

SUBMISSION NO. A0066/2024

August 28, 2024

OWNER(S): JUSTIN PIGEAU, 236 Eva Street Hanmer ON P3P 1M5

AGENT(S): ADRIAN BORTOLUSSI, 144 Elm Street, Sudbury ON P3C 1T7

LOCATION: PIN 73508 0844, Parcel 21583 SEC SES SRO, Lot(s) 11, Subdivision M-370, Lot Part 12, Concession 2, Township of Capreol, 236 Eva Street, Hanmer

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 of a future consent application, providing a minimum lot depth at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 21, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Building Services Section, August 20, 2024

Building Services has reviewed your application and sketches for the requested minor variance and can advise that we have no objection.

Owner to be advised there is an incomplete permit on file for a wood stove within the existing garage (B23-0033) Please contact Building Services to arrange inspections to have the permit closed.

Greater Sudbury Hydro Inc., August 20, 2024

No concerns as this property falls outside of our service territory.

CGS: Development Approvals Section, August 19, 2024

The purpose and effect of the application is to permit a lot depth of 27.4 m of a future lot to be severed from 236 Eva Street, whereas a minimum lot depth of 30 m is required in the R2-2 Zone.

The subject lands contain a single detached dwelling and accessory buildings. The lands are serviced by a municipal water and sanitary connection and have existing accesses off of Roy Avenue and Eva Street.

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

Staff have no concerns with the 2.6 m lot depth deficiency. The application 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.

Ministry of Transportation, August 16, 2024

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

Nickel District Conservation Authority, August 16, 2024

Conservation Sudbury does not object to Minor Variance A0066/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Site Plan Control, August 15, 2024

No objection.

CGS: Development Engineering, August 14, 2024

No objection.

CGS: Strategic and Environmental Planning, August 14, 2024

No concerns.

The applicant's agent, Adrian Bortolussi, appeared before Committee and provided a summary of the Application. Committee Member Castanza had no comments. Committee Members Goswell, Sawchuk and Murray and Committee Chair Dumont expressed support for the Application.

The following decision was reached:

DECISION:

THAT the application by:
JUSTIN PIGEAU

the owner(s) of PIN 73508 0844, Parcel 21583 SEC SES SRO, Lot(s) 11, Subdivision M-370, Lot Part 12, Concession 2, Township of Capreol, 236 Eva Street, Hanmer

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 lands to be severed, subject of a future consent application, providing a minimum lot depth of 27.4m, where 30.0m 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 Building. 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
David Murray	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0069/2024

August 28, 2024

OWNER(S): SADIE PAQUETTE, 1856 Pilon Crescent Chelmsford ON P0M 1L0
REGINALD AUDETTE, 1856 Pilon Crescent Chelmsford ON P0M 1L0

AGENT(S):

LOCATION: PIN 73350 0279, Parcel 27875A SEC SWS, Survey Plan 53R-9993 Part(s) 1, Lot Part 12, Concession 2, Township of Balfour, 1856 Pilon Crescent, Chelmsford

SUMMARY

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

Application: Approval to construct a detached accessory building containing a secondary dwelling unit on the subject property providing a net floor area and reduced railroad setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 21, 2024

REVISED

Roads

No concerns.

Transportation and Innovation Support

We have no concerns with this application. However, it is unclear from the sketch provided, how the owner will access this building, as the city does not permit more than one driveway entrance for residential lots.

Active Transportation

No concerns.

CGS: Building Services Section, August 20, 2024

REVISED

No concerns.

Greater Sudbury Hydro Inc., August 20, 2024

REVISED

No concerns as this property falls outside of our service territory.

CGS: Development Approvals Section, August 19, 2024

REVISED

The purpose and effect of the application is to permit the establishment of a 60.5 m² secondary dwelling unit within an accessory building with the following variances:

1. A setback of 6.65 m from a lot line abutting a railroad right of way, whereas a 30 m setback is required; and
2. A net floor area of 55% of the gross floor area of the primary dwelling, whereas the maximum permitted is 45%.

The subject lands contain a single detached dwelling and a detached garage. The subject lands are serviced by a private well and septic system and have an existing access from Pilon Crescent. The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'RU' Rural within the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding uses are rural in nature.

The applicant has advised that the placement of the secondary dwelling unit is due to topography (rocky and wooded areas) and the location of the septic system and easements.

A secondary dwelling unit is defined within the zoning by-law as an additional dwelling unit that is ancillary and subordinate to the primary dwelling unit that may be contained within the main building on a lot and/or in an accessory building. The zoning by-law permits one main dwelling and two secondary dwelling units, one within the existing dwelling and one within an accessory building. The second dwelling unit in an accessory building must adhere to accessory building standards. Accessory is defined as a use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure and, in the case of a building or structure, may or may not be attached to the main building on the same lot.

In the "RU" Zone, second units must have a maximum net floor area of 45 percent of the gross floor area of the primary dwelling on the lot. For the purposes of this Section of the By-law, net floor area shall be the gross floor area of the accessory building excluding any parking areas within the accessory building. Additionally, it cannot be located further than 30 m from the primary dwelling. The intent of limiting the size of secondary units within accessory buildings is to ensure that the unit remains ancillary to the main use of the lands being the single detached dwelling. Only one single detached dwelling is permitted on the subject lands.

Subsequent to the previous public hearing, it was determined that a variance was needed for the proposed size of the secondary unit exceeding the maximum permitted by 10%. The application has been updated to reflect the additional variance. Staff are of the opinion that the secondary dwelling unit will remain subordinate in size in comparison to the primary dwelling. Additionally, the applicant provided further information on the proposed secondary unit confirming that a professional engineer has designed the building to withstand vibration from the rail line. Further review will occur at the time of building permit.

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.

Ministry of Transportation, August 16, 2024

REVISED

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

Nickel District Conservation Authority, August 16, 2024

REVISED

Conservation Sudbury does not object to Minor Variance A0069/2024 (revised). Subject property does contain areas regulated by Conservation Sudbury. Proposed secondary unit is located outside of these. 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

SUBMISSION NO. A0069/2024 Continued.

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.

CGS: Site Plan Control, August 15, 2024

REVISED
No objection.

CGS: Strategic and Environmental Planning, August 14, 2024

REVISED
No concerns.

Greater Sudbury Hydro Inc., July 15, 2024

No concerns, outside of our service territory.

CP Railway Proximity Ontario, July 11, 2024

Thank you for the recent notice respecting the captioned development proposal in the vicinity of CPKC. The safety and welfare of residents can be adversely affected by rail operations and CPKC is not in favour of residential uses that are not compatible with rail operations. CPKC freight trains operate 24/7 and schedules/volumes are subject to change. CPKC's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

In addition, all construction, continued maintenance, access, ingress and egress must be done without entering railroad right of way. This includes but is not limited to maintenance of any equipment, lawn care, snow plowing and emergency exits via windows or doors.

CPKC recommends that the below condition be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the proposed building(s):

"CPKC and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, CPKC will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard."

Any diversion to these measures is at the sole risk of the developer. Should the captioned development proposal receive approval, CPKC respectfully requests that the recommended guidelines be followed.

CGS: Strategic and Environmental Planning, July 11, 2024

No concerns.

CGS: Development Approvals Section, July 11, 2024

The purpose and effect of the application is to permit the establishment of a 60.5 m² secondary dwelling unit within an accessory building with a setback of 6.65 m from a lot line abutting a railroad right of way, whereas a 30 m setback is required.

The subject lands contain a single detached dwelling and a detached garage. The subject lands are serviced by a private well and septic system and have an existing access from Pilon Crescent.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'RU'

Rural within the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).
Surrounding uses are rural in nature.

The applicant has advised that the placement of the secondary dwelling unit is due to topography (rocky and wooded areas) and the location of the septic system and easements.

A secondary dwelling unit is defined within the zoning by-law as “an additional dwelling unit that is ancillary and subordinate to the primary dwelling unit that may be contained within the main building on a lot and/or in an accessory building”. The zoning by-law permits one main dwelling and two secondary dwelling units, one within the existing dwelling and one within an accessory building. The second dwelling unit in an accessory building must adhere to accessory building standards. Accessory is defined as “a use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure and, in the case of a building or structure, may or may not be attached to the main building on the same lot.”

In the “RU” Zone, secondary units must have a maximum net floor area of 45 percent of the gross floor area of the primary dwelling on the lot. For the purposes of this Section of the By-law, net floor area shall be the gross floor area of the accessory building, excluding any parking areas within the accessory building. Additionally, it cannot be located further than 30 m from the primary dwelling. The intent of limiting the size of secondary units within accessory buildings is to ensure that the unit remains ancillary to the main use of the lands, being the single detached dwelling. Only one single detached dwelling is permitted on the subject lands.

Building Services identified that an additional variance is required for the proposed size of the secondary unit exceeding 45% of the gross floor area of the primary dwelling. Additionally, Building Services has requested that additional information on the engineered design of the proposed second unit be provided in order to ensure noise and vibration have been addressed. CPKG Rail Line has also provided comments and does not support residential development that is not compatible with rail operations. CPKG provided rail line guidelines as part of their comments, as well as recommended that a warning clause be registered on the title of the lands to advise future owners of noise and vibration associated with rail operations.

Staff recommend that the application be deferred, to allow the applicant an opportunity to explore alternative locations for the proposed second unit, address noise and vibration mitigation measures in close proximity to the rail line, review the CPKG guidelines, and amend the application to reflect the additional variance required.

CGS: Infrastructure Capital Planning Services, July 10, 2024

Roads

We have no concerns with this application. However, the applicant should be made aware that the City does not permit more than one driveway entrance for residential lots.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns.

CGS: Building Services Section, July 10, 2024

Building Services has reviewed your application and sketches for the requested minor variance and can advise of the following concerns:

1. While the Zoning By-law has the requirement for setback from a Railroad Right-of-Way, there are additional vibration and noise concerns that will impact the dwelling. Building Services recommends that consideration be given to the location of the Secondary Dwelling to provide a greater setback.

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2. We acknowledge Building Permit BP-NEW-2024-00874 for the Mobile Home and the foundation system. The Professional Engineer must provide additional review of the foundations for any structural effects of vibration caused by the railway. Consideration should also be given to noise disturbances, mitigated by providing air conditioning to allow windows to remain closed. Additional measures for sound barriers are strongly recommended.

3. The overall plot plan submitted does not include several accessory structures that are on site. The drawing should be revised to reflect the location and size of these structures. In addition, we have no records for Building Permits for these structures. All residential accessory storage buildings greater than 15 sq.m. require a Building Permit application to the satisfaction of the Chief Building Official.

4. Based on our records, the proposed Secondary Dwelling floor area will exceed the permitted 45% of the Primary Dwelling floor area. A Minor Variance will be required for this relief. Building Services will provide further review of lot coverage once we have the revised plot plan.

Nickel District Conservation Authority, July 08, 2024

Conservation Sudbury does not object to Minor Variance A0069/2024. Subject property does contain areas regulated by Conservation Sudbury. Proposed secondary unit is located outside of these. 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.

CGS: Site Plan Control, July 04, 2024

No objection.

Ministry of Transportation, July 03, 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, July 03, 2024

No objection.
REVISED: No objection.

July 17, 2024

The applicant, Sadie Paquette and her relative Owen Smith, appeared before Committee.

Committee Chair Dumont asked the applicant if they had received the comments and the applicant confirmed that they had.

Owen Smith provided a summary of the Application to Committee.

Committee Chair Dumont requested Owen Smith to address the comments regarding the gross floor area of the primary dwelling and Owen advised Committee that it had been resolved. Owen asked if anyone from CP Rail was present at the hearing.

Committee Member Castanza expressed support for the Application due to the topography of the lot.

Committee Member Goswell advised Committee that he wanted further information regarding the 45% comments and the proximity to the railway.

Committee Chair Dumont requested staff to address Building Services comments regarding the 45% comments and staff advised that the applicant had submitted further information, but revised comments had not been received from Building Services. Owen Smith explained to Committee that he had spoken with staff in Building Services and received an email confirming the square footage of the primary dwelling and a variance for the 45% was no longer required.

Committee Member Goswell asked the staff when the email exchanged occurred and staff advised that it was earlier in the week. He asked staff how long it would normally take for staff to respond. Committee Chair Dumont clarified the communication that the applicant had with staff and requested staff to confirm the status of the comments. Staff advised Committee that revised comments had not been received. Committee Chair Dumont explained his position on the status of the revised comments.

Committee Member Goswell requested that the deferral fee be waived due to the length of time staff has taken to revise their comments and requested staff's opinion on the railway comments. Staff provided Committee with context relating to CP Rail's and Building Services' comments. Staff further advised that discussions were being had relating to the engineering design of the proposed secondary dwelling unit.

Committee Member Sawchuk requested clarity on the reason for the deferral recommendation and staff clarified the recommendation. Committee Member Sawchuk requested staff to consider waiving the deferral fee.

Committee Member Murray asked staff to confirm the email that the applicant received from Building Services, Committee Chair Dumont explained the misunderstanding and revised comments have not been received. Committee Member Murray expressed support for the Application subject to the 45% relief.

Committee Chair Dumont requested staff to provide clarification on the recommendation and staff clarified the recommendation. Committee Chair Dumont expressed his opinion regarding the CP Rail guidelines and clarification of the 45% comments.

Committee Member Goswell requested staff to explain the difference in size regarding the 45% comments. Committee Chair Dumont explained the provision in the Zoning By-law.

August 28, 2024

The applicant, Sadie Paquette appeared before Committee along with their representative, Owen Smith, who provided a summary of the Application.

Committee Members Castanza, Goswell, Sawchuk and Murray and Committee Chair Dumont expressed support for the Application.

The following decision was reached:

DECISION:

THAT the application by:

SADIE PAQUETTE AND REGINALD AUDETTE

the owner(s) of PIN 73350 0279, Parcel 27875A SEC SWS, Survey Plan 53R-9993 Part(s) 1, Lot Part 12, Concession 2, Township of Balfour, 1856 Pilon Crescent, Chelmsford

for relief from Part 4, Section 4.2, subsection 4.2.10.3 and Section 4.37, subsection 4.37.2 b) 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 accessory building containing a secondary dwelling unit providing, firstly, a net floor area of 55 percent of the gross floor area of the primary dwelling on the lot, where the maximum allowable net floor area of 45 percent is permitted, and secondly, a minimum railroad setback of 6.65m, where all buildings and structures shall be setback 30.0m from any lot line abutting a railroad right-of-way, be granted.

SUBMISSION NO. A0069/2024 Continued.

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
David Murray	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0080/2024

August 28, 2024

OWNER(S): TYLER CAMPBELL, 1725 Gemini Crescent Sudbury ON P3E 5W4

AGENT(S): C.R. DESIGN, Attn: Rohit Walia 2200 Lakeshore Blvd West, Suite 3609 Toronto ON M8V 1A4

LOCATION: PIN 73571 0751, Parcel 35490 SEC SES SRO, Lot(s) 245, Subdivision M-511, Lot Part 12, Concession 5, Township of Neelon, 678 Barry Downe Road, Sudbury

SUMMARY

Zoning: The property is zoned R3-1 (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to legalize a ninth unit in the existing multiple dwelling on the subject property providing lot area per unit and reduced number of parking spaces at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 29, 2024

REVISED

The extreme angle of the westerly parking will be problematic for maneuvering 2-way traffic. Consideration should be given for further parking relief.

Outdoor refuse storage is required to be within an enclosure.

We acknowledge Building Permit application BP-NEW-2024-01242 currently being processed.

CGS: Infrastructure Capital Planning Services, August 21, 2024

Roads

No concerns.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns.

CGS: Building Services Section, August 20, 2024

Building Services has reviewed your application and sketches for the requested minor variance and can advise of the following:

Based on the Legal Survey M-511, the lot frontage is 67.1 feet (10.45m) and not the 20.69m indicated. The cumulative dimensioning on the submitted plan should be revised accordingly. The area per unit calculates to 103.6/unit.

The extreme angle of the westerly parking will be problematic for maneuvering 2-way traffic. Consideration should be given for further parking relief.

SUBMISSION NO. A0080/2024 Continued.

Outdoor refuse storage is required to be within an enclosure.

Owner to be advised that a Building Permit to the satisfaction of the Chief Building Official will be required for the additional unit.

Greater Sudbury Hydro Inc., August 20, 2024

No objections.

CGS: Development Approvals Section, August 19, 2024

The purpose and effect of the application is to permit a 9th unit in an existing multiple dwelling with the following variances:

1. Minimum area of 104 m2 per dwelling unit, whereas the minimum permitted is 110 m2; and
2. Minimum of 11 parking spaces, whereas 12 parking spaces are required.

The subject lands contain an existing 8 unit multiple dwelling which was constructed in 1971 with the benefit of a building permit. The lands are serviced by a municipal water and sanitary connection and have existing accesses from Barry Downe Road.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R3-1' Medium Density Residential Zone within the City of Greater Sudbury Zoning By-law. Surrounding uses are residential in nature.

The applicant has advised that they wish to establish a 9th dwelling unit without altering the existing access, parking, and landscaping. It is noted that there is no maximum number of units within the R3-1 Zone subject to meeting zoning standards. Given the size of the subject lands, a variance is required for density and parking. It is noted that each unit will maintain a parking space as a result of the variance. Staff are of the opinion that the proposed density is appropriate for the lands and have no concerns with the proposal.

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

Ministry of Transportation, August 16, 2024

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

Nickel District Conservation Authority, August 16, 2024

Conservation Sudbury does not object to Minor Variance A0080/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Site Plan Control, August 15, 2024

No objection.

CGS: Development Engineering, August 14, 2024

No objection.

CGS: Strategic and Environmental Planning, August 14, 2024

No concerns.

SUBMISSION NO. A0080/2024 Continued.

The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application. Committee Member Castanza advised she was good with the Application. Committee Member Goswell asked about Building Services recommendation for additional parking relief and staff provided an explanation as to why additional parking relief was not required. He asked staff if the comment was irrelevant to the decision and staff advised that the parking was recognized as existing and additional parking relief was not required. Committee Members Sawchuk and Murray and Committee Chair Dumont expressed support for the Application.

The following decision was reached:

DECISION:

THAT the application by:

TYLER CAMPBELL

the owner(s) of PIN 73571 0751, Parcel 35490 SEC SES SRO, Lot(s) 245, Subdivision M-511, Lot Part 12, Concession 5, Township of Neelon, 678 Barry Downe Road, Sudbury

for relief from Part 5, Section 5.5, Table 5.5 and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the legalization of a ninth dwelling unit within the existing multiple dwelling providing, firstly, a minimum lot area of 104.0 sq. m per unit, where 110.0 sq. m per unit is required, and secondly, a minimum of 11 parking spaces, where 12 are 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 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
David Murray	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring