

SUBMISSION NO. A0115/2024

January 22, 2025

OWNER(S): SUZANNE LEBLANC, 4401 Elysee Crescent Hanmer ON P3P 1B3  
RICHARD LEBLANC, 4401 Elysee Crescent Hanmer ON P3P 1B3

AGENT(S):

LOCATION: PIN 73504 1262, Parcel 39818 SEC SES SRO, Lot(s) 72, Subdivision M-699, Lot Part 5, Concession 2, Township of Hanmer, 1194 Evergreen Court, Hanmer

---

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 B0079/2024, providing a minimum lot frontage at variance to the By-law.

Comments concerning this application were submitted as follows:

Source Water Protection Plan, January 17, 2025

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

CGS: Development Approvals Section, January 17, 2025

The purpose and effect of the application is to permit a lot frontage of 12.78 m for a future lot proposed to be retained of Consent Application B0079/2024, whereas the minimum lot frontage required is 15 m. The subject lands contain a single detached dwelling, deck, and two accessory buildings. The subject lands are serviced by a municipal water and sanitary connection and have access from Evergreen Court.

The subject lands are designated 'Living Area I' in the City's Official Plan, are zoned 'R1-5' Low Density Residential One in the City of Greater Sudbury Zoning By-law, and are located within a significant wellhead protection area under the Source Water Protection Plan.

Surrounding uses are residential in nature.

Staff have no concerns with the reduced lot frontage as it will allow the applicants to tie into the existing 'Y' connection without creating an improper service. All other zoning provisions are being maintained.

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

CGS: Strategic and Environmental Planning, January 17, 2025

No concerns.

CGS: Building Services Section, January 16, 2025

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

Owner to be advised of the following comments:

- 1) A search of our records indicates an incomplete permit for the subject property for a secondary unit (BP-NEW-2024-00980). Please contact Building Services to proceed in closing this project.
- 2) Driveway width shall be a minimum of 3.0m wide.

Nickel District Conservation Authority, January 15, 2025

Conservation Sudbury does not object to Minor Variance A0115/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Infrastructure Capital Planning Services, January 15, 2025

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Engineering, January 15, 2025

No objection.

CGS: Site Plan Control, January 10, 2025

No objections.

Greater Sudbury Hydro Inc., January 10, 2025

No concerns - Application is outside of our territory.

Ministry of Transportation, January 08, 2025

The subject lands are located outside the MTO's permit control area (PCA); therefore, no comments to provide at this time.

The applicant, Suzanne Leblanc, appeared before Committee and provided a summary of the Application. Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:

SUZANNE LEBLANC AND RICHARD LEBLANC  
the owner(s) of PIN 73504 1262, Parcel 39818 SEC SES SRO, Lot(s) 72, Subdivision M-699, Lot Part 5, Concession 2, Township of Hanmer, 1194 Evergreen Court, Hanmer

for relief from Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to approve the lands to be retained, subject of Consent Application B0079/2024, providing a 12.78m lot frontage, where 15.0m 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 and Building. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

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

SUBMISSION NO. A0121/2024

January 22, 2025

OWNER(S): KATHLEEN BISSET, 121 Kingsmount Blvd Sudbury ON P3E 1K8  
TRISTAN LEGARE, 121 Kingsmount Blvd Sudbury ON P3E 1K8

AGENT(S):

LOCATION: PIN 73585 0403, Parcel 5329 SEC SES, Lot(s) 313, Subdivision M-95, Lot Part 6, Concession 3, Township of McKim, 121 Kingsmount Boulevard, Sudbury

---

### SUMMARY

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

Application: Approval to permit a third-storey addition on the existing dwelling providing setbacks and eaves encroachment at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, January 17, 2025

The purpose and effect of the application is to permit a third storey addition on the existing single detached dwelling with the following variances:

1. a minimum interior side yard setback of 1 m, whereas 2.4 m is required; and
2. an eave encroachment of 0.3 m into the 1 m interior side yard setback, whereas eaves may encroach 0.6 m into the required 2.4 m setback, no closer than 0.6 m from the lot line.

The subject lands contain a single detached dwelling and accessory building. The subject lands are serviced by a municipal water and sanitary connection and have access from Kingsmount Boulevard.

The subject lands are designated 'Living Area I' in the City's Official Plan and are zoned 'R1-5' Low Density Residential One in the City of Greater Sudbury Zoning By-law. Surrounding uses are residential in nature.

Staff have no concerns with the requested variances as the existing setback of the dwelling is being maintained with the third storey addition. The existing 1 m setback will continue to maintain adequate access space to the rear yard and for maintenance purposes.

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

CGS: Strategic and Environmental Planning, January 17, 2025

No concerns.

CGS: Building Services Section, January 16, 2025

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

Owner to be advised of the following comments:

- 1) Building Services acknowledges the receipt of associated building permit (BP-NEW-2024-01687) for the proposed addition.
- 2) Fire protection in accordance with the Ontario Building Code will be required for the western wall due to the reduced setback.

Nickel District Conservation Authority, January 15, 2025

Conservation Sudbury does not object to Minor Variance A0121/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Infrastructure Capital Planning Services, January 15, 2025

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Engineering, January 15, 2025

Eaves Encroachment Condition:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.7m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

CGS: Site Plan Control, January 10, 2025

No objections.

Greater Sudbury Hydro Inc., January 10, 2025

Maintain proper clearance from energized apparatus and conductors as per the latest edition of the Ontario Electrical Safety Code. Contact GSHI Energy Supply Department if disconnect/reconnect is required.

Ministry of Transportation, January 08, 2025

The subject lands are located outside the MTO's permit control area (PCA); therefore, no comments to provide at this time.

The applicants appeared before Committee and provided a summary of the Application. Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:

KATHLEEN BISSET AND TRISTAN LEGARE

the owner(s) of PIN 73585 0403, Parcel 5329 SEC SES, Lot(s) 313, Subdivision M-95, Lot Part 6, Concession 3, Township of McKim, 121 Kingsmount Boulevard, Sudbury

for relief from Part 4, Section 4.2, Table 4.1 and 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 facilitate the construction of a third-storey addition on the existing single detached dwelling providing a 1.0m minimum interior side yard setback with eaves encroaching 0.3m into the proposed 1.0m setback, where 2.4m minimum interior side yard setback is required and where eaves may encroach 0.6m into the required interior side yard but not closer than 0.6 m to the 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 variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

<i>Member</i>	<i>Status</i>
Cathy Castanza	Concurring
David Murray	Concurring
Justin Sawchuk	Concurring
Ron Goswell	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0122/2024

January 22, 2025

OWNER(S): AMY FRESCURA, 3140 SouthShore Road Sudbury ON P3G 1M2  
BEAU FRESCURA, 3140 SouthShore Road Sudbury ON P3G 1M2

AGENT(S):

LOCATION: PIN 73472 0161, Parcel 22576 SEC SES SRO, Survey Plan 53R-9720 Part(s) Broder Location DE 146  
Part 3, Lot(s) 57, Subdivision M-480, Lot Part 12, Concession 1, Township of Broder, 3140 South Shore Road, Sudbury

---

### SUMMARY

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

**Application:** Approval to construct a single detached dwelling and leaching bed providing setbacks, eaves encroachments and high water mark setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, January 22, 2025

Subsequent to initial comments, the applicant provided a revised concept which included two potential locations of the proposed well. The applicant also confirmed that although the concept plan indicates that the design of the septic system has not been finalized, soil testing and completion of the design works have occurred.

Staff remain unsupportive of the proposed location of the septic system within the natural vegetative buffer area and high water mark, and recommend that the application be deferred to allow the applicant an opportunity to explore alternative locations/designs for the proposed septic system that would be located outside of the natural vegetative area and high water mark.

CGS: Strategic and Environmental Planning, January 21, 2025

Subsequent to initial comments, Strategic and Environmental Planning noted in its review that the drawing submitted in support of the application states that the location of the septic system is approximate, and the actual size and configuration is to be confirmed by soil testing and detailed septic design. Staff understand that soil testing and design for the septic system has been completed, but would advise that this is not reflected in the submitted drawing.

Comments relating to policy 3 of section 8.4.1 of the Official Plan remain unchanged.

CGS: Development Approvals Section, January 20, 2025

The purpose and effect of the application is to permit the construction of a 195.25 m<sup>2</sup> seasonal dwelling with the following variances:

1. a minimum north interior side yard setback of 2.42 m, whereas 3 m is required;
2. an eave encroachment of 1.01 m into the northern interior side yard setback of 2.42 m, whereas a 0.6 m encroachment is permitted in the required 3 m interior side yard setback, no closer than 0.6 m to the lot line;
3. a minimum south interior side yard setback of 1.53 m, whereas 3 m is required;
4. an eave encroachment of 0.73 m into the southern interior side yard setback of 1.53 m, whereas a 0.6 m encroachment is permitted in the required 3 m interior side yard setback, no closer than 0.6 m to the lot line; and
5. a minimum high water mark setback of 12 m for a leaching bed, whereas 30 m is required.

The subject lands contain a seasonal dwelling that is intended to be demolished and replaced, and accessory buildings. The subject lands are serviced by lake water and a private septic system and have access from South Shore Road.

The subject lands are designated 'Rural' in the City's Official Plan, are zoned 'SLS' Seasonal Limited Service in the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding uses are seasonal limited service and rural in nature.

A seasonal dwelling is permitted within this zone category and is defined as a single detached dwelling or mobile home dwelling erected and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof. It is also noted that an additional dwelling unit is not permitted in seasonal dwellings.

The applicant has advised that they intend to drill a well on the subject lands and that the well will need to be drilled closer to the road. The applicant has advised that they are proposing to locate the seasonal dwelling outside of the high water mark setback and therefore do not have enough room to accommodate both a new septic system, water well, and maintain the existing driveway and garage in between the proposed location of the seasonal dwelling and the road.

Staff note that the proposed location of the well was not included on the concept plan for staff's consideration. Staff have concerns in regard to the proposed location of the septic system, given that existing milfoil conditions have been identified and that septic systems produce phosphorus which contribute to milfoil. It is noted on the concept plan that the septic system size and configuration is still to be confirmed by soil testing and design. It is recommended that the size and design of the septic system be determined prior to seeking relief. Additionally, staff recommend that alternative locations for the proposed septic system be explored, that are located outside of the vegetative buffer area and high water mark setback.

Strategic and Environmental Planning have provided similar concerns in regard to the location of the leaching bed setback and consistency with Official Plan Policy on surface water resources.

Nickel District Conservation Authority (NDCA) have advised that the high water mark is inconsistent with their information and recommended that the owners contact them in regard to the proposal.

Staff do not have a concern with the requested interior side yard setback variances as adequate space will be maintained for access and maintenance purposes.

It is recommended that the application be deferred to allow the applicant an opportunity to address staff comments.

CGS: Strategic and Environmental Planning, January 17, 2025

The Strategic and Environmental Planning (SEP) Section has reviewed the proposed development at 3140 South Shore Road, Sudbury. As a technical commenting group, staff have reviewed this application against policies of the Official Plan related specifically to natural heritage features (Section 9.2 Significant Natural Features and Areas) and shoreline development (8.4 Surface Water Resources – Lakes, Rivers and Streams) only.

The proposed development requests relief to the highwater mark for the leaching bed to 12.0 metres, where 30.0 metres is required. It is noted in the submitted drawing that the actual size and configuration of the leaching bed is still to be confirmed by future soil testing and detailed septic design. Staff also note that a portion of the leaching bed would be located within the required 20 metres vegetative buffer area, preventing the future re-naturalization of this area. This natural vegetation loss is additional to the existing losses due to hard surfaces such as paving stones, decks, and buildings. Finally, the applicant notes the abundance of milfoil locally within Long Lake. Phosphorus from septic systems leaching into lakes are a major source of nutrients for invasive species such a milfoil; vegetative buffers and appropriate setbacks to structures and septic systems are the most effective method of protecting against nutrient loading of lakes.

Given the above, staff are concerned that the relief of 12.0 metres to the leaching bed is premature given the required soils testing and detailed septic design and the further impact to the required 20 metres vegetative buffer. Finally, it appears that none of the tests identified in policy 3 of section 8.4.1 of the City's Official Plan have been met.

The applicant may wish to consider the following in addressing the comments above:

- Design of the site to remove the leaching bed from the 30 metres highwater mark setback;
- Soil testing to demonstrate the required location of the septic system along with the required design;
- Reorientation of the field bed; and/or,
- Alternative technologies to standard septic systems that would reduce or eliminate the requirement for a leaching bed.

The following advice is provided for informational purposes only:

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

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

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

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

1. A natural vegetated buffer of at least 20 metres (the wider the better) from the high-water mark should be retained and supplemented with additional shrubs where necessary. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or riverbank or up to 23 metres, whichever is less, is allowable. Cleared areas are allowed up to 276 square meters.
2. Residents should minimize the amount of lawn on their property. Lawns generally require removing existing vegetation that is currently preventing soil erosion. Lawns may also require that soil be imported to the property, which can introduce significant phosphorus to the lake or river through erosion. Finally, lawns are expensive and time-consuming to maintain.
3. General use lawn fertilizers containing phosphorus should never be used. It is illegal to apply lawn fertilizers containing phosphorus in the City of Greater Sudbury unless establishing a new lawn. Before applying fertilizer of any kind on their lawns, owners should have the soil tested by a professional. The soil might only need crushed limestone to make it less acidic and allow soil nutrients to be more available for uptake by the turf grass.
4. Application of fertilizer containing phosphorus to flower or vegetable beds or shrubs should not be applied any closer than 30 metres from the water's edge – the farther the better.
5. Any soil that is disturbed onsite or that is brought onto the subject lands should be covered with vegetation as quickly as possible to ensure that it doesn't erode into the lake or river. Soil particles can contain large amounts of phosphorus. Tarps should be used to cover the soil piles if rain is in the forecast.
6. Detergents (soaps and shampoos) should never be used in a lake or river. Only phosphorus-free detergents should be used for washing vehicles on the subject lands and washing should be done as far from the lake or river as possible.
7. Private sewage systems should be inspected and pumped at least every three years.

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

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

Nickel District Conservation Authority, January 17, 2025

Conservation Sudbury has no objection to A0122/2024. Some fill has to be placed within the floodplain to facilitate the septic system. No additional fill is to be placed within the floodplain.

Note

Conservation Sudbury has not issued a permit for a "lake house", as shown on the plot plan. Habitable structures are generally not permitted within the flood hazard. The landowners are encouraged to contact our office (Sarah Woods, sarah.woods@conservationsudbury.ca, 705-674-5249 ext 201) to bring the site into compliance with the Conservation Authorities Act.

In addition, based on a review of spring satellite imagery, and site photos from our file history, the high water mark shown on the plans does not appear to be accurately depicted. The HWM follows the retaining wall. It is unclear if the "filled area" beyond the retaining wall is a labelling error, or if this is fill was placed without the benefit of a permit.

CGS: Building Services Section, January 16, 2025

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

1) Only a Seasonal Dwelling is a permitted use on a property zoned SLS.

Owner to be informed of the following comments:

2) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for proposed construction. Additional relief may be requested at that time.

3) A Demolition Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for demolition of the existing seasonal dwelling.

4) Our research indicates that the existing lakehouse appears to have been built after 1995 without benefit of a building permit. Please contact Building Services if assistance is required for permit application.

CGS: Infrastructure Capital Planning Services, January 15, 2025

Roads

No concerns.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns.

CGS: Development Engineering, January 15, 2025

Eaves Encroachment Condition:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 1.41m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

CGS: Site Plan Control, January 10, 2025

No objections.

Greater Sudbury Hydro Inc., January 10, 2025

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

Ministry of Transportation, January 08, 2025

The subject lands are located outside the MTO's permit control area (PCA); therefore, no comments to provide at this time.

The applicant, Beau Frescura, appeared before Committee and at the direction of the Chair provided a focused summary around the variance for the leaching bed.

Philip Zylberberg appeared before Committee on behalf of the Long Lake Stewardship Committee and summarized the Stewardship's position and concerns with the Application, specifically the variances for the leaching bed. He provided comments relating to a redesign and support for Strategic and Environmental Planning's comments.

The applicant advised Committee that Conservation Sudbury had no objections to the Application, and they approved the septic in the past. He advised Committee that the septic permit was still active, his septic system contractor suggested the system and supports the proposed location.

Committee Member Castanza advised that she attended the site. She acknowledged the septic system contractor's expertise, expressed concern with the Stewardship's suggestion of a holding tank and expressed support for the Application.

Committee Member Goswell expressed support for a deferral. He disagreed with Committee Member Castanza's comments regarding holding tanks and made reference to regulations around gas stations. He strongly opposed the leaching bed being so close to Long Lake.

Committee Member Sawchuk requested staff to clarify their recommendation and if there was room to improve the setback of the field bed to the lake. Staff advised that a deferral would provide an opportunity for the applicant to work towards a solution and reduce the impact on Long Lake. He asked the applicant to clarify the location of the wells and the applicant explained the reasoning for the two proposed locations. He asked the applicant what the minimum distance requirement was for a well and field bed, the applicant believed that it was 30.0 feet. Staff provided the required distance. He expressed appreciation for the applicant's efforts and asked him if there was room for improvement. The applicant advised that the house plan was final, and the septic system was recommended by his septic system contractor. The applicant expressed opposition to holding tanks and explained that the system is what was suggested. Committee Member Sawchuk expressed support for staff's recommendation to allow the applicant an opportunity to make adjustments to the development.

Committee Member Murray asked staff what an approved septic permit entails and if it was active. Staff advised that the Health Unit has authority to issue septic permits and a copy of the permit was included in the submission materials, however zoning compliance was still required. Staff advised that Building Services would look to ensure compliance when issuing a building permit. He asked staff if the Health Unit looks at different criteria to issue permits and not at zoning compliance and staff confirmed that was correct. He expressed support for staff's recommendation as he required more information.

Committee Chair Dumont expressed support for staff's recommendation. He noted problems with the submission in relation to the zoning standards and the preliminary conversations that, in his opinion, the applicant should have had. He suggested that the applicant advise the septic system contractor as to the zoning requirements and that there should be some compromise. He advised the applicant that staff's comments need to be addressed and that he should possibly hire a professional planner to assist him. The applicant advised that he had engaged a professional planner and was aware of the Official Plan policy. He advised that the lot size is insufficient to allow for the desired development, and that the terrain and soil condition impact where it can go. The applicant advised that if they were to keep their existing home, the existing septic system could not remain in its current location. He explained that the only available location is where it was being proposed and that it would be the same proposed size to allow for expansion. He further explained that the planner he spoke to suggested that he explain to Committee that the current septic system is not working properly, undersized and located under the driveway and that an updated system with the right mantle, correct flow and right sized tanks was an overall net improvement for the property. Committee Chair Dumont responded by stating that the existing septic system was outside of the 30.0m setback. He referred the applicant to staff's comments and suggested that he speak to his contractor to discuss the alternatives and possibly hire a planner to represent him.

Committee Member Murray asked staff about the updated comments and if the issue was the proposed location of the septic and that it hadn't been confirmed or that it hadn't been accurately shown on the drawing. Staff advised that the applicant did confirm after the initial comments that the soil testing and design works had been done and that staff's concerns were the proposed location within the buffer and the impacts to Long Lake. He requested confirmation that he received all the comments and the Secretary-Treasurer confirmed that he had. He advised Committee that he required more information from the applicant before moving forward with the Application.

Committee Member Castanza advised Committee that she would support a deferral rather than a denial but did not want to see a holding tank.

Committee Chair Dumont, for the benefit of Committee, explained Committee's mandate and the requirements under the Planning Act.

Staff invited the applicant to contact them to have subsequent discussions about the Application.

The following decision was reached:

DECISION:

THAT the application by:

AMY FRESCURA AND BEAU FRESCURA

the owner(s) of PIN 73472 0161, Parcel 22576 SEC SES SRO, Survey Plan 53R-9720 Part(s) Broder Location DE 146 Part 3, Lot(s) 57, Subdivision M-480, Lot Part 12, Concession 1, Township of Broder, 3140 South Shore Road, Sudbury

for relief from

Part 4, Section 4.2, Table 4.1 and Section 4.41, subsection 4.41.2 (c) and Part 9, Section 9.3, Table 9.3 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the following, firstly, the construction of a single detached dwelling providing a north interior side yard setback of 2.42m with eaves encroaching 1.01m into the proposed 2.42m setback and a south interior side yard setback of 1.53m with eaves encroaching 0.73m into the proposed 1.53m setback, where a minimum 3.0m interior side yard setback is required and where eaves may encroach 0.6 m into the required interior yard but not closer than 0.6 m to the lot line, and secondly, a leaching bed providing a 12.0m setback from the high water mark, where no person shall construct a leaching bed closer than 30.0 m from the high water mark of a lake, be deferred.

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