

SUBMISSION NO. A0079/2022

August 10, 2022

OWNER(S): ZACKARY JAMES ALEXANDER BIGGAR, 3279 Falconbridge Hwy Garson ON P3L 1E2

AGENT(S): TULLOCH ENGINEERING, Attention: Aaron Ariganello, 1942 Regent Street, Unit L, Sudbury, ON, P3E 5V5

LOCATION: PIN 73495 0831, Parcel 11007 SEC SES, Lot(s) 62, Subdivision M-148, Lot Pt 5, Concession 2, Township of Garson, 3279 Falconbridge Hwy, Garson

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 the existing pool, hot tub, frame shed and metal shed on the subject property providing interior side yard setbacks and accessory lot coverage at variance to the By-law

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

No concerns.

CGS: Development Approvals Section, August 03, 2022

The variances being sought would recognize and permit an existing swimming pool and hot tub along with two sheds to remain in the rear yard of the subject lands that have frontage on Falconbridge Road in Garson. The lands are designated Living Area 1 in the City's Official Plan and zoned "R2-2", Low Density Residential Two under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that there is an existing fence and detached garage providing some degree of screening to the residential property situated to the immediate west of the lands. Staff also notes there is a swimming pool on the abutting lands to the west. Staff has no concerns with respect to the proposed maximum lot coverage for accessory buildings and structures. Staff also in general have no concerns with respect to the location of the existing sheds. Staff is however concerned with the variances to permit a swimming pool and hot tub to maintain a 0.9 m (2.95 ft) westerly interior side yard setback whereas 1.5 m (4.92 ft) is required. Staff notes that the intent of swimming pool setback provisions under Table 4.1 of the City's Zoning By-law is to increase the safety and minimize the danger that are often present around swimming pools. Should the Committee wish to proceed with a decision, staff would advise that the Development Approvals Section is not in support of the variances associated with the swimming pool and hot tub. Staff recommends that the application be deferred in order to afford the owner the opportunity to address those comments received from circulated agencies and departments.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads

No concerns.

Traffic / Transportation and Innovation Support

No concerns.

The Nickel District Conservation Authority, August 03, 2022

The Nickel District Conservation Authority (Conservation Sudbury) staff has reviewed the above-noted application for relief the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing pool, hot tub and shed providing smaller than required side yard setback, and providing an accessory lot coverage of 12% where 10% is permitted.

Conservation Sudbury does not object to Minor Variance A0079/2022. The subject property is 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 03, 2022

No objections.

Greater Sudbury Hydro Inc., August 02, 2022

Out of our service territory.

CGS: Building Services Section, July 29, 2022

Based on the information provided, Building Services has no concerns with this application.

CGS: Development Engineering, July 27, 2022

No objections.

The applicant's agent, Kevin Jarus of Tulloch Engineering, appeared before Committee and provided a summary of the application. The agent requested staff to provide an explanation regarding their concerns. Committee Chair Chartrand requested staff to provide some clarification on comments and staff provided that clarification. The agent requested that aerial imagery be shown and provided comments on staff's concerns. Committee Member Dumont requested the agent to explain his comments on the development being an existing situation and the agent provided that explanation. Committee Member Dumont expressed support for the application. Committee Chair Chartrand expressed support for the application. The resolution was amended to approve the application by way of a motion put forward by Committee Member Dumont and seconded by Committee Member Coupal. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:

ZACKARY JAMES ALEXANDER BIGGAR

the owner(s) of PIN 73495 0831, Parcel 11007 SEC SES, Lot(s) 62, Subdivision M-148, Lot Pt 5, Concession 2, Township of Garson, 3279 Falconbridge Hwy, Garson

for relief from Part 4, Section 4.2, subsection 4.2.3, Table 4.1 and subsection 4.2.11 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the existing pool and hot tub providing a west interior side yard setback of 0.9m, where an outdoor swimming pool shall be no closer than 1.5m from the interior side lot line; to permit a frame shed providing a west interior side yard setback of 0.9m, where any accessory building and structure greater than 2.5m in height shall be no closer than 1.2m from the side lot line; to permit a metal shed providing an east interior side yard setback of 0.3m, where any accessory building and structure 2.5m and less in height shall be no closer than 0.6m from the side lot line; and, an accessory lot coverage of 12%, where 10% is permitted, 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 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0107/2022

August 10, 2022

OWNER(S): KEN RITARI, 1868 Fairbank Rd East Whitefish ON P0M 3E0

AGENT(S): CENTRELINE ARCHITECTURE, 158 Elgin Street Suite 201 Sudbury ON P3E 3N5

LOCATION: PIN 73366 0012, Parcel 11048 SEC SWS, Lot Pt 11, Concession 1, Township of Fairbank, 1868 Fairbank East Road, Whitefish

SUMMARY

Zoning: The property is zoned SLS(4)(Seasonal Limited Service) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached garage on the subject property providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

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. Public Health Sudbury & Districts have not confirmed the presence of cyanobacterial blooms in Little Beaver Lake.

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

1. A shoreline buffer area is to remain in a natural vegetated state to a depth of at least 20 metres (the wider the better) from the high water mark and supplemented with additional trees and shrubs where necessary. Shoreline vegetation has beneficial effects, such as habitat creation, cooling of the lake edge through shading, reducing soil erosion, filtering nutrient-laden soil and pollutants, and visual enhancement from the lake. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or river bank or up to 23 metres, whichever is less, is allowable. The area to be cleared within the shoreline buffer area is not to exceed 276m².
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 amounts of phosphorus to the lake 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. 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 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 owner must contact Conservation Sudbury at (705) 674-5249 before starting any work in water or on the shoreline or stream bank (retaining walls, etc).

CGS: Development Approvals Section, August 03, 2022

The variance being sought would facilitate construction of a detached garage in the front yard of the subject lands that have frontage on Fairbank East Road in Whitefish. The lands also have water frontage on Fairbank Lake. The lands are designated Rural in the City's Official Plan and zoned "SLS(4)", Seasonal Limited Service Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the sloped roof would have a maximum height of 7.46 m (24.48 ft) whereas 5 m (16.40 ft) is permitted in the "SLS(4)" Zone. Staff notes that the proposed detached garage would be well screened and buffered from abutting residential properties as the lands are well vegetated. The proposed detached garage would be situated approximately 71 m (232.94 ft) from the street line of Fairbank East Road. Staff therefore does not anticipate any negative land use planning impacts on abutting rural residential properties or any negative impacts on the existing rural residential character that exists along this portion of Fairbank Road East should the additional height be approved. Staff also notes that the proposed detached garage would otherwise appear to comply with all other applicable development standards for an accessory building situated within the "SLS(4)" Zone. Staff would caution the owner that the proposed detached garage may only be used as an accessory use to the existing single-detached dwelling or for those non-residential uses permitted in the "RU" Zone under Section 9.2, Table 9.2 - Permitted Non-Residential Uses of the City's Zoning By-law. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads

No concerns.

Traffic / Transportation and Innovation Support

No concerns.

The Nickel District Conservation Authority, August 03, 2022

The subject parcel has shoreline frontage along Fairbank Lake that is regulated by the Conservation Authority. See attached map.

Conservation Sudbury does not object to Minor Variance A0107/2022 as the height of the garage is not relevant

to the responsibilities of Conservation Sudbury. Proposed garage is located sufficiently far from the water's edge that Conservation Sudbury has not objection to construction of the structure.

Notes

The proponent is advised that further development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. '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. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

CGS: Site Plan Control, August 03, 2022

No objections.

Greater Sudbury Hydro Inc., August 02, 2022

Out of our service territory.

CGS: Building Services Section, July 29, 2022

Based on the information provided, Building Services has no concerns with this application.

However, Owner to be informed of the following comments:

- 1) With respect to the proposed garage, Building Permit and Building Permit documents to be submitted to the satisfaction of the Chief Building Official.
- 2) A search of our records indicates an incomplete permit for a gazebo (B08-1695). Please contact Building Services to close this project.

CGS: Development Engineering, July 27, 2022

No objections.

The applicant and his agent, Dan Guillemette of Centreline Architecture, appeared before Committee and both provided a summary of the application. Committee had no comments or questions.

The following decision was reached:

DECISION:

THAT the application by:

KEN RITARI

the owner(s) of PIN 73366 0012, Parcel 11048 SEC SWS, Lot Pt 11, Concession 1, Township of Fairbank, 1868 Fairbank East Road, Whitefish

for relief from Part 4, Section 4.2, subsection 4.2.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 7.46m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0109/2022

August 10, 2022

OWNER(S): NATALIE CARON, 2974 Martin Rd Blezard Valley ON P0M 1E0
BRANDON CARON, 2974 Martin Rd Blezard Valley ON P0M 1E0

AGENT(S):

LOCATION: PINs 73500 0112 & 73500 0161, Parcel 36212 and 13832 SEC SES SRO, Surveys Plan SR-814 Part(s) 7 & Plan SR-3624 Part(s) 1, Lot Pt 10, Concession 5, Township of Blezard, 2974 Martin Road, Blezard Valley

SUMMARY

Zoning: The property is zoned R1-4 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached garage providing an accessory lot coverage and height at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

No concerns.

CGS: Development Approvals Section, August 03, 2022

The variances being sought would facilitate construction of a detached garage in the rear yard of the subject lands that have frontage on Martin Road in Blezard Valley. The lands are designated Living Area 2 and zoned "R1-4", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the proposed detached garage would be situated approximately 38.91 m (127.66 ft) from the street line of Martin Road. Staff is satisfied that at this distance the additional 2.3 m (7.54 ft) in maximum accessory building height would not have any negative impacts on the rural residential character that exists along this portion of Martin Road. It is noted that the lands also form an edge between the Living Area 2 and Agricultural Reserve land use designations. In particular, staff notes that the proposed detached garage would also immediately abut a gravel surfaced parking area to the east and to the south that is associated with an agricultural use at 2960 Martin Road (ie. Valley Growers). Staff therefore does not anticipate any negative land use planning impacts on abutting rural residential properties should the additional height be approved. Staff also notes that the proposed detached garage would otherwise appear to comply with all other applicable development standards for an accessory building situated within the "R1-4" Zone. Staff would caution the owner that the proposed detached garage may not be utilized for commercial or industrial purposes (ie. non-residential land uses). Staff would also caution the owner that the proposed accessory building may only be used for the purposes of human habitation if legally permitted as a secondary dwelling unit or garden suite as per Section 4.2.1 of the Zoning By-law. Staff also has no concerns in this particular context with respect to an increased maximum accessory buildings and structures lot coverage of 11.4% whereas 10% is permitted on a residential lot in the "R1-4" Zone. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads
No concerns.

Traffic / Transportation and Innovation Support
No concerns.

The Nickel District Conservation Authority, August 03, 2022

Conservation Sudbury does not object to Minor Variance A0109/2022. The subject property is 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 03, 2022

No objections.

Greater Sudbury Hydro Inc., August 02, 2022

Out of our service territory.

CGS: Building Services Section, July 29, 2022

No concerns.

CGS: Development Engineering, July 27, 2022

No objection.

The applicant, Brandon Caron, appeared before Committee and provided a summary of the application. Committee Chair Chartrand asked the applicant if he reviewed the comments regarding human habitation and the applicant confirmed that he had.

The following decision was reached:

DECISION:

THAT the application by:

NATALIE CARON AND BRANDON CARON
the owner(s) of PINs 73500 0112 & 73500 0161, Parcel 36212 and 13832 SEC SES SRO, Surveys Plan SR-814 Part(s) 7 & Plan SR-3624 Part(s) 1, Lot Pt 10, Concession 5, Township of Blezard, 2974 Martin Road, Blezard Valley

for relief from Part 4, Section 4.2, subsections 4.2.3 and 4.2.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing, firstly, an accessory lot coverage of 11.4%, where 10% is permitted, and secondly, a maximum height of 7.3m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, 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 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0110/2022

August 10, 2022

OWNER(S): KAREN REYNOLDS, 7 Silkwood Street Chelmsford ON P0M 1L0
PHIL REYNOLDS, 7 Silkwood Street Chelmsford ON P0M 1L0

AGENT(S): KAREN REYNOLDS, 7 Silkwood Street Chelmsford ON P0M 1L0

LOCATION: PIN 73513 0462, Surveys Plan 53R-19412 Part(s) 1, 2, 3, 4, 5, and 12 & Plan 53R-17405 Part(s) 12 and 24, Lot Pt broken 1, Concession 5, Township of MacLennan, 146 Oakridge Trail, Skead

SUMMARY

Zoning: The property is zoned SLS (5) (Seasonal Limited Service) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached garage on the subject property providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

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. Public Health Sudbury & Districts have not confirmed the presence of cyanobacterial blooms in Little Beaver Lake.

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

1. A shoreline buffer area is to remain in a natural vegetated state to a depth of at least 20 metres (the wider the better) from the high water mark and supplemented with additional trees and shrubs where necessary. Shoreline vegetation has beneficial effects, such as habitat creation, cooling of the lake edge through shading, reducing soil erosion, filtering nutrient-laden soil and pollutants, and visual enhancement from the lake. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or river bank or up to 23 metres, whichever is less, is allowable. The area to be cleared within the shoreline buffer area is not to exceed 276m².
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 amounts of phosphorus to the lake 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. 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 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 owner must contact Conservation Sudbury at (705) 674-5249 before starting any work in water or on the shoreline or stream bank (retaining walls, etc).

CGS: Development Approvals Section, August 03, 2022

The variance being sought would facilitate construction of a detached garage on a north-westerly portion of the subject lands that have frontage on Oak Ridge Trail in Skead. The lands also have water frontage on Lake Wanapitei. The lands are designated Rural in the City's Official Plan and zoned "SLS(5)", Seasonal Limited Service Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the lands are heavily vegetated and therefore well buffered and screened from nearby residential properties. Staff does not anticipate any negative land use planning impacts on abutting residential properties or any negative impacts on the existing rural residential character that exists in the general area should the additional height be approved. Staff also notes that the proposed detached garage would otherwise appear to comply with all other applicable development standards for an accessory building situated within the "SLS(5)" Zone. Staff would caution the owner that the proposed detached garage portion may not be utilized for commercial or industrial purposes (ie. non-residential land uses). Staff would also caution the owner that the proposed accessory building may only be used for the purposes of human habitation if legally permitted as a secondary dwelling unit or garden suite as per Section 4.2.1 of the Zoning By-law. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads

No concerns.

Traffic / Transportation and Innovation Support

No concerns.

The Nickel District Conservation Authority, August 03, 2022

Conservation Sudbury does not object to Minor Variance A0110/2022 as the height of the seasonal dwelling is not relevant to the responsibilities of Conservation Sudbury. Proposed garage is located sufficiently far from the water's edge that Conservation Sudbury has not objection to construction of the structure.

Notes

The proponent is advised that further development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. '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. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

CGS: Site Plan Control, August 03, 2022

No objections.

Greater Sudbury Hydro Inc., August 02, 2022

Out of our service territory.

CGS: Building Services Section, July 29, 2022

No concerns.

CGS: Development Engineering, July 27, 2022

No objections.

The applicants appeared before Committee and provided a summary of the application. Committee Member Sawchuk asked staff if there were other variances for the subject property and the applicants explained that they previously appeared before Committee for a height variance for a seasonal dwelling. Staff confirmed that a previous variance had been granted in relation to the height of a seasonal dwelling.

The following decision was reached:

DECISION:

THAT the application by:

KAREN REYNOLDS AND PHIL REYNOLDS
the owner(s) of PIN 73513 0462, Surveys Plan 53R-19412 Part(s) 1, 2, 3, 4, 5, and 12 & Plan 53R-17405 Part(s) 12 and 24, Lot Pt broken 1, Concession 5, Township of MacLennan, 146 Oakridge Trail, Skead

for relief from Part 4, Section 4.2, subsection 4.2.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 7.92m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0111/2022

August 10, 2022

OWNER(S): SHARON KYLE, 58 Cerilli Crescent Sudbury ON P3E 5R8
DR PAUL KYLE, 58 Cerilli Crescent Sudbury ON P3E 5R8

AGENT(S): P + P ARCHITECTS INC., Attn: Jeff Perry 260 Maki Ave Sudbury ON P3E 2P2

LOCATION: PINs 73593 0125 & 73593 0120, Parcel M1090-1 and M1090-2 SEC SES, Lot(s) 1 and 2, Subdivision M-1090, Lot Pt 4, Concession 1, Township of McKim, 58 Cerilli Crescent, Sudbury

SUMMARY

Zoning: The property is zoned R1-5 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to convert an existing main floor deck to living space and to permit the construction of a new screened porch on the subject property providing high watermark setback, shoreline buffer area and shoreline structures at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

Environmental Planning Initiatives has reviewed the above application and is not opposed to the proposed conversion of an existing main floor deck to living space and the construction of a new screened porch based on the rationale below.

The Official Plan requires that structures be setback a minimum of 30 metres from the normal high water mark of the lake (8.4.1.3). However, lesser setbacks may be considered where sufficient lot depth is not available (8.4.1.3.a.). Given the size of the parcel and that it contains shoreline of Lake Nepahwin to the north, west, and south, there are no locations on the lot that would allow a structure to be 30 metres from all shorelines.

In addition to site constraints, the following items have been noted as part of the review and consideration:

1. There is no proposed increase in non-permeable surfaces. The proposed main floor deck to be converted to living space is currently covered by the existing roof, while the proposed screened porch is proposed on an existing area of hard surface.
2. There is no proposed loss of vegetation. The proposed development does not include the loss of any mature vegetation on-site.
3. There is no proposed impact to the existing vegetative shoreline buffer. The existing vegetative buffer along the shoreline appears to be well established and mature. Although it does not meet the current size standards for vegetative buffer, the proposed development is not proposing any loss.

Additional points are offered below for the benefit of the property owners and the Committee of Adjustment.

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. Public Health Sudbury & Districts have confirmed the presence of cyanobacterial blooms in Long Lake in 2008, 2011, 2012, 2013, 2014, 2016, 2019, and 2021.

Existing vegetation on the subject lands acts as an important buffer, absorbing runoff sediments 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.

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

1. A shoreline buffer area is to remain in a natural vegetated state to a depth of at least 20 metres (the wider the better) from the high water mark and supplemented with additional trees and shrubs where necessary. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or river bank or up to 23 metres, whichever is less, is allowable. The area to be cleared within the shoreline buffer area is not to exceed 276m².
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 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. 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 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 stream bank (retaining walls, etc).

All future planning-related applications relating to the subject lands will be reviewed in light of applicable official plan policies, by-laws and guidelines in place at the time of receipt of the applications.

CGS: Development Approvals Section, August 03, 2022

The variances being sought would facilitate an addition to an existing single-detached dwelling by converting a deck to habitable living space and construction of a new screened porch on the subject lands that have frontage on Cerilli Crescent in Sudbury. The lands also have water frontage on Lake Nepahwin. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff has reviewed aerial photography and the existing cleared area situated along the shoreline appears to be legal non-complying as it has existed in this configuration prior to the introduction of shoreline setback and buffer development standards in September 2010. Staff notes in particular that the proposed addition and screened porch would not appear to further remove any natural vegetation from the lands. The proposed addition and screened porch would also not further reduce the shoreline setbacks that exist on the lands at present. Staff is satisfied that the proposed addition and new screened porch are at a scale that is reasonable and not excessive in nature. It is also noted that natural vegetation would continue to exist along the majority of the shoreline length. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads

No concerns.

Traffic / Transportation and Innovation Support

No concerns.

The Nickel District Conservation Authority, August 03, 2022

The subject property has shoreline along Lake Nephawin. As a result, a portion of the property is regulated by the Conservation Authority (see attached map).

Conservation Sudbury does not object to Minor Variance A0111/2022 as the location of the proposed development is above the regulatory flood elevation.

Notes

The proponent is advised that further development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. '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. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

CGS: Site Plan Control, August 03, 2022

No objections.

Greater Sudbury Hydro Inc., August 02, 2022

No conflict.

CGS: Building Services Section, July 29, 2022

Based on the information provided, Building Services has no concerns with this application, however owner is to be advised on the following:

1) No construction drawings were provided for this application, and we have not received an application for building permit. Upon receipt of detailed drawings additional minor variance may be required.

CGS: Development Engineering, July 27, 2022

No objections.

The applicant's agent, Jeff Perry of Perry & Perry Architects, appeared before Committee and provided a summary of the application. Committee had no comments or questions.

The following decision was reached:

DECISION:

THAT the application by:

SHARON KYLE AND DR PAUL KYLE
the owner(s) of PINs 73593 0125 & 73593 0120, Parcel M1090-1 and M1090-2 SEC SES, Lot(s) 1 and 2, Subdivision M-1090, Lot Pt 4, Concession 1, Township of McKim, 58 Cerilli Crescent, Sudbury

for relief from Part 4, Section 4.41, subsections 4.41.2, 4.41.3 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 conversion of an existing main floor deck to living space and the construction of a new screened porch, firstly, providing a high water mark setback of 18.3m for the proposed deck conversion and 15.25m for the proposed screened porch, 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, to permit the proposed deck conversion to be 18.3m setback from the high water mark of a lake or river and to permit the proposed screened porch to be 15.25m setback from the high water mark of a lake or river, 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 variances are minor in nature and are 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0112/2022

August 10, 2022

OWNER(S): NORTHLAND PROPERTIES CORPORATION,

AGENT(S): JOSH MUTIS, 310-1755 W Broadway Vancouver BC V6J 4S5

LOCATION: PIN 73573 0382, Parcel 21216, Survey Plan 53R-17942 Part(s) 2, 5, and 9, Lot Pt 12, Concession 4, Township of Neelon, 225 Falconbridge Road, Sudbury

SUMMARY

Zoning: The property is zoned M1-1 (Business Industrial) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a hotel containing a banquet hall and two restaurants providing location of parking, reduced parking spaces, building height and refuse storage area at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

No concerns.

CGS: Development Approvals Section, August 03, 2022

The variances being sought are intended to facilitate the development of a hotel containing a banquet hall and two restaurants on the subject lands that are located at the north-west corner of Falconbridge Road and Kingsway Boulevard in Sudbury. The lands are designated Mixed Use Commercial in the City's Official Plan and zoned "M1-1", Business Industrial under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the development proposal is subject to site plan control and there is an active site plan control application on the lands (File # SPCA 2022-006) that has now progressed to a second submission of plans and drawings. The owner is cautioned however that should additional minor variances be identified or required as the site planning process moves toward conclusion that a further application for minor variance could be required. Staff has reviewed the variances and in general has no concerns. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads
No concerns.

Traffic / Transportation and Innovation Support
No concerns.

The Nickel District Conservation Authority, August 03, 2022

The Nickel District Conservation Authority (Conservation Sudbury) staff has reviewed the above-noted application for relief the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the development of a hotel with banquet hall and restaurants, with exemptions for parking and the placement of refuse storage area.

Conservation Sudbury does not object to Minor Variance A0112/2022. The subject property is 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 03, 2022

Note Application A0112/2022 has an application for site plan control that is currently under review.

Greater Sudbury Hydro Inc., August 02, 2022

No conflict.

CGS: Building Services Section, July 28, 2022

Building Services has reviewed the above noted application for Minor Variance and can advise that we have no concerns with the requested variances being a 3.0m setback for parking along Falconbridge Road, the provision of 288 parking spaces for the hotel and assembly occupancies, a 3.5m setback for the refuse storage area from the north interior side lot line, and the 23.57m maximum building height.

CGS: Development Engineering, July 27, 2022

No objection.

CGS: Site Plan Control, July 27, 2022

225 Falconbridge Road, Sudbury is the subject of a Site Plan Control Application. The variances requested are consistent with the Site Plan Control Application Comments.

The applicant's authorized representative, Josh Mutis, appeared before Committee and provided a summary of the application. Committee had no comments or questions.

The following decision was reached:

DECISION:

THAT the application by:

NORTHLAND PROPERTIES CORPORATION

the owner(s) of PIN 73573 0382, Parcel 21216, Survey Plan 53R-17942 Part(s) 2, 5, and 9, Lot Pt 12, Concession 4, Township of Neelon, 225 Falconbridge Road, Sudbury

for relief from Part 5, Section 5.2, subsection 5.2.4.3, Section 5.3, Table 5.4 and Part 8, Section 8.3, Table 8.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the development of a hotel containing a banquet hall and two restaurants, firstly, to permit required parking providing a 3.0m setback along Falconbridge Road, where required parking is not permitted to be closer to any road having a width of more than 10.0 metres than 4.5m in an industrial zone, secondly, providing 288 parking spaces, where 313 parking spaces are required, thirdly, to permit the refuse storage area to be located 3.5m from the north interior side lot line, where refuse storage areas shall be located no closer than 6.0m from the interior side lot line, and fourthly, providing a maximum height of 23.57m, where 12.0m is permitted, 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 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0113/2022

August 10, 2022

OWNER(S): ROBERT PATTERSON, 1800 Hampden Crescent Sudbury ON P3A 2M7

AGENT(S): KOMRI ENGINEERING, 166 Douglas St Sudbury ON P3E 1G1

LOCATION: PIN 73566 0795, Parcel Parcel 29623 SEC SES SRO, Lot(s) 266, Subdivision M-399, Lot Pt 11, Concession 6, Township of Neelon, 1800 Hampden Crescent, Sudbury

SUMMARY

Zoning: The property is zoned R1-5 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached garage on the subject property providing an accessory lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

No concerns.

CGS: Development Approvals Section, August 03, 2022

The variance being sought would facilitate construction of a detached garage in the rear yard of the subject lands that have frontage on Hampden Crescent in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff are satisfied in this particular urban residential context that no negative land use planning impacts would be generated on abutting residential properties should the additional 1.5% lot coverage for accessory buildings and structures be approved. Staff also does not anticipate any negative land use planning impacts on the existing urban residential character that presently exists along Hampden Crescent. Staff would therefore advise in general that the variance is not excessive or unreasonable. Staff also notes that the proposed detached garage would otherwise appear to comply with all other applicable development standards for an accessory building situated within the "R1-5" Zone. Staff would caution the owner that the proposed detached garage portion may not be utilized for commercial or industrial purposes (ie. non-residential land uses). Staff would also caution the owner that the proposed accessory building may only be used for the purposes of human habitation if legally permitted as a secondary dwelling unit or garden suite as per Section 4.2.1 of the Zoning By-law. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads

No concerns.

Traffic / Transportation and Innovation Support

No concerns.

The Nickel District Conservation Authority, August 03, 2022

The Nickel District Conservation Authority (Conservation Sudbury) staff has reviewed the above-noted application for relief the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing accessory lot coverage of 11.5% where 10% is the maximum.

Conservation Sudbury does not object to Minor Variance A0113/2022. The subject property is 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 03, 2022

No objections.

Greater Sudbury Hydro Inc., August 02, 2022

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: Building Services Section, July 28, 2022

Based on the information provided, Building Services has no concerns with this application, however, the owner is to be advised of the following comments:

1. That a search of our records indicates that there are issued/open permits for:
 - i. Weeping Tile (B11-1475)
 - ii. Finish Basement and Siding (B11-2183)

Please contact Building Services to close these projects.

CGS: Development Engineering, July 27, 2022

No objections.

The applicant’s agent, Karim Omri of Komri Engineering, appeared before Committee and provided a summary of the application. Committee had no comments or questions.

The following decision was reached:

DECISION:

THAT the application by:
ROBERT PATTERSON
the owner(s) of PIN 73566 0795, Parcel Parcel 29623 SEC SES SRO, Lot(s) 266, Subdivision M-399, Lot Pt 11, Concession 6, Township of Neelon, 1800 Hampden Crescent, Sudbury
for relief from Part 4, Section 4.2, subsection 4.2.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing an accessory lot coverage of 11.5%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring

SUBMISSION NO. A0114/2022

August 10, 2022

OWNER(S): LOUISE MENARD, 1236 Gravel Drive Sudbury ON P3P 1R8
MARC MENARD, 1236 Gravel Drive Sudbury ON P3P 1R8

AGENT(S): MARC MENARD, 1236 Gravel Drive Sudbury ON P3P 1R8

LOCATION: PIN 73503 1693, Survey Plan 53R-20643 Part(s) 6, Lot Pt 3, Concession 3, Township of Hanmer, 642
Emily Street, 644 Emily Street, Hanmer

SUMMARY

Zoning: The property is zoned R2-2(34) Low Density Residential according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: To permit the construction of a pair of semi-detached dwelling units providing 2 driveways not centered at the lot line on the subject property at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 04, 2022

No concerns.

CGS: Development Approvals Section, August 03, 2022

The variance being sought would facilitate construction of a semi-detached dwelling having frontage on Emily Street in Hanmer. The lands are designated Living Area 1 and zoned "R2-2(34)", Low Density Residential Two under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the "R2-2(34)" Zone includes a site-specific development standard requiring that, "The driveway for each pair of semi-detached dwelling units shall be centered at the common lot line." Staff notes that Section 5.4.2 c) of the City's Zoning By-law restricts a ground-oriented residential dwelling to one driveway per lot and in this regard the variance being sought could only be properly utilized once the lands have been severed. Staff would caution the owner that further relief would be required should the owner not intend to sever the lands along the party wall of the proposed semi-detached dwelling thereby having both driveways situated on the same lot. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 03, 2022

Roads
No concerns.

Traffic / Transportation and Innovation Support
No concerns.

The Nickel District Conservation Authority, August 03, 2022

Conservation Sudbury does not object to Minor Variance A0114/2022. The subject property is 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 03, 2022

No objections.

CGS: Building Services Section, August 03, 2022

Based on the information provided, Building Services has no concerns with this application, however, the following comments should be noted:

1. As per the City of Greater Sudbury's Zoning By-Law #2010-100Z:

a. Section 5.4.3.1. c), the maximum driveway width at the street line providing access to a semi-detached dwelling is 6.3m. The proposed combined driveway width is 9.8m.

The applicant is to be advised that should a consent of the property not be approved, a minor variance will be required to permit the increased driveway width, or the driveway widths proposed shall be adjusted to meet the combined width of 6.3m.

Greater Sudbury Hydro Inc., August 02, 2022

Out of our service territory.

Source Water Protection Plan, July 28, 2022

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.

CGS: Development Engineering, July 27, 2022

No objections.

The applicant's appeared before Committee and provided a summary of the application. A letter of support was received from Councillor Rene Lapierre (Councillor for Ward 6) for the application and advised that he had received no calls, emails or comments in opposition to it. Committee Member Dumont directed the applicants to the comments provided by Building Services'. Committee Chair Chartrand requested staff to comment on Building Services' comments regarding the driveway width and staff clarified the comments and the requirement for further variances if the lands were not severed.

The following decision was reached:

DECISION:

THAT the application by:

LOUISE MENARD AND MARC MENARD

the owner(s) of PIN 73503 1693, Survey Plan 53R-20643 Part(s) 6, Lot Pt 3, Concession 3, Township of Hanmer, 642 Emily Street, 644 Emily Street, Hanmer

for relief from Part 11, Section 1, subsection 8, paragraph hh, clause i) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a pair of semi-detached dwelling units providing two (2) driveways not centered at the common lot line, where the driveway for each pair of semi-detached dwelling units shall be centered at the common 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 Building. 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>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring