

SUBMISSION NO. A0040/2024

May 23, 2024

OWNER(S): GINETTE THERIAULT, 4303 Noel Street Val Thérèse ON P3P 1S8

GASTON THERIAULT, 4303 Noel Street Val Thérèse ON P3P 1S8

AGENT(S): GASTON THERIAULT, 4303 Noel Street Val Thérèse ON P3P 1S8

LOCATION: PIN 73504 2044, Parcel 24545 SEC SES SRO, Lot(s) 71, Subdivision M-524, Lot Part 6, Concession 2, Township of Hanmer, 4303 Noel Street, Val Therese

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 an existing hedgerow situated in the required front yard of the subject property having a height at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 17, 2024

The purpose and effect of the application is to recognize an existing hedge located in the front yard, 0.4 m from the front lot line, with a height of 2 m, whereas the maximum height permitted for hedges in the front yard is 1 m.

The subject lands are designated 'Living Area I' within the Greater City of Sudbury Official Plan' and are zoned 'Low Density Residential One (R1-5)' within the Greater City of Sudbury Zoning By-law. The subject lands contain a single detached dwelling and two accessory buildings. The lands are serviced by a municipal water and sanitary connection and have an existing access from Noel Street.

The front lot line of the subject lands is located along Labelle Street by definition of the zoning by-law; however, the residential dwelling is oriented facing Noel Street and as such the front yard, by definition, functions as a side yard. The existing hedge is located 0.4 m from the front property line, 9.9 m from the corner of Labelle Street and Noel Street. The roads department did not identify any concerns with the application; therefore, staff are of the opinion vehicular and pedestrian sightlines will be maintained from a safety perspective. Staff do not anticipate the existing hedge to impact surrounding land uses. Staff are of the opinion that the variances are minor in nature, are an appropriate use of the land, and meets the intent of the Zoning By-law and Official Plan. It is recommended that the application be granted.

CGS: Building Services Section, May 15, 2024

Building Services has reviewed your application and sketch for the requested minor variance and can advise that we have no concerns with the request provided that the existing fire hydrant remains unobstructed.

CGS: Infrastructure Capital Planning Services, May 15, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Greater Sudbury Hydro Inc., May 13, 2024

No comments received.

Ministry of Transportation, May 13, 2024

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

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Site Plan Control, May 09, 2024

No concerns.

Nickel District Conservation Authority, May 09, 2024

Conservation Sudbury does not object to Minor Variance A0040/2024. 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: Development Engineering, May 08, 2024

No objection.

The applicant's appeared before Committee and provided a summary of the Application. Committee Member Castanza and Committee Chair Dumont expressed support for the application. Committee had no further questions or concerns relating to this Application.

The following decision was reached:

DECISION:

THAT the application by:

GINETTE THERIAULT AND GASTON THERIAULT
the owner(s) of PIN 73504 2044, Parcel 24545 SEC SES SRO, Lot(s) 71, Subdivision M-524, Lot Part 6, Concession 2, Township of Hanmer, 4303 Noel Street, Val Therese

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing hedgerow providing a height of 2.0m to be located in the required front yard providing a 0.4m setback from the front lot line, where hedgerows more than 1.0m in height are not permitted in the required front yard, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Consent Official's decision.

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

SUBMISSION NO. A0041/2024

May 23, 2024

OWNER(S): EDWARD BRITT, 376 MacLennan Drive Skead ON P0M 2Y0

AGENT(S):

LOCATION: PIN 73513 0541, Survey Plan 53R-21307 Part(s) 3, Lot Part 5, Concession 5, Township of MacLennan, 376 MacLennan Drive, Skead

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 to construct a detached garage on the subject property providing a height and rear yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 17, 2024

The purpose and effect of the application is to construct a 118.3 m² accessory building with the following variances:

1. a height of 5.48 m, whereas the maximum height permitted for accessory buildings is 4.5 m;
2. a rear yard setback of 3 m, whereas 4.5 m is required; and
3. an eave encroachment of 0.127 m into the 3 m rear yard setback, whereas 0.6 m encroachment is permitted no closer than 0.6 m from the lot line.

The applicant had advised that the 5.48 m height is being requested in order to accommodate storage of a travel trailer. The accessory building is proposed to be located in the rear yard, approximately 12 m from the exterior side lot line located along MacLennan Drive, 3 m from the rear yard located along the unopened extension of Benn Drive, 33 m from the front lot line located along Silverbirch Crescent, and 12 m from the interior side lot line.

The subject lands contain a 153.26 m² single detached dwelling which has a height of 6.4 m and are otherwise vacant of buildings or structures. The subject lands are serviced by a private septic system and well, and have an existing access from Silverbirch Crescent.

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan and are zoned 'Low Density Residential One (R1-1)' within the City of Greater Sudbury Zoning By-law. Surrounding uses are residential in nature.

Although the building will exceed the height by 0.48 m, it will remain subordinate in height and ground floor area in comparison to the main use of the lands being the single detached dwelling. Staff are satisfied that the proposed use of the building will be accessory to the single detached dwelling and do not anticipate negative impacts to surrounding land uses as a result of the variance. The subject lands contain natural vegetation which will act as a visual buffer between the proposed structure and roads. Staff are of the opinion that the requested variance is minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the variance be granted.

CGS: Building Services Section, May 15, 2024

Building Services has reviewed your application and sketches for the requested minor variances and can advise that we have no concerns with the request.

Applicant to be advised of the following as it pertains with Building Permit requirements:

The plot plan submitted for Permit B23-0147 does not reflect the building location indicated for the Minor Variance. Please ensure that a revised plot plan is provided to Building Services.

The Minor Variance plot plan indicates a westerly property line measuring 56m, while the survey for the property indicates a measurement of 42.02m. While this does not appear to affect the location of the proposed garage, it should be accurately noted on the plot plans submitted for Building Permit.

CGS: Infrastructure Capital Planning Services, May 15, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Greater Sudbury Hydro Inc., May 13, 2024

No comments received.

Ministry of Transportation, May 13, 2024

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

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Site Plan Control, May 09, 2024

No concerns.

Nickel District Conservation Authority, May 09, 2024

Conservation Sudbury does not object to Minor Variance A0041/2024. 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: Development Engineering, May 08, 2024

No objection.

The applicant appeared before Committee and provided a summary of the Application. Committee had no questions or concerns relating to this Application.

The following decision was reached:

DECISION:

THAT the application by:
EDWARD BRITT

the owner(s) of PIN 73513 0541, Survey Plan 53R-21307 Part(s) 3, Lot Part 5, Concession 5, Township of MacLennan, 376 MacLennan Drive, Skead

for relief from Part 4, Section 4.2, subsection 4.2.4 a) and subsection 4.2.5, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing, firstly, a maximum height of 5.48m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, and secondly, a rear yard setback of 3.0m with eaves encroaching 0.127m into the proposed 3.0m rear yard setback, where an accessory building greater than 2.5m in height shall be setback 4.5m from the rear lot line where the rear lot line is a streetline of a road having a width of more than 10.0m and where eaves may encroach 0.6m into the required rear yard but not closer than 0.6m 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
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0047/2024

May 23, 2024

OWNER(S): NICOLE POTVIN, 1664 First St Val Caron ON P3N 1J9

AGENT(S): A.L. PERMITS, Attn: Angela Lanteigne 460 Boyce St Sudbury ON P3A 2G7

LOCATION: PIN 73510 0033, Parcel 53399 SEC SES SRO, Survey Plan 53R-16554 Part(s) 11, and 21, Lot Part 5, Concession 6, Township of Capreol, 1850 Fire Road 4, Capreol

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 permit an existing seasonal dwelling, deck and two sheds on the subject property providing front yard setbacks, interior side yard setbacks and rear yard setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 17, 2024

The purpose and effect of the application is to permit the existing seasonal dwelling, two sheds and deck with the following variances:

1. an interior side yard setback of 2.01 m for the seasonal dwelling, whereas a 2.1 m setback is required through Minor Variance Application A0031/2017;
2. a front yard setback of 0.7 m for 'shed 1', whereas no encroachment is permitted into the 10 m required front yard;
3. a front yard setback of 2.9 m for 'shed 2', whereas no encroachment is permitted into the 10 m required front yard;
4. an interior side yard setback of 0 m to the east property line for the deck, whereas uncovered decks greater than 1.2 m in height may encroach 1.2 m into the required interior side yard;
5. an interior side yard setback of 0.6 m to the west property line for the deck, whereas uncovered decks greater than 1.2 m in height may encroach 1.2 m into the required interior side yard; and
6. a rear yard setback of 0 m for the deck, whereas uncovered decks greater than 1.2 m height may encroach 3.6 m into the required rear yard, no closer than 3 m to the rear lot line.

The subject lands contain a single detached dwelling, two accessory buildings, a sauna, a gazebo, and a three-tier deck. The subject lands are serviced by a private septic system and well, and have an existing access from a private road known as Fire Route 4.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, contains 'Mining Mineral Reserve', are zoned 'Seasonal Limited Service (SLS)' within the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA). Surrounding uses are residential and park in nature.

Staff have no concerns in regards to the 2.01 m interior side yard setback for the seasonal dwelling, as adequate space will maintain for access and maintenance purposes. Given the angle of the front lot line and the location of the driveway, shed 1 and shed 2 would not appear to obstruct vehicular or pedestrian sightline of the travelled portion of the road for the subject lands. Additionally, there appears to be a vegetative buffer between the sheds and the road. It is noted that the existing deck encroaches onto City owned lands. Building services has confirmed that an encroachment agreement has been granted; therefore, staff have no concerns with the deck. It is recommended that the application be granted.

CGS: Building Services Section, May 15, 2024

Building Services has reviewed your application and sketch for the requested minor variances and can advise that we have no concerns with the request, however the 2.9m setback for shed #2 should be revised to reflect the closer distance at the northeast corner.

Applicant to be advised of the following as it pertains with Building Permit requirements:

The existing gazebo appears to exceed 10 sq.m. and will require a Building Permit to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, May 15, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Ministry of Transportation, May 13, 2024

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

Greater Sudbury Hydro Inc., May 13, 2024

No comments received.

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Site Plan Control, May 09, 2024

No concerns.

Nickel District Conservation Authority, May 09, 2024

Conservation Sudbury does not object to Minor Variance A0047/2024. 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: Development Engineering, May 08, 2024

No objection.

The applicant's agent, Angela Lanteigne of A.L. Permits, appeared before Committee and provided a summary of the Application.

The Secretary-Treasurer advised Committee Members that the City received emails and letters opposing the application from the following area residents: Beverley MacDonald of 110 Fire Road 5, Hanmer, John Colasimone and Christine Colasimone of 1844 Fire Road 4, Capreol, Daniel Sweezy and Bernice Blanchard of 1856 Fire Road 4, Capreol and June Healy of 1838 Fire Road 4, Capreol. The Secretary-Treasurer confirmed that all Committee Members were in receipt of the emails and letters.

Committee Member Castanza expressed concern with the location of the two sheds being close to the road.

Committee Member Sawchuk expressed concern with granting variances for existing structures but acknowledged that some relief needed to be considered. He expressed concern that some of the variances being sought were not minor, particularly the sheds, and suggested that moving the sheds into compliance with the zoning rather than granting variances would be preferable.

Committee Chair Dumont expressed concern that multiple structures were built without the benefit of permits and asked the agent to provide context on the structures, their location and the permits. The agent advised that only the deck was built without the benefit of a building permit. She advised that the dwelling had been built with the benefit of a permit and the sheds were pre-built and did not require building permits. She advised that the sheds could not be moved to a different location due to the location of the septic bed being in the front yard and the requirement that the sheds must be on the same lot as the primary dwelling. Committee Chair Dumont asked the agent to advise Committee if the applicant had applied for a permit for the deck and the agent confirmed that a building permit had been applied for but is incomplete until the variances are granted. Committee Chair Dumont requested staff to include building permit information in the comments provided to Committee in the future. Committee Chair Dumont expressed support for the application due to staff's recommendation.

Committee Member Sawchuk asked the agent if the sheds were setback as far from the road as they could be and the agent confirmed that they were.

Committee Member Castanza advised Committee that she attended the property and noted that all of the sheds were close to the road and with the explanation of the location of the septic bed provided by the agent, understood why the sheds are located where they were.

The following decision was reached:

DECISION:

THAT the application by:

NICOLE POTVIN

the owner(s) of PIN 73510 0033, Parcel 53399 SEC SES SRO, Survey Plan 53R-16554 Part(s) 11, and 21, Lot Part 5, Concession 6, Township of Capreol, 1850 Fire Road 4, Capreol

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 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, to permit the existing seasonal dwelling, two sheds and deck, firstly, for the deck to provide an east interior side yard setback of 0.0m, a west interior side yard setback of 0.6m and a rear yard setback of 0.0m, where uncovered decks greater than 1.2m in height may encroach 1.2m into the required interior side yard and 3.6m into the required rear yard, but not closer than 3.0m to the rear lot line, secondly, for shed 1 and shed 2 as identified on the site plan to provide front yard setbacks of 0.7m for shed 1 and 1.82m for shed 2, where no encroachment is permitted into the 10.0m required front yard, and thirdly, for the seasonal dwelling to provide an interior side yard setback of 2.01m, where a 2.1m interior side yard setback was approved in Minor Variance Application A0031/2017, 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. Public comment has been received and considered and had no effect on Committee of Adjustment's decision as the application represents good planning.

Member	Status
Cathy Castanza	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0048/2024

May 23, 2024

OWNER(S): 1000005191 ONTARIO LIMITED, 2527 Peter Street, Blezard Valley, ON P0M 1E0
1000005193 ONTARIO LIMITED, 2527 Peter Street, Blezard Valley, ON P0M 1E0

AGENT(S): CORY ANTOINE, 2834 Belisle Drive, Val Caron, ON P3N 1B3

LOCATION: PIN 73345 0318, Parcel 26554 SEC SWS, Survey Plan 53R-7209 Part(s) 1, Lot Part 6, Concession 5, Township of Rayside, 3926 Regional Road 15, Chelmsford

SUMMARY

Zoning: The property is zoned according to the City of Greater Sudbury Zoning By-law, as amended.

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

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 17, 2024

The purpose and effect of the application is to permit a secondary dwelling unit with a net floor area of 82% of the gross floor area of the primary dwelling on the lot, whereas the maximum permitted is 45%. It should be noted that in this section of the zoning by-law net floor area is the gross floor area of the accessory building excluding any parking areas within the accessory building.

The subject lands are currently vacant of buildings and structures. The applicant is proposing to construct a single detached dwelling with a net floor area of 240.8 m² (2,592 sq ft). The single detached dwelling will contain a second dwelling unit with a ground floor area of 113.9 m² (1,226 sq ft). The main dwelling unit will have a ground floor area of 126.9 m² (1,356 sq ft). The applicant is also proposing to construct a 104 m² (1,119 sq ft) second dwelling unit within an accessory building with a 34.8 m² (374 sq ft) attached garage. The lands will be serviced by a municipal water connection and private septic system and will have access off of Municipal Road 15.

The subject lands are designated 'Agricultural Reserve' within the City of Greater Sudbury Official Plan and are zoned 'Rural (RU)' within the Zoning By-law.

Surrounding uses are rural and agricultural in nature.

A secondary dwelling unit is defined within the zoning by-law as an additional dwelling unit that is ancillary and subordinate to the primary dwelling unit that may be contained within the main building on a lot and/or in an accessory building. The zoning by-law permits one main dwelling and two secondary dwelling units, one within the existing dwelling and one within an accessory building. The second dwelling unit in an accessory building must adhere to accessory building standards. Accessory is defined as a use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure and, in the case of a building or structure, may or may not be attached to the main building on the same lot. The intent of limiting the size of secondary units within accessory buildings is to ensure that the unit remains ancillary to the main use of the lands being the single detached dwelling. Only one single detached dwelling is permitted on the subject lands. Staff have concerns with the second dwelling unit having its own garage, whereas accessory buildings should be exclusively devoted to the principal use; however, the building department has advised that the City does not have any urban design standards specific to second dwelling units. Given the applicant has demonstrated that the single detached dwelling will be larger than the two secondary dwelling units, staff recommend that the application be granted.

CGS: Building Services Section, May 15, 2024

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

Applicant to be advised of the following as it pertains with Building Permit requirements:

We acknowledge the issuance of a Building Permit for the single-family main dwelling with basement secondary dwelling unit. An additional Building Permit will be required for the detached secondary dwelling unit to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, May 15, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Greater Sudbury Hydro Inc., May 13, 2024

No comments received.

Ministry of Transportation, May 13, 2024

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

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Development Engineering, May 09, 2024

No objection.

CGS: Site Plan Control, May 09, 2024

No concerns.

Nickel District Conservation Authority, May 09, 2024

Conservation Sudbury does not object to Minor Variance A0048/2024. Proposed development areas are not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Cory Antoine appeared as agent on behalf of the applicant corporations and provided a summary of the Application. Committee Chair Dumont requested the agent to address Development Approvals comments regarding the second dwelling unit having its own garage and the agent provided an explanation which satisfied the Committee Chair.

The following decision was reached:

DECISION:

THAT the application by:
1000005191 ONTARIO LIMITED AND 1000005193 ONTARIO LIMITED
the owner(s) of PIN 73345 0318, Parcel 26554 SEC SWS, Survey Plan 53R-7209 Part(s) 1, Lot Part 6, Concession 5, Township of Rayside, 3926 Regional Road 15, Chelmsford

for relief from Part 4, Section 4.2, 4.2.10.3 (c)(i) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached accessory building containing a secondary dwelling unit providing a net floor area of 82 percent of the gross floor area of the primary dwelling on the lot, where the maximum allowable net floor area of 45 percent is permitted, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

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

SUBMISSION NO. A0050/2024

May 23, 2024

OWNER(S): MARGARET MAZZUCA, 17A Young Street Capreol, ON P0N 1H0
TODD MAZZUCA, 17A Young Street Capreol, ON P0N 1H0

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

LOCATION: PIN 73507 0316, Parcel 6443 SEC SES, Lot Part 10, Concession 6 as in LT37173, except LT143003, Township of Capreol, 49 Crescent Avenue, Capreol

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 a lot to be severed subject of Consent Application B0026/2024, providing a minimum lot area at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 17, 2024

The purpose and effect of the application is to permit a minimum lot area of 373 m², whereas the minimum lot area required in the 'Low Density Residential (R1-5) Zone' is 465 m². The lands are subject to Consent Application B0026-2024, which was conditionally approved on May 13th, 2024. A minor variance application is required as a condition of the severance application in order to permit the deficient lot area.

The subject lands are designated 'Living Area I' within the City's Official Plan and are zoned 'Low Density Residential One R1-5' within the City's Zoning By-law. The subject lands contain a seasonal dwelling and an accessory building. The lands will be serviced by a municipal water and sanitary connection and have an existing access from Crescent Avenue.

The severance and variance applications will have the effect of creating a separate residential lot with an existing dwelling and accessory building on it. The dwelling has an existing deficient rear yard setback, which is not being altered as a result of the proposed severance. All other zoning standards are being maintained. Although smaller than the minimum lot area requirement, the lands are of a sufficient size to accommodate the existing residential use. Staff have reviewed the concept plan and do not anticipate any negative impacts to surrounding land uses.

Based on this information, staff are of the opinion that the requested variance is minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

CGS: Building Services Section, May 15, 2024

No concerns.

CGS: Infrastructure Capital Planning Services, May 15, 2024

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

Greater Sudbury Hydro Inc., May 14, 2024

No objections.

Ministry of Transportation, May 13, 2024

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

CGS: Strategic and Environmental Planning, May 10, 2024

No concerns.

CGS: Site Plan Control, May 09, 2024

No concerns.

Nickel District Conservation Authority, May 09, 2024

Conservation Sudbury does not object to Minor Variance A0050/2024. 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: Development Engineering, May 08, 2024

No objection.

The applicant's agent, Adrian Bortolussi of Bortolussi Surveying, appeared before Committee and provided a summary of the Application.

Committee had no questions or concerns relating to this Application.

The following decision was reached:

DECISION:

THAT the application by:

MARGARET MAZZUCA AND TODD MAZZUCA

the owner(s) of PIN 73507 0316, Parcel 6443 SEC SES, Lot Part 10, Concession 6 as in LT37173, except LT143003, Township of Capreol, 49 Crescent Avenue, Capreol

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 a lot to be severed subject of Consent Application B0026/2024, providing a minimum lot area of 373.3 sq.m, where 465.0 sq.m is required, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
Cathy Castanza	Concurring
Justin Sawchuk	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring