey Drive, 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, a minimum of 30% landscaped open space, where a minimum of 50% of all required front yards shall be maintained as landscaped open space in low density residential one zones, fourthly, a minimum railroad setback of 20.7m, where all buildings and structures shall be setback 30.0m from any lot line abutting a railroad right-of-way, fifthly, to permit shed 2 as identified on the site plan to provide a rear yard setback and railroad setback of 0.0m, where any accessory building and structure greater than 2.5m in height shall be no closer than 1.2m from the rear lot line and where all buildings and structures shall be setback 30.0m from any

lot line abutting a railroad right-of-way, and sixthly, to permit shed 1 as identified on the site plan to provide a minimum 1.2m railroad setback, where all buildings and structures shall be setback 30.0m from any lot line abutting a railroad right-of-way, be granted, subject to the following conditions:

1. That the applicants/owners submit building permits for Shed 1, the retaining wall, the deck, and the altered grading to Building Services, as required, to the satisfaction of the Chief Building Official; and,
2. That the applicants/owners apply for and obtain a letter of tolerance, an encroachment agreement, or other process as appropriate, to address the encroachment into the City's right-of-way, to the satisfaction of the Chief Building Official.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0077/2024

August 15, 2024

OWNER(S): ANNINA CIRELLI, 2479 Lasalle Boulevard Sudbury ON P3A4R7
ONORATO CIRELLI, 2479 Lasalle Boulevard Sudbury ON P3A4R7

AGENT(S):

LOCATION: PIN 73572 0203, Parcel 41299 SEC SES, Lot(s) 87, Subdivision M-1021, Lot Part 11, Concession 4, Township of Neelon, 347 Third Avenue, 349 Third Avenue, Sudbury

SUMMARY

Zoning: The property is zoned R2-2 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval of a lot to be retained subject to a future consent application, providing a minimum lot frontage at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 09, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Strategic and Environmental Planning, August 08, 2024

No concerns.

CGS: Development Approvals Section, August 07, 2024

The purpose and effect of the application is to permit the severance of the existing semi-detached dwelling units by way of a future consent application with the following variance:

1. A minimum lot frontage of 9.05m, where 10.5m is required.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury's Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law. Surrounding uses are residential. There is watercourse to the west.

The subject lands contain existing semi-detached dwelling units. Each unit has its own driveway and the required parking space.

Staff are of the opinion that the variance is considered to be minor in nature given the existing semi-detached units, is an appropriate use of the lands, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

CGS: Building Services Section, August 06, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

However, Owner to be informed of the following information:

1. An inspection shall be performed to verify that the party wall on the proposed property line is constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.
2. Based on our search of our records it appears an above ground pool may have been constructed. A pool and pool enclosure permit and building permit documents, to the satisfaction of the Chief Building Official, are required for the above ground pool built without the benefit of a building permit.

CGS: Site Plan Control, August 02, 2024

No objections.

Greater Sudbury Hydro Inc., August 02, 2024

No conflict.

Source Water Protection Plan, August 02, 2024

No activity or activities engaged in or proposed to be engaged in on the above noted property are considered to be significant drinking water threats at this time. You may undertake the activity or activities described in your application and proceed to apply for a Building Permit or Planning Approval as they are neither prohibited nor restricted for the purpose of Part IV of the Clean Water Act, 2006.

Nickel District Conservation Authority, August 01, 2024

Conservation Sudbury does not object to Minor Variance A0077/2024. Subject property does contain areas regulated by Conservation Sudbury, including a proxy flood hazard and erosion hazard associated with Frobisher Creek. Future development in regulated areas requires permission of Conservation Sudbury.

Notes

Please note that any additional development or lot grading within areas regulated by the Conservation Authority, requires permission prior to development. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed.

Ministry of Transportation, August 01, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

CGS: Development Engineering, August 01, 2024

No objection.

The applicant's daughter, Roberta Cirelli, appeared before Committee and provided a summary of the Application. Committee Members Goswell and Sawchuk and Committee Chair Dumont expressed support for the Application. Committee Member Castanza advised Committee, in response to Building Services' comments, that she attended the site and did not see a pool on the property and requested staff to confirm that a condition would not be imposed. Staff advised Committee that a condition was not in the recommendation.

The following decision was reached:

DECISION:

THAT the application by:

ANNINA CIRELLI AND ONORATO CIRELLI

the owner(s) of PIN 73572 0203, Parcel 41299 SEC SES, Lot(s) 87, Subdivision M-1021, Lot Part 11, Concession 4, Township of Neelon, 347 Third Avenue, 349 Third Avenue, Sudbury

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 retained subject to a future consent application, providing a minimum lot frontage of 9.05m, where 10.5m is required, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0078/2024

August 15, 2024

OWNER(S): KATHLEEN DESJARDINS, 564 Ash Street Sudbury ON P3C 2A6
JEANNE EDWARDS, 564 Ash Street Sudbury ON P3C 2A6

AGENT(S): KOMRI ENGINEERING, Attn: Ryan Bell 3495 Rebecca Street, Unit 209 Oakville ON L6L 6X9

LOCATION: PIN 02179 0473, Parcel 16140 SEC SES, Lot(s) 306, Subdivision M-2S, Lot Part 7, Concession 4, Township of McKim, 564 Ash Street, Sudbury

SUMMARY

Zoning: The property is zoned R2-2 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to facilitate the reconstruction of a deck providing a setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 09, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Strategic and Environmental Planning, August 08, 2024

No concerns.

CGS: Development Approvals Section, August 07, 2024

The purpose and effect of the application is to permit a deck constructed without benefit of a building permit with the following variance:
1. A 0.4m setback from the interior side lot line, where uncovered decks greater than 1.2m in height above finished grade may encroach 1.2m into the required interior side yard but no closer than 1.2m to the interior side lot line.

Surrounding uses are residential.
The subject lands are designated 'Living Area I' within the City of Greater Sudbury's Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law.

The subject lands contain an existing single detached dwelling with attached carport. The has constructed an uncovered deck greater than 1.2 metres in height to the rear of the attached carport without benefit of a building permit. The deck is a reconstruction of a prior deck.
Staff are of the opinion that the variance is considered to be minor in nature given that it replaced a previous deck in the same location, is an appropriate use of the lands, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

CGS: Building Services Section, August 06, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

Building Services acknowledges the following building permits:

BP-NEW-2024-00109 - Residential - Accessory - deck — Incomplete (A0078/2024)

BP-ALT-2023-00087 - Residential — Accessory - Rebuild carport - Full Permit Issued.

CGS: Site Plan Control, August 02, 2024

No objections.

Greater Sudbury Hydro Inc., August 02, 2024

If breaking soil surface, locates would be required contact: Ontario One Call at 1-800-400-2255

Nickel District Conservation Authority, August 01, 2024

Conservation Sudbury does not object to Minor Variance A0078/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Ministry of Transportation, August 01, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

CGS: Development Engineering, August 01, 2024

No objection.

The applicant, Kathleen Desjardins, appeared before Committee and provided a summary of the Application. Committee Members Castanza, Goswell and Sawchuk and Committee Chair Dumont expressed support for the Application.

The following decision was reached:

DECISION:

THAT the application by:

KATHLEEN DESJARDINS AND JEANNE EDWARDS

the owner(s) of PIN 02179 0473, Parcel 16140 SEC SES, Lot(s) 306, Subdivision M-2S, Lot Part 7, Concession 4, Township of McKim, 564 Ash Street, Sudbury

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the reconstruction of a deck providing a 0.4m setback from the interior side lot line, where uncovered decks greater than 1.2m in height above finished grade may encroach 1.2m into the required interior side yard but no closer than 1.2m to the interior side lot line, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0079/2024

August 15, 2024

OWNER(S): LAURA COLEMAN, 123 Oakridge Road Lively ON P3Y 1H9
ADAM OUELLETTE, 123 Oakridge Road Lively ON P3Y 1H9

AGENT(S):

LOCATION: PIN 73374 0047, Parcel 15853 SEC SWS, Surveys Plan 53R-11092 Part(s) 1 & Plan 53R-10510 Part(s) 1, Lot(s) Part 4, Subdivision M-602, Lot Part 1, Concession 1, Township of Waters, 123 Oak Ridge Road, Lively

SUMMARY

Zoning: The property is zoned SLS (Seasonal Limited Service) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct two additions on the existing single detached dwelling on the subject property, providing a setback from the high water mark and shoreline structure at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 09, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Development Approvals Section, August 07, 2024

The purpose and effect of the application is to facilitate the construction of two additions on the existing single detached dwelling with the following variances:

1. High water mark setback of 21.0m for proposed addition 1 and 18.5m for proposed addition 2 as identified on the site plan, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river; and,
2. Secondly, for proposed addition 2 to be 18.5m setback from the high water mark of a lake, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3.

Surrounding uses are rural and seasonal. The parcel is regulated by Conservation Sudbury. The subject lands are designated 'Rural' within the City of Greater Sudbury's Official Plan and are zoned 'SLS' Seasonal Limited Service within the City of Greater Sudbury Zoning By-law. The subject lands contain an existing single detached dwelling 10 metres to the highwater mark at its closest point. The proposed additions will not be any closer to the highwater mark.

Staff are of the opinion that the variance is considered to be minor in nature, is an appropriate use of the lands, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Staff note that it appears that the permitted seasonal dwelling is being used as a permanent dwelling; the applicant is advised that the 'SLS' Seasonal Limited Service does not permit permanent dwellings.

Greater Sudbury Hydro Inc., August 07, 2024

No concerns - not in our area.

CGS: Building Services Section, August 06, 2024

Based on the information provided, we can advise that Building Services has no concerns with this application.

1. With respect to additional considerations related to this development, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

Building Services acknowledges the following building permits:

89-1240 - Addition - Conditionally Closed

B14-0480 - Side Addition, Shed and Boat Port - Complete

B16-1544 - Attached Deck 18x14 - Cancelled

B18-0007 - Attached Deck - Complete

BP-ADD-2023-00031 - Additions - Incomplete

BP-PLM-2023-00108 - Plumbing for Addition - Incomplete

CGS: Site Plan Control, August 02, 2024

No objections.

CGS: Strategic and Environmental Planning, August 02, 2024

Staff of the City's Strategic and Environmental Planning Section are not opposed to the approval of this application as the proposed addition is relatively small, is no closer to the lake than the existing dwelling and takes up a relatively small portion of the Shoreline Buffer Area.

The following advice is provided for informational purposes only:

Shoreline property owners are encouraged to continue adopting lake-friendly practices.

Phosphorus is an essential element for all life forms and is the most limiting major nutrient for aquatic plant growth in freshwater streams and lakes. Increasing levels of phosphorus in lakes, streams and rivers can lead to an increasing incidence of nuisance aquatic vegetation, green algae, and, in some cases, toxic cyanobacterial (blue-green algae) blooms.

Existing vegetation on the subject lands acts as an important buffer, absorbing runoff nutrients and holding soil in place. Vegetation removal on the subject lands should be kept to a minimum during any site preparation or construction activities or for purposes of converting existing natural vegetation to lawns. Lawns require higher maintenance and expense and generally require importing soil from outside of the lot. Imported soil can introduce considerable quantities of phosphorus to a site.

Shoreline and riverbank residents can help reduce phosphorus levels or maintain them at low levels by following a few guidelines:

1. A natural vegetated buffer of at least 20 metres (the wider the better) from the high-water mark should be retained and supplemented with additional shrubs where necessary. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or riverbank or up to 23 metres, whichever is less, is allowable. Cleared areas are allowed up to 276 square meters.
2. Residents should minimize the amount of lawn on their property. Lawns generally require removing existing vegetation that is currently preventing soil erosion. Lawns may also require that soil be imported to the property, which can introduce significant phosphorus to the lake or river through erosion. Finally, lawns are expensive and time-consuming to maintain.
3. General use lawn fertilizers containing phosphorus should never be used. It is illegal to apply lawn fertilizers containing phosphorus in the City of Greater Sudbury unless establishing a new lawn. Before applying fertilizer of any kind on their lawns, owners should have the soil tested by a professional. The soil might only need crushed limestone to make it less acidic and allow soil nutrients to be more available for uptake by the turf grass.
4. Application of fertilizer containing phosphorus to flower or vegetable beds or shrubs should not be applied any closer than 30 metres from the water's edge – the farther the better.

5. Any soil that is disturbed onsite or that is brought onto the subject lands should be covered with vegetation as quickly as possible to ensure that it doesn't erode into the lake or river. Soil particles can contain large amounts of phosphorus. Tarps should be used to cover the soil piles if rain is in the forecast.
6. Detergents (soaps and shampoos) should never be used in a lake or river. Only phosphorus-free detergents should be used for washing vehicles on the subject lands and washing should be done as far from the lake or river as possible.
7. Private sewage systems should be inspected and pumped at least every three years.

Property owners are encouraged to contact the City's Lake Water Quality Program at (705) 674-4455 ext. 4604 to book a free, confidential and non-regulatory shoreline home visit. During the visit, qualified staff will provide ideas and advice on shoreline management techniques to maintain and improve lake water quality.

The applicant or owner must contact Conservation Sudbury at (705) 674-5249 before starting any work in water or on the shoreline or riverbank (retaining walls, etc).

Nickel District Conservation Authority, August 01, 2024

Conservation Sudbury does not object to Minor Variance A0079/2024. Subject property does contain areas regulated by Conservation Sudbury, including flood and erosion hazard. A permit from Conservation Sudbury is required prior to the approval of the building permit. Landowners have already applied and permit review is underway.

Notes

Please note that any additional development or lot grading within areas regulated by the Conservation Authority, requires permission prior to development. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed.

Ministry of Transportation, August 01, 2024

The subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

CGS: Development Engineering, August 01, 2024

No objection.

The applicant, Adam Ouellette, appeared before Committee and provided a summary of the Application. Philip Zylberberg appeared before Committee on behalf of the Long Lake Stewardship Committee and summarized the Stewardship Committee's position on the Application. Mr. Zylberberg advised Committee that the Long Lake Stewardship Committee was not opposed to the Application. Committee Members Castanza, Goswell and Sawchuk and Committee Chair Dumont expressed support for the Application.

The following decision was reached:

DECISION:

THAT the application by:

LAURA COLEMAN AND ADAM OUELLETTE

the owner(s) of PIN 73374 0047, Parcel 15853 SEC SWS, Surveys Plan 53R-11092 Part(s) 1 & Plan 53R-10510 Part(s) 1, Lot(s) Part 4, Subdivision M-602, Lot Part 1, Concession 1, Township of Waters, 123 Oak Ridge Road, Lively

for relief from Part 4, Section 4.41, subsections 4.41.2 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of two additions on the existing single detached dwelling providing, firstly, a high water mark setback of 21.0m for proposed addition 1 and 18.5m for proposed addition 2 as identified on the site plan, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, and secondly, for proposed addition 2 to be 18.5m setback from the high water mark of a lake, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

Public comment has been received and considered and had no effect on Committee of Adjustment's decision as the application represents good planning.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring