



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0092/2021

August 04, 2021

OWNER(S): LOUIS BOTTIGONI, 150 Fire Route 5 Road Hanmer ON P3P 0B7  
CHRISTINE BOTTIGONI, 150 Fire Route 5 Road Hanmer ON P3P 0B7

AGENT(S):

LOCATION: PIN 73510 0016, Parcel 53382, Survey Plan 53R-16571 Part(s) 10, 13, 27 & 28, Lot 5 & 6, Concession 6, Township of Capreol, 150 Fire Road, Hanmer

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### 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 convert an uncovered deck to a covered deck on the subject property providing eaves, front yard setback, side yard setback and a setback from the high water mark of a navigable waterbody at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Environmental Planning Initiatives, July 29, 2021

This correspondence is for informational purposes only. Shoreline property owners are encouraged to continue adopting lake-friendly practices.

The subject lands are immediately adjacent to Ella Lake, Township of Capreol, City of Greater Sudbury.

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 has not confirmed the presence of cyanobacterial blooms in Ella Lake.

Ella Lake has been placed in the "Enhanced" management category by Hutchinson Environmental Sciences Ltd. based on their 2015 study on the development and application of a water quality model for lakes in the City of Greater Sudbury. According to this study, lakes in the Enhanced management category "have either been, or are likely to be impaired by phosphorus inputs from human sources. Additional phosphorus loads could further impair water quality in these lakes and should be avoided by

for example, implementing Best Management Practices for phosphorus abatement or limiting the creation of new unserviced shoreline lots.”

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 natural vegetated buffer of at least 30 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 stream bank or up to 23 metres, whichever is less, is allowable.
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).

CGS: Development Approvals Section, July 29, 2021

The variances being sought would facilitate the conversion of an existing uncovered deck to a covered deck on the subject lands that water frontage on Ella Lake in Hanmer. The lands also appear to be accessible from both Fire Road 5 and Fire Road 6 via a private driveway access that traverses abutting privately-owned lands. The lands are designated Mineral/Mining Reserve in the City's Official Plan and are zoned "SLS", Seasonal Limited Service under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff understands that the development proposal involves only the covering of an existing deck and that the existing footprint of the uncovered deck is not being expanded. Staff notes that once the deck is covered that it is interpreted to part of the main building, which in this instance has triggered the requirement for minor variances given the location of the existing seasonal dwelling and uncovered deck on the lands. It is also noted that the lands maintain a legal non-complying water frontage of approximately 18 m (59.06 ft) whereas 45 m (147.64 ft) is required in the "SLS" Zone. Staff acknowledge in this respect then that some degree of relief from applicable development standards is warranted as the lands are constrained by the existing size and shape of the lot. Staff did attend the

SUBMISSION NO. A0092/2021 Continued.

lands and are satisfied that no negative land use planning impacts would be generated should the variances be approved that would facilitate the conversion of the uncovered deck to a covered deck. 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: Building Services Section, July 28, 2021

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

However, Owner to be advised of the following comments:

- 1) A search of our records indicates two (2) 12x14 sheds that appear to have been built without benefit of a building permit. Owner to be informed that any structure 10m<sup>2</sup> (108 ft<sup>2</sup>) in area or more requires a building permit. Building permit and building permit documents will be required to the satisfaction of the Chief Building Official.
- 2) Our records indicate an incomplete permit for the property for a detached garage (18-1152). Please contact Building Services to proceed in closing this project.
- 3) Building Services acknowledges a building permit for the proposed construction to cover the existing deck at the rear of the dwelling under permit #21-1268.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not have sufficient information to complete a full review and is therefore requesting that Minor Variance Application A0092/2021 be deferred until the details of the proposal can be reviewed. Specifically, Conservation Sudbury requires the construction drawings for the proposed deck covering. Additionally, an elevation survey demonstrating the existing deck meets the requirements outlined in the paragraph above.

#### Notes

The proponent is advised that 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](mailto:ndca@conservationsudbury.ca) to determine the need for a permit.

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Development Engineering, July 22, 2021

No objection.

The owner appeared before Committee and explained that they are looking for relief in order to put a cover over the existing deck. The owner explained that they had been granted a variance 7 years prior for the deck to the side lot line and also explained that they are too close to the high water mark. Bailey Chabot, Watershed Planner with the Nickel District Conversation Authority (NDCA), addressed Committee and advised that the NDCA had concerns regarding the type of structure that was being proposed and its proximity to the lake as the application indicated that there was habitable space in a floodplain associated with the lake. Bailey Chabot advised that the NDCA received the proposed building permit drawings from the City and wanted to amend its comments to impose a Section 28 Permit condition rather than to defer. Committee Member Chair Chartrand asked staff to clarify the recommendation that would be read to Committee. Staff advised that the recommendation was to grant the variance with no condition and recommended that Committee discuss the option of the condition with the NDCA. Committee Chair Chartrand asked Bailey Chabot if a Section 28 Permit would be required regardless if a condition was imposed. Bailey Chabot confirmed that would be correct however she was not certain that the development that was being proposed would meet the standards of the NDCA. She advised that the concern for this development was to ensure that the top floor of the structure be at least 1.5m above the high water mark as the drawing submitted shows the floor of the deck to be 1.47m above the high water mark. She confirmed that Committee Chair Chartrand's question was correct that a Section 28 Permit was required regardless, NDCA's interest was ensuring that a Section 28 would be possible to allow for the variance to move forward. Committee Member Dumont asked staff to confirm that the uncovered deck was an existing deck and that the existing deck was not being expanded. The owner confirmed that was correct. Committee Member Dumont requested staff to confirm. Staff confirmed that it was the City's understanding that it was existing and that it was not being expanded and that the variances would only allow for the covering of the deck. Committee Member Dumont expressed understanding of the NDCA's concerns but as it was an existing deck he felt that no condition should be attached to the Committee's decision. Committee Chair Chartrand asked the owner if they would have any concerns with a Section 28 condition. The owner advised that they would not. Committee Member Castanza asked Bailey Chabot to explain if the owner would be required to raise their deck if it was not 1.5m above the high water mark. Bailey Chabot advised that would not be the expectation and that she does not suspect that the owner would be subject to onerous conditions so long as the application was how the NDCA understands it to be. She also advised to the owner that the Section 28 Permit would be required regardless of Committee including it as a condition or not. Committee Member Castanza asked Bailey Chabot to confirm that the owner would be required to obtain the permit regardless of whether or not Committee imposed it as a condition. Bailey Chabot advised that it would not ultimately affect the outcome but the NDCA does like to impose the condition where it was concerned that a permit may not be achievable. Committee Chair Chartrand advised that he did not feel a condition was required as a Section 28 Permit is required regardless. Committee Chair Chartrand asked Bailey Chabot to explain why the NDCA was requesting the condition when a Section 28 Permit would be required regardless. Bailey Chabot advised the NDCA was requesting the condition as they are not sure if there was an issue based on the information that was provided and the condition was an opportunity to draw attention to the potential concerns that the NDCA has so the owner was aware and can work with the NDCA to ensure that those issues are overcome. Committee Member Dumont advised that he did not feel comfortable adding a condition to the minor variance application. Committee Member Castanza advised that she did not feel comfortable either and asked staff to provide comment. Staff advised that they did not have comments but did add that this was a request to place a spotlight on the requirement upfront rather than at the backend and it was up to Committee to impose a condition or not. Committee Member Castanza asked that if it would be in the owner's best interest to go to the NDCA first to make sure that everything would be okay before they proceed with the rest of their application. Staff advised that would be a good question to ask the NDCA. Bailey Chabot advised that it was the NDCA's recommendation that applicants apply early, as a Building Permit would not be issued until a Section 28 Permit was issued or permission was received. Committee Member Castanza asked Bailey Chabot to provide the timeframe to obtain a Section 28 Permit. Bailey Chabot advised that the NDCA was currently in a very busy season and could not provide timelines and advised that the sooner a person applies, the better. Committee Chair Chartrand advised that he had no concerns with the variances being requested but did not feel that a condition should be imposed.

The following decision was reached:

DECISION:

THAT the application by:

LOUIS BOTTIGONI AND CHRISTINE BOTTIGONI

the owner(s) of PIN 73510 0016, Parcel 53382, Survey Plan 53R-16571 Part(s) 10, 13, 27 & 28, Lot 5 & 6, Concession 6, Township of Capreol, 150 Fire Road, Hanmer

for relief from Part 4, Section 4.2, Table 4.1 and Section 4.41, subsection 4.41.2 and Part 9, Section 9.3, Table 9.3 of By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, as amended, in order to convert an existing accessory structure in the form of an uncovered deck to a covered deck providing firstly, eaves to encroach 2.0m into the required yard, where eaves may only encroach 0.6m into the required yard but not closer than 0.6m to the lot line, secondly, a setback of 7.01m from the high water mark of a navigable waterbody, whereas no residential building and certain types of accessory buildings and structures may be erected closer than 12.0m to the high water mark of a navigable waterbody, thirdly, to permit the covered deck to maintain a front yard setback of 5.6m, where 10.0m is required, and fourthly, to permit the covered deck to maintain an interior side yard setback of 2.15m, where 3.0m 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. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring





## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0096/2021

August 04, 2021

OWNER(S): LEE VALLEY MOTORS LIMITED, 1841 Potvin Crescent Sudbury ON P3G 1E8

AGENT(S): KEVIN JARUS - TULLOCH ENGINEERING, 1942 Regent Street, Unit L, Sudbury, ON, P3E 5V5

LOCATION: PIN 73479 0374, Parcel 33268, Survey Plan SR-1616 Part(s) 1, Lot Part 11, Concession 5, Township of Dill.  
1841 Potvin Crescent, Sudbury

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### SUMMARY

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

**Application:** Approval of the retained lot, following a severance, having a lot area, lot frontage and interior side yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Development Approvals Section, July 29, 2021

The variances being sought would facilitate a lot boundary re-alignment between two rural lots having frontage on Potvin Crescent in Sudbury. The lands are designated Rural in the City's Official Plan and are zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the intended benefitting lands (ie. 1803 Potvin Crescent) form a legal existing undersized lot of record and are presently undersized from both a minimum lot area and minimum lot frontage perspective. Staff further notes that the subject lands at present comply with minimum lot frontage requirements of the "RU" Zone, but also form a legal existing undersized lot of record as they do not comply with minimum lot area requirements. The development proposal therefore amounts to a lot boundary re-alignment between two existing legal existing undersized lots of record and it is noted that no new rural lot would be created should the variances be approved. Staff would further note for clarity purposes that the benefitting lands would now comply with the minimum lot frontage requirement of 90 m (295.28 ft) and these lands would also benefit from an increased minimum lot area that is closer to the minimum required 2 ha (4.94 acres) in the applicable "RU" Zone. The proposed retained lands would then in turn maintain a minimum lot area that is less than 2 ha (4.94 acres) however the resulting lot area would improve upon the 0.16 ha (0.40 acres) that exist today on the lands that would benefit from the overall lot boundary re-alignment. The same holds true for the resulting lot frontages as the benefitting lands today maintain 22.81 m (74.84 ft) of lot frontage on Potvin Crescent whereas the future retained lands after the lot boundary re-alignment is completed would provide for a lot frontage of

SUBMISSION NO. A0096/2021 Continued.

34.58 m (113.45 ft) on Potvin Crescent. 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.

Greater Sudbury Hydro Inc., July 28, 2021

No concerns.

CGS: Building Services Section, July 28, 2021

Based on the information provided, Building Services has the following comments:

1) A review of the submitted plot plan indicates removal of a shed on the easterly side of the property. Owner to be informed that a Demolition permit will be required at the time of removal.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not oppose Minor Variance Application A0096/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

**Notes**

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Development Engineering, July 22, 2021

No objection.

The agent appeared before Committee and explained that the application was essentially a land-swap between the most westerly, quite undersized parcel being the benefitting lands, and adding Part 1 on the sketch to those benefitting lands while having the remaining area, being Part 2 on the east side, which would also be undersized however as staff comments outlined, the outcome of the land-swap process would result in an improved situation for the benefitting lands as it would provide more lot area and frontage. The agent explained that the Part 2 area, being the resulting lot, would be an improved situation beyond what the benefitting lands on the west side currently represents as the resulting lot would have a frontage of 34.5m, whereas the benefitting lands currently has only 22.0m and the Part 2 area would have a larger lot area of 2528.0m<sup>2</sup> whereas the benefitting lands only had 1617.0m<sup>2</sup>.

The following decision was reached:

**DECISION:**

THAT the application by:

LEE VALLEY MOTORS LIMITED

the owner(s) of PIN 73479 0374, Parcel 33268, Survey Plan SR-1616 Part(s) 1, Lot Part 11, Concession 5, Township of Dill, 1841 Potvin Crescent, Sudbury

For relief from Part 9, Section 9.3, Table 9.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve the retained lot following a severance, which is subject of a proposed Consent Application, providing a minimum lot area of 0.25ha, where 2.0ha is required, a minimum lot frontage of 34.0m, where 90.0m is required, and also, a minimum interior side yard setback of 5.8m, where 10.0m 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. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring





## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0101/2021

August 04, 2021

OWNER(S): KIM CRANE, 3062 Rebecca St Val Caron ON P3N 1S3  
COREY CRANE, 3062 Rebecca St Val Caron ON P3N 1S3

AGENT(S):

LOCATION: PIN 73501 1741, Lot(s) 8, Subdivision 53M-1265, Lot 8, Concession 6, Township of Blezard, 3062 Rebecca Street, Val Caron

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### 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 permit floating deck on the subject property providing an interior side yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Development Approvals Section, July 29, 2021

The variance being sought would recognize an existing uncovered deck providing access to a swimming pool that encroaches into an interior side yard on the subject lands that have frontage on Rebecca Street in Val Caron. The lands are zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the swimming pool itself would appear to comply with the minimum setback requirement to the northerly interior side lot line of 1.5 m (4.92 ft) under Section 4.2.5, Table 4.1 of the City's Zoning By-law. Staff has concerns with respect to an interior side yard setback of 0.3 m (0.98 ft) in this location insofar as it pertains to having sufficient area to properly maintain the uncovered deck structure and nearby landscaping. Staff further notes that the uncovered deck is elevated to a height that may have negative impacts on abutting residential properties with respect to privacy (eg. sightlines, noise, etc.). Staff recommends that the variance be denied as it is not minor, not appropriate development for the area and the intent of the Zoning By-law is not maintained.

CGS: Building Services Section, July 28, 2021

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

However, Owner to be advised of the following comments:

1) A review of the Public Notice indicates relief from Part 4, Section 4.2, Table 4.2 rather than relief from Part 4, Section 4.2, Table 4.1.

2) A search of our records indicates that since applying for the minor variance application (A0101/2021) and associated building permit (21-1286), legal ownership of the subject property was transferred on July 19, 2021. As per Building Services discussion with the previous homeowner (Kim Crane) on July 27, 2021, we were informed that their intention is to pursue these applications until completion in order to legalize the existing deck and above ground pool as this was a condition of sale for the subject property.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not oppose Minor Variance Application A0101/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

#### Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Development Engineering, July 22, 2021

No objection.

The owners appeared before Committee and explained that the deck was built almost 10 years ago alongside their pool and no permit was taken as they were not aware that one was needed. The owners advised that they just sold their house and pursuant to the sale they were required to obtain a permit and through that process they found that they needed the variance. The owners advised that they have had two neighbours since the deck was built and the deck has never been an issue and one neighbor expressed support of the variance. The Secretary-Treasurer advised that the City received correspondence from Mike and Line Vidal at 3066 Rebecca Street in support of the application and they advised that they have had no incidents or concerns with regards to safety, privacy or any intrusion of any kind and that they advised were personally in favour of granting the variance and they don't foresee any issues. The Secretary-Treasurer advised that the email was circulated to Committee for their consideration. Committee Member Dumont asked the owners if they had an opportunity to review the comments from staff as the recommendation was to deny the application.

The owners advised that they had not received any comments. Committee Chair Chartrand asked the owner to confirm that they had not received comments and the owner confirmed that they had not. Committee Chair Chartrand asked the Secretary-Treasurer to confirm if the comments had been provided to the owners. The Secretary-Treasurer advised that the comments had been sent out on the previous Friday however due to a typographical error the comments were sent to an incorrect email address. Committee Chair Chartrand asked staff to display the comments from Development Approvals which staff did. Staff advised that they could provide a summary of the comments as well. The owner requested that the PowerPoint that she had provided be displayed on screen showing the deck which staff did. The owner explained, referring to the photos, that the cedar trees had been planted over 20 years ago on the neighbour's property. The owner explained that since then they had overgrown onto their property a bit more than a foot which was fine as they create a fence that provides safety on top of the fence that is partly on the deck as well. Committee Member Dumont explained that when a recommendation is to deny he likes to provide the owners an opportunity to review the comments. The owner explained that the email from Mr. and Mrs. Vidal are the neighbours on the side that the deck is and there was no issue with privacy. Committee Chair Chartrand asked the owner if they sold the house or if they still lived there. The owner advised that the house was sold and the sale was finalized on June 19, with holdbacks until the permit was issued. Committee Member Castanza advised that she did a site visit and did not have an issue with the variance being requested. Committee Member Dumont advised that because there was no mention of safety in the comments he did not have an issue with overturning staff's recommendation to support the variance as they were more focused on access for maintenance and height. Committee Chair Chartrand echoed Committee Member Castanza and Dumont's comments. The staff recommendation to deny the application was defeated. Committee Member Dumont put forward a motion to support the application and Committee Member Coupal seconded the motion. The motion was supported and carried.

The following decision was reached:

**DECISION:**

THAT the application by:

KIM CRANE AND COREY CRANE

the owner(s) of PIN 73501 1741, Lot(s) 8, Subdivision 53M-1265, Lot 8, Concession 6, Township of Blezard, 3062 Rebecca Street, Val Caron

For relief from Part 4, Section 4.2, Table 4.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing floating uncovered deck providing an interior side yard setback of 0.305m, where an uncovered deck may encroach 1.2m into the required 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. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring

SUBMISSION NO. A0101/2021 Continued.

Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0102/2021

August 04, 2021

OWNER(S): BETTY NORRAD, 423 Bathurst Street Chelmsford ON P0M 1L0

AGENT(S): RIO RIVIERE, 423 Bathurst Street Chelmsford ON P0M 1L0

LOCATION: PIN 73350 0105, Parcel 17090, Lot(s) 7, Subdivision M-421, Lot 4, Concession 2, Township of Balfour, 423 Bathurst Street, Chelmsford

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### 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 of the lot to be severed, subject of Consent Application B0069/2021, providing a lot depth at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Building Services Section, July 30, 2021

#### REVISED:

Based on the information provided, Building Services has the following comments:

1) Although not reflected on the submitted plot plan, our research indicates that several accessory structures may be located on the proposed severed portion of land. Owner to be informed that in accordance with Section 4.2.1.(a) of the CGS Zoning By-law 2010-100Z, an accessory building must be accompanied by a principal building, structure or use already in existence on the lot. For this reason, a Demolition permit may be required.

We recommend deferral of this application until such time that the Owner provides a survey that reflects all existing buildings/structures on the property.

CGS: Development Approvals Section, July 29, 2021

The above noted applications were submitted concurrently and would facilitate the creation of one new urban residential lot to the south of the existing residential dwelling on the lands and would have

frontage on Bathurst Street in Chelmsford. The retained lands would form a corner lot at the intersection of Highway #144 and Bathurst Street. 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 no concerns with respect to the variance that would permit a reduced lot depth of 28.9 m (94.82 ft) whereas 30 m (98.43 ft) is required for the lands to be severed. Staff would note that the proposed severed lot would provide for a minimum lot frontage on Bathurst Street of approximately 20.73 m (68.00 ft), which exceeds the minimum lot frontage requirement of 15 m (49.21 ft) in the "R1-5" Zone. Staff would further note that no other variances are being sought with respect to the proposed severed lot. Staff is therefore satisfied that the lands to be severed are suitable from the perspective of facilitating the construction of a single-detached dwelling, which is a permitted residential built-form in the applicable "R1-5" Zone. With respect to the retained lands, staff notes that the lands presently contain an existing residential dwelling that is accessed via an existing driveway behind said residential dwelling onto Bathurst Street. It is further noted that the existing residential dwelling is oriented toward Bathurst Street and that the front yard and westerly interior side yard of the lands is presently utilized as outdoor amenity space and would continue to function as such if the lands are severed. Staff is satisfied that the proposed retained lands are functional from the perspective of providing for sufficient landscaped open space that can be properly utilized as outdoor amenity space for the existing single-detached dwelling.

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: Building Services Section, July 28, 2021

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

However, Owner to be advised of the following comments:

1) Although we have no concerns with the proposed lot, our comments may be subject to change given the discrepancy identified with the associated application (A0103/2021). As a result, should the total lot area of the proposed severed lot be altered, Building Services shall provide updated comments. For this reason, a deferral of this application may also be required.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not oppose Minor Variance Applications A0102/2021 nor A0103/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

#### Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.



CGS: Development Engineering, July 22, 2021

No objection.

The agent appeared before Committee and explained that they are severing the lot and are seeking relief for the retained lot and the severed lot so that they meet and comply with the By-law. Committee Member Laing asked staff, referring to Building Services' comments to defer the application, if they would comment on that. Staff advised that the Development Approvals section was supporting the development proposal as a whole, that being a lot created and some variances on the severed and retained lots. Staff advised that the comments from Building Services makes an observation that there may be other buildings and structures on the lands that are not depicted on the plan that was provided by the applicant which Building Services was cautioning the owner that other variances may be required. Staff advised that it may be better to ask the owner if they are comfortable that what they have provided with their application and that everything that would need to be varied in the by-law and if they are confident the buildings and structures that Building Services referenced would not generate the need for further variances then it would be safe to proceed. Staff advised that if the owner has any questions or doubt in mind then it may be better to defer and ensure that those buildings and structures that are not shown on the plan could be included if needed. Committee Member Laing asked that agent if they are comfortable proceeding despite potential issues that could cause more minor variances to appear. Committee Member Laing explained to the agent that if that happens then they would be required to come back before Committee and pay another fee and he asked the agent if they were comfortable that that would not happen then Committee could proceed but if they were not comfortable then Committee should look at deferring the application. The agent advised that he was comfortable with what he proposed. Committee Chair Chartrand explained to the agent that it was more a caution that if there was a shed that happens to be somewhere where it shouldn't be then that would be something that Committee would want to deal with, however if he was confident that what Committees sees in the application was what was going to be there then Committee is good making a decision. The agent advised that he was confident but he did receive an email about structures on the lot that he was looking to sever and he advised that there are two tarp sheds but they are not permanent. Committee Member Castanza explained that the concern with Building Services was that there was a lot of stuff on the property and there are concerns that the applicant understands that the stuff can't be there.

The following decision was reached:

**DECISION:**

THAT the application by:

BETTY NORRAD

the owner(s) of PIN 73350 0105, Parcel 17090, Lot(s) 7, Subdivision M-421, Lot 4, Concession 2, Township of Balfour, 423 Bathurst Street, Chelmsford

For relief from Part 6, Section 6.3, Table 6.2 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 Consent Application B0069/2021, providing a minimum lot depth of 28.9m, 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 variances are minor in nature and are desirable for the appropriate development and use of the land. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Dan Laing	Concurring

SUBMISSION NO. A0102/2021 Continued.

Derrick Chartand	Concurring
Matt Dumont	Concurring



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0103/2021

August 04, 2021

OWNER(S): BETTY NORRAD, 423 Bathurst Street Chelmsford ON P0M 1L0

AGENT(S): RIO RIVIERE, 423 Bathurst Street Chelmsford ON P0M 1L0

LOCATION: PIN 73350 0105, Parcel 17090, Lot(s) 7, Subdivision M-421, Lot 4, Concession 2, Township of Balfour, 423 Bathurst Street, Chelmsford

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### 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 of the lot to be retained, subject of Consent Application B0069/2021, providing a lot depth and rear yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Development Approvals Section, July 29, 2021

The above noted applications were submitted concurrently and would facilitate the creation of one new urban residential lot to the south of the existing residential dwelling on the lands and would have frontage on Bathurst Street in Chelmsford. The retained lands would form a corner lot at the intersection of Highway #144 and Bathurst Street. 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 no concerns with respect to the variance that would permit a reduced lot depth of 28.9 m (94.82 ft) whereas 30 m (98.43 ft) is required for the lands to be severed. Staff would note that the proposed severed lot would provide for a minimum lot frontage on Bathurst Street of approximately 20.73 m (68.00 ft), which exceeds the minimum lot frontage requirement of 15 m (49.21 ft) in the "R1-5" Zone. Staff would further note that no other variances are being sought with respect to the proposed severed lot. Staff is therefore satisfied that the lands to be severed are suitable from the perspective of facilitating the construction of a single-detached dwelling, which is a permitted residential built-form in the applicable "R1-5" Zone. With respect to the retained lands, staff notes that the lands presently contain an existing residential dwelling that is accessed via an existing driveway behind said residential dwelling onto Bathurst Street. It is further noted that the existing residential dwelling is oriented toward Bathurst Street and that the front yard and westerly interior side yard of the lands is presently utilized as outdoor amenity space and would continue to function as such if the lands are severed. Staff is satisfied that the proposed retained lands are functional from the perspective of

SUBMISSION NO. A0103/2021 Continued.

providing for sufficient landscaped open space that can be properly utilized as outdoor amenity space for the existing single-detached dwelling.

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: Building Services Section, July 28, 2021

Based on the information provided, Building Services has the following comments:

1) A review of our records indicates a discrepancy of information with respect to the total area of the subject property. The submitted plot plan indicates an area of 900.242 m<sup>2</sup> (9690.12 ft<sup>2</sup>) for the retained lands and an area of 600.142 m<sup>2</sup> (6459.87 ft<sup>2</sup>) for the severed lands; a combined area of 1500.385 m<sup>2</sup> (16149.99 ft<sup>2</sup>). A review of our records indicates a total area for the subject property of 1339.10 m<sup>2</sup> (14414 ft<sup>2</sup>). Therefore, a discrepancy in total lot area of (161.27 m<sup>2</sup>) 1735.99 ft<sup>2</sup>.

2) Our research indicates there may be accessory structures on the retained portion of land that have not been reflected on the plot plan provided. Owner to be informed that any accessory structure 10m<sup>2</sup> (108 ft<sup>2</sup>) in area or more built after the applicable zoning by-law (Rayside-Balfour 83-302, February 25, 1987) will require a building permit. Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.

As the above discrepancy in information will impact this minor variance application as well as the associated application for consent (B0069/2021), we recommend deferral of this application until such time that the Owner provides a survey with the corrected lot area as well as all existing buildings/structures on the property and their setbacks to the proposed property lines. All existing structures shall be shown on the survey to ensure required lot coverage calculations can be completed.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not oppose Minor Variance Applications A0102/2021 nor A0103/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

#### Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Development Engineering, July 22, 2021

No objection.

The agent appeared before Committee and provided a brief summary of the application relating it to his other application being A0102/2021. Committee Chair Chartrand asked staff to clarify Building Services' comments regarding the lot area discrepancy. Staff advised that they City received an updated drawing from the owner and staff advised that they don't believe that it triggered the need for further variances but it provides Building Services with the information that they need in order to properly assess a Building Permit application. Staff advised the owner that there was a discrepancy between the first drawing and the updated drawing and that if any new variances result from that then it's possible that a re-application would be required. Staff confirmed that no lot coverage variances would be required but it was a comment worth noting to the owner. Committee Chair Chartrand asked the agent if they were aware of the comments and what staff was referring too and the agent confirmed that they completely understand and they're confident in the measurements which will be more accurate once a survey was done. Committee Chair Chartrand explained to the agent that if the survey does show any discrepancies that they would have to apply for further variances.

The following decision was reached:

DECISION:

THAT the application by:

BETTY NORRAD

the owner(s) of PIN 73350 0105, Parcel 17090, Lot(s) 7, Subdivision M-421, Lot 4, Concession 2, Township of Balfour, 423 Bathurst Street, Chelmsford

For relief from Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve the lands to be retained, subject of Consent Application B0069/2021, providing a minimum lot depth of 31.0m, where 45.0m is required, and a minimum rear yard setback of 1.2m, where 7.5m 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 variances are minor in nature and are desirable for the appropriate development and use of the land. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0081/2021

August 04, 2021

OWNER(S): LORRAINE WILKINSON, 1255 South Shore Rd Sudbury ON P3G 1L4  
TODD WILKINSON, 1255 South Shore Rd Sudbury ON P3G 1L4

AGENT(S):

LOCATION: PIN 73473 0297, Parcel 17178, Surveys Plan 53R-19682 Part(s) 6 & 7 & Plan 53R-20458 Part(s) 1, Lot Pt 9, Concession 3, Township of Broder, 1255 South Shore Road, Sudbury

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### SUMMARY

**Zoning:** The property is zoned R1-1 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

**Application:** Approval permit the expansion of a legal existing non-complying building and attached deck to include a sunroom addition on the subject property, providing a gross floor area and setback from the high water mark at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Revised  
Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Environmental Planning Initiatives, July 29, 2021

Revised  
This correspondence is for informational purposes only. Shoreline property owners are encouraged to continue adopting lake-friendly practices.

The subject lands are immediately adjacent to Lohi Lake, Township of Broder, City of Greater Sudbury.

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 Lohi Lake.

Lohi Lake has been placed in the "Enhanced" management category by Hutchinson Environmental Sciences Ltd. based on their 2015 study on the development and application of a water quality model



for lakes in the City of Greater Sudbury. According to this study, lakes in the Enhanced management category "have either been, or are likely to be impaired by phosphorus inputs from human sources. Additional phosphorus loads could further impair water quality in these lakes and should be avoided by, for example, implementing Best Management Practices for phosphorus abatement or limiting the creation of new unserviced shoreline lots."

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 natural vegetated buffer of at least 30 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 stream bank or up to 23 metres, whichever is less, is allowable.
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).

CGS: Development Approvals Section, July 29, 2021

#### REVISED

This application was previously deferred in order to afford the owner the opportunity to address comments provided by Building Services with respect to the proper measurement of the high watermark setback. Staff would note that those comments provided by the Development Approvals Section previously on June 30, 2021 continue to apply.

Greater Sudbury Hydro Inc., July 28, 2021

No concerns.

SUBMISSION NO. A0081/2021 Continued.

CGS: Building Services Section, July 28, 2021

Revised: No concerns.

The Nickel District Conservation Authority, July 28, 2021

Revised: Conservation Sudbury is requesting that Minor Variance Application A0081/2021 be deferred as the proposal does not demonstrate that the sunroom is outside of the floodplain associated with Lohi Lake. To demonstrate that the sunroom is outside of the floodplain, the proponent must provide an elevation survey, prepared by a qualified professional, that includes the elevation of the high water mark and the elevation of the proposed sunroom (lowest opening and finished floor). For more information and to discuss the requirements, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

The proponent is advised that works within an area regulated by Ontario Regulation 156/06 will require a permit pursuant to Section 28 of the Conservation Authorities Act. Works include, but are not limited to, alteration of a watercourse, grading, placement or removal of fill, 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.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Infrastructure Capital Planning Services, July 06, 2021

Roads  
No concerns.

Transportation & Innovation  
No concerns.

Active Transportation  
No concerns.

CGS: Building Services Section, July 05, 2021

REVISED: Based on the information provided, Building Services has the following comments:

1) In review of the submitted survey and plot plan, it appears there is a discrepancy of information with respect to the setback from high watermark. Owner to be informed that the setback of the proposed sunroom shall be measured from the surveyed high water mark rather than the current water mark as indicated on the drawings.

For this reason, we recommend deferral of this application and request clarification from the Owner with respect to the setback from the proposed sunroom to the surveyed high water mark.

SUBMISSION NO. A0081/2021 Continued.

CGS: Building Services Section, July 02, 2021

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

The Nickel District Conservation Authority, July 02, 2021

Conservation Sudbury is requesting that Minor Variance Application A0081/2021 be deferred as the proposal does not demonstrate that the sunroom is outside of the floodplain associated with Lohi Lake. To demonstrate that the sunroom is outside of the floodplain, the proponent must provide an elevation survey, prepared by a qualified professional, that includes the elevation of the high water mark and the elevation of the proposed sunroom (lowest opening and finished floor). For more information and to discuss the requirements, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

#### Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

The proponent is advised that works within an area regulated by Ontario Regulation 156/06 will require a permit pursuant to Section 28 of the Conservation Authorities Act. Works include, but are not limited to, alteration of a watercourse, grading, placement or removal of fill, 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.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Development Approvals Section, June 30, 2021

This application seeks to expand a legal non-complying single-detached dwelling by adding a sunroom addition within the shoreline buffer area on the lands that have frontage on South Shore Road in Sudbury. The lands also have water frontage on Lohi Lake. The lands are zoned "R1-1", 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 sunroom addition would be atop an existing deck and therefore the additional gross floor area being added would not result in any further loss of natural vegetation within the shoreline buffer area. Staff also reviewed aerial photography and the existing deck that the sunroom addition would be atop appears to have been constructed prior between 1980 and 1995. There was no shoreline buffer area provisions in any applicable zoning by-laws in or around the time that the deck appears to have been constructed. Staff would further note that the proposed sunroom addition would add what amounts to a modest and approximately 14.26 m<sup>2</sup> (153.49 ft<sup>2</sup>) of gross floor area to the existing residential dwelling within the shoreline buffer. Staff recommends that the application be approved as it is reasonable, not excessive and no negative land use planning impacts would be generated on abutting lands.

CGS: Environmental Planning Initiatives, June 30, 2021

This correspondence is for informational purposes only. Shoreline property owners are encouraged to continue adopting lake-friendly practices.

The subject lands are immediately adjacent to Lohi Lake, Township of Broder, City of Greater Sudbury.

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 Lohi Lake.

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 natural vegetated buffer of at least 30 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 stream bank or up to 23 metres, whichever is less, is allowable.
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).

Greater Sudbury Hydro Inc., June 25, 2021

No Conflict.

CGS: Development Engineering, June 24, 2021

No objection.

July 7, 2021 Committee of Adjustment Meeting: The owners were not present and Committee decided to not proceed with a public hearing.

August 4, 2021 Committee of Adjustment Meeting: The owner appeared before Committee and explained that the application was for an enclosed sunroom/screened room, not an addition to the home, and it was a pre-fab sunscreen that was purchase through a local retailer. The owner explained that it was custom designed and it would be placed on an existing deck which was extensive and grandfathered onto the lake 10 years ago from the previous owners. The owner, referring to submitted pictures, described the deck as being 14 feet from the house and 6 feet off the water and advised the Committee that the sunroom would be non-plumbed and non-heated and accessed from the existing patio door and he also advised that there would be walking space around the exterior of the sunroom on the existing deck. The owner further advised that there was a subfloor that goes down the deck to support it. The owner also explained, addressing the Nickel District Conservation Authority's comments, that the high water mark and the low water mark only varied by one foot and that the high water mark was over six feet lower than the proposed sunroom. Committee Member Castanza expressed no concern with the application. Committee Chair Chartrand also expressed no concerns with the application. Bailey Chabot, Watershed Planner for the Nickel District Conservation Authority (NDCA), advised that the information that the deck was six feet above the high water mark was a critical component to the NDCA's understanding and she advised the owners that a permit from the NDCA was required prior to the issuance of a Building Permit. Bailey Chabot also advised that if the owner was confident in his calculations that the deck was six feet above the high water mark then his permit would likely be successful, but she also advised that she would not be the person reviewing the permit and therefore would not commit to the statement. Bailey Chabot further advised that NDCA's requirement for the underside of the floor was 1.2m above the high water mark and the finished floor must be 1.5m above the high water mark and she recommended that the owner apply as soon as possible. Committee Chair Chartrand asked the owner if he understood the comments from the NDCA and the owner confirmed that he did and he advised that pursuant to his application the measurement was 2.26m off the high water mark and was confident that he would pass the parameter but expressed disappointment that he was not made aware of the NDCA's requirement for a permit until July 30. Committee Chair Chartrand advised the owner that a permit would be required regardless and the owner acknowledged the requirement.

The following decision was reached:

**DECISION:**

THAT the application by:

LORRAINE WILKINSON AND TODD WILKINSON

the owner(s) of PIN 73473 0297, Parcel 17178, Surveys Plan 53R-19682 Part(s) 6 & 7 & Plan 53R-20458 Part(s) 1, Lot Pt 9, Concession 3, Township of Broder, 1255 South Shore Road, Sudbury

for relief from Part 4, Section 4.25, subsection 4.25.2 and Section 4.41, subsection 4.41.2 of Bylaw 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the addition of a sunroom by permitting the increase in gross floor area of a legal existing non-complying building and attached deck to approximately 191.0m<sup>2</sup>, where enlargement of a legal existing non-complying building is permitted if the enlargement does not increase the gross floor area of the building, and providing a minimum 2.1m setback from the high water mark of a navigable waterbody, where a minimum 12.0m setback from the high water mark 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 variances are minor in nature and are desirable for the appropriate development and use of the land. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring

SUBMISSION NO. A0081/2021 Continued.

Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring





## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0083/2021

August 04, 2021

OWNER(S): BARRON WEST INC., 1107 AUGER STREET SUDBURY ON P3A 4B1

AGENT(S):

LOCATION: PIN 73348 0772, Lot(s) 8, Subdivision 53M-1438, Lot Part 2, Concession 2, Township of Balfour, 3346 Edna Street, Chelmsford

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### SUMMARY

**Zoning:** The property is zoned R3(67) (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

**Application:** Approval to construct a row dwelling on the subject property providing a front yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
Staff have no concerns with this application provided the driveways do not conflict with the sight triangle of the St. Albert Street and Edna Street intersection.

Active Transportation  
No concerns.

CGS: Development Approvals Section, July 29, 2021

#### REVISED

This application was previously deferred at the owner's request to amend their application to properly reflect the front yard setback reduction that is required in order to accommodate the proposed row dwelling on the lands. The corrected front yard setback being sought has changed from 5.5 m (18.04 ft) to 5.41 m (17.75 ft). Staff has reviewed this correction and would advise that those comments provided by the Development Approvals Section previously on June 30, 2021 continue to apply.

CGS: Building Services Section, July 28, 2021

REVISED: Based on the information provided, Building Services has the following comments:

1) With respect to site triangles, as the site triangle is not reflected on the submitted plot plan, Owner to be informed that a site triangle must be maintained in accordance with Section 4.35, Table 4.2 of the CGS Zoning By-law.

2) Upon review of the submitted plot plan, we acknowledge the 1.8 m high opaque fence reflected on the easterly rear lot line of the submitted plot plan. For the Owner's information, in accordance with an R3(67) Medium Density Residential Special Zone, the required fence shall be extended along the easterly rear lot line (from interior side lot line to the front building line).

3) As it is not reflected on the submitted plot plan, Owner to be informed that a minimum of 30% landscaped open space shall be maintained in accordance with Part 6, Section 6.3, Table 6.5 for a row dwelling.

4) Building Services acknowledges the associated building permit application (#B21-0806) to construct the proposed 4 unit row dwelling.

The Nickel District Conservation Authority, July 28, 2021

Revised: Conservation Sudbury does not oppose Minor Variance Applications A0083/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Infrastructure Capital Planning Services, July 06, 2021

Roads

No concerns.

Transportation & Innovation

No concerns.

Active Transportation

No concerns.

CGS: Building Services Section, July 02, 2021

Based on the information provided, Building Services the following comments:

1) Building Services acknowledges the associated building permit application (#B21-0806) to construct the proposed 4 unit row dwelling. Owner to be informed that in accordance with zoning requirements within an R3(67) Medium Density Residential Special zone, a minimum 1.8 m high opaque fence shall be provided along the easterly rear lot line from the interior side lot line to the front building line or a minor variance will be required.

2) The submitted plot plan does not reflect the location or dimension for the driveway and parking. Owner to be informed that one driveway with a maximum width of 6m (20 ft) is permitted. Owner to also be advised that parking is not permitted within the required front yard and corner side yard. Clarification to be provided with respect to these details as this will also impact the calculation associated with the minimum landscaped open space whereby a minimum of 30% is required in

SUBMISSION NO. A0083/2021 Continued.

accordance with Part 6, Section 6.3, Table 6.5.

We recommend deferral of this application until the aforementioned details are clarified as further minor variances may be required.

The Nickel District Conservation Authority, July 02, 2021

Conservation Sudbury does not oppose Minor Variance Applications A0083/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

**Notes**

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Development Approvals Section, June 30, 2021

The above noted applications were submitted concurrently and would facilitate construction of two row dwellings at the north-west and north-east corners of Edna Street and St. Albert Street in Chelmsford. Both lots are zoned "R3(67)", Medium Density Residential Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The variance being sought on each lot would reduce the minimum required 6 m (19.69 ft) front yard setback for a row dwelling to 5.5 m (18.04 ft) and 5.9 (19.36 ft) on the north-west and north-east corner lots respectively. In both cases, Staff is satisfied that no negative impacts on abutting residential properties would result should the proposed row dwellings be permitted to be 0.5 m (1.64 ft) and 0.1 m (0.33 ft) closer to their respective front lot lines than what is typically required. Staff is also satisfied that there would be no negative impacts on the established residential character that exists in the area and the built-forms would not appear out of place in both cases from Edna Street and St. Albert Street.

**Recommendation for A0083/2021**

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: Development Engineering, June 24, 2021

No objection.

July 7, 2021 Committee of Adjustment Meeting: The owner and agent were not present and Committee decided to not proceed with a public hearing.

August 4, 2021 Committee of Adjustment Meeting: The agent appeared before Committee provided a brief explanation of the application. Committee had no comments or questions.

The following decision was reached:

**DECISION:**

THAT the application by:

BARRON WEST INC.

the owner(s) of PIN 73348 0772, Lot(s) 8, Subdivision 53M-1438, Lot Part 2, Concession 2, Township of Balfour, 3346 Edna Street, Chelmsford

for relief from Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, in order to facilitate the construction of a row dwelling providing a front yard setback of 5.41m, where a minimum 6.0m front yard setback 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. 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0084/2021

August 04, 2021

OWNER(S): GILLES LAGACE, 3364 Edna St Chelmsford ON P0M 1L0  
NOELLA LAGACE, 3364 Edna St Chelmsford ON P0M 1L0

AGENT(S): RON CEASER, 3061 EMERALD CRES CHELMSFORD ON P0M 1L0

LOCATION: PIN 73348 0774, Lot(s) 10, Subdivision 53M-1438, Lot Part 2, Concession 2, Township of Balfour, 3347 Edna Street, Chelmsford

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### SUMMARY

**Zoning:** The property is zoned R3(67) (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

**Application:** Approval to construct a row dwelling on the subject property providing a front yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads  
No concerns.

Transportation & Innovation  
Staff have no concerns with this application provided the driveways do not conflict with the sight triangle of the St. Albert Street and Edna Street intersection.

Active Transportation  
No concerns.

CGS: Development Approvals Section, July 29, 2021

Revised

This application was previously deferred at the owner's request to amend their application to properly reflect the front yard setback reduction that is required in order to accommodate the proposed row dwelling on the lands. The corrected front yard setback being sought has changed from 5.9 m (19.36 ft) to 5.82 m (19.09 ft). Staff has reviewed this correction and would advise that those comments provided by the Development Approvals Section previously on June 30, 2021 continue to apply.

CGS: Building Services Section, July 28, 2021

REVISED:

Based on the information provided, Building Services has the following comments:

1) With respect to site triangles, as the site triangle is not reflected on the submitted plot plan, Owner to be informed that a site triangle must be maintained in accordance with Section 4.35, Table 4.2 of the

CGS Zoning By-law.

2) Upon review of the submitted plot plan, we acknowledge the 1.8 m high opaque fence reflected on the easterly rear lot line of the submitted plot plan. For the Owner's information, in accordance with an R3(67) Medium Density Residential Special Zone, the required fence shall be extended along the easterly rear lot line (from interior side lot line to the front building line).

3) As it is not reflected on the submitted plot plan, Owner to be informed that a minimum of 30% landscaped open space shall be maintained in accordance with Part 6, Section 6.3, Table 6.5 for a row dwelling.

4) Building Services acknowledges the associated building permit application (#B21-0807) to construct the proposed 4 unit row dwelling.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not oppose Minor Variance Applications A0084/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [bailey.chabot@conservationsudbury.ca](mailto:bailey.chabot@conservationsudbury.ca).

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Infrastructure Capital Planning Services, July 06, 2021

Roads

No concerns.

Transportation & Innovation

No concerns.

Active Transportation

No concerns.

CGS: Building Services Section, July 02, 2021

Based on the information provided, Building Services the following comments:

1) Building Services acknowledges the associated building permit application (#B21-0807) to construct the proposed 4 unit row dwelling. Owner to be informed that in accordance with zoning requirements within an R3(67) Medium Density Residential Special zone, a minimum 1.8 m high opaque fence shall be provided along the easterly rear lot line from the interior side lot line to the front building line or a minor variance will be required.

2) The submitted plot plan does not reflect the location or dimension for the driveway and parking. Owner to be informed that one driveway with a maximum width of 6m (20 ft) is permitted. Owner to also be advised that parking is not permitted within any required front yard or corner side yard.



SUBMISSION NO. A0084/2021 Continued.

Clarification to be provided with respect to these details as this will also impact the calculation associated with the minimum landscaped open space whereby a minimum of 30% is required in accordance with Part 6, Section 6.3, Table 6.5.

We recommend deferral of this application until the aforementioned details are clarified as further minor variances may be required.

The Nickel District Conservation Authority, July 02, 2021

Conservation Sudbury does not oppose Minor Variance Applications A0084/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

#### Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

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CGS: Development Approvals Section, June 30, 2021

The above noted applications were submitted concurrently and would facilitate construction of two row dwellings at the north-west and north-east corners of Edna Street and St. Albert Street in Chelmsford. Both lots are zoned "R3(67)", Medium Density Residential Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The variance being sought on each lot would reduce the minimum required 6 m (19.69 ft) front yard setback for a row dwelling to 5.5 m (18.04 ft) and 5.9 (19.36 ft) on the north-west and north-east corner lots respectively. In both cases, Staff is satisfied that no negative impacts on abutting residential properties would result should the proposed row dwellings be permitted to be 0.5 m (1.64 ft) and 0.1 m (0.33 ft) closer to their respective front lot lines than what is typically required. Staff is also satisfied that there would be no negative impacts on the established residential character that exists in the area and the built-forms would not appear out of place in both cases from Edna Street and St. Albert Street.

#### Recommendation for A0084/2021

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: Development Engineering, June 24, 2021

No objection.

July 7, 2021 Committee of Adjustment Meeting: The owner and agent were not present and Committee decided to not proceed with a public hearing.

August 4, 2021 Committee of Adjustment Meeting: The agent appeared before Committee provided a brief explanation of the application. Committee had no comments or questions.

The following decision was reached:

DECISION:

THAT the application by:

GILLES LAGACE AND NOELLA LAGACE

the owner(s) of PIN 73348 0774, Lot(s) 10, Subdivision 53M-1438, Lot Part 2, Concession 2, Township of Balfour, 3347 Edna Street, Chelmsford

For relief from Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, in order to facilitate the construction of a row dwelling providing a front yard setback of 5.82m, where a minimum 6.0m front yard setback 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. The general intent and purpose of the By-Law and the Official Plan are maintained.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Dan Laing	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring