

SUBMISSION NO. A0026/2024

May 08, 2024

OWNER(S): BYRNES GULF SERVICE (SUDBURY) LTD., 234 Notre Dame Street East, Azilda, ON P0M 1B0

AGENT(S): JIM BELANGER, 605 Notre Dame Street East Azilda, ON P0M 1B0

LOCATION: PINs 73346 1102 & 73346 0548, Parcels 1659 SEC SWS & 10006 SEC SWS, Lot Part 4, Concession 1, Township of Rayside, 234 Notre Dame Avenue East, Azilda

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SUMMARY

Zoning: The property is zoned C2 (General Commercial), R1-5 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit the existing canopy covering the pump island on the subject property to provide a reduced setback from the south street line at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to recognize an existing gas canopy with a setback of 0.76 m, from the southern street line, whereas a 6 m setback from any street line is required. The subject lands contain an automotive service station and gas bar. The subject lands are designated 'Mixed Use Commercial' within the City of Greater Sudbury Official Plan, are zoned 'General Commercial' and 'Low Density Residential One (R1-5)' within the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA). Surrounding uses are residential in nature. The roads department did not have any concerns with the proposed location of the canopy; therefore, staff are of the opinion that the variance is minor in nature, is 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: Strategic and Environmental Planning, May 02, 2024

No concerns.

Greater Sudbury Hydro Inc., May 01, 2024

No comment as it falls outside of our service territory.

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Nickel District Conservation Authority, May 01, 2024

Conservation Sudbury does not object to Minor Variance A0026/2024. The subject property does not appear to be located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Building Services Section, April 30, 2024

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

Building Services acknowledges Permit # B20-1614 for the Gas Pump Island and Canopy which has not been issued. Please contact Building Services to discuss procedure for obtaining a new permit through our Pronto E-Permitting system.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 25, 2024

No objection.

CGS: Development Engineering, April 24, 2024

No objection.

The applicant's agent, Jim Belanger, appeared before Committee and provided a summary of the Application. Committee had no comments or questions in relation to the Application.

The following decision was reached:

**DECISION:**

THAT the application by:

BYRNES GULF SERVICE (SUDBURY) LTD.  
the owner(s) of PINs 73346 1102 & 73346 0548, Parcels 1659 SEC SWS & 10006 SEC SWS, Lot Part 4, Concession 1, Township of Riverside, 234 Notre Dame Avenue East, Azilda

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to permit the existing canopy covering the pump island to be 0.76m from the south street line being Notre Dame Street East, where no part of any canopy used to cover a pump island shall be located closer than 6.0m to any street line, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0032/2024

May 08, 2024

OWNER(S): FREDIANO ELLERO, 1334 Attlee Avenue, Sudbury, ON P3A 6A4  
MARCO ELLERO, 1334 Attlee Avenue, Sudbury, ON P3A 6A4

AGENT(S): ROBERT MARTEL INTERIOR DESIGN, Attn: Robert Martel 1001 Buckmiller Road, Massey, ON P0P 1P0

LOCATION: PIN 73585 1136, Lot(s) 68, Subdivision 31-SA, Lot Part 6, Concession 3, Township of McKim, 261 Walnut Street, Sudbury

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## SUMMARY

**Zoning:** The property is zoned R2-3 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

**Application:** Approval to convert the existing building from four residential units to six residential units providing reduced number of parking spaces, reduced lot area per unit and increase in permitted dwelling units at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to permit the establishment of multiple dwelling unit with the following variances:

1. Maximum of 6 dwelling units, whereas the maximum permitted is 4;
2. Minimum area of 93 m<sup>2</sup> per dwelling unit, whereas the minimum permitted is 140 m<sup>2</sup>; and
3. 5 parking spaces, whereas 1 parking space per unit is required for a total of 6.

The subject lands contain an existing multiple dwelling with four two-bedroom dwelling units each with a minimum area of 139 m<sup>2</sup> per unit. The lands are serviced by a municipal water and sanitary connection and have existing accesses from Walnut Street and Unnamed Lane 67.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'Low Residential Density Two (R2-2) Zone' within the City of Greater Sudbury Zoning By-law.

Surrounding uses are residential and business industrial in nature. There is a 4 unit multiple dwelling abutting the subject lands to the east. Although not directly abutting a GOVA route, there is a bus stop located 220 m away on Lorne Street and 235 m away on Regent Street. Queens Athletic Field is located approximately 188 m from the subject lands to the north. Business industrial uses are located on the east side of Alder Street to the north and south of Walnut Street.

The proposal has a density of 108 units per ha, which falls within the high density range of the Official Plan. High density residential is permitted within the 'Living Area I' designation in Sudbury subject to criteria. Additionally, residential intensification is permitted subject to criteria, including but not limited to compatibility with surrounding uses and site suitability.

The subject lands have an existing tree line buffer along the west interior side lot line abutting the lower residential dwelling. There are no buffering features between the subject lands and the 4 unit multiple dwelling abutting on the east. The applicant is not proposing to expand the external footprint of the existing building. Staff do not have concerns with compatibility of the proposal with surrounding land uses; however, staff do have concerns in regards to the functionality of the site as a result of increased dwelling units. The rear yard of the subject lands is entirely comprised of parking spaces, leaving little amenity space in the front yard for the existing residential units. Staff are of the opinion that at least one parking space should be provided per dwelling unit, or that additional rationale be provided for the

request to reduce this standard. A total of 6 residential units is considered to be an overdevelopment given the size of the lands, the inadequate parking, and inadequate amenity space.

It is noted that the proposed units would require building permits and would need to comply with the Ontario Building Code.

Staff recommends that the application be deferred to allow the applicants an opportunity to address staff comments.

CGS: Strategic and Environmental Planning, May 02, 2024

No concerns.

Greater Sudbury Hydro Inc., May 01, 2024

No conflict.

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Nickel District Conservation Authority, May 01, 2024

Conservation Sudbury does not object to Minor Variance A0032/2024. The subject property does not appear to be located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Building Services Section, April 30, 2024

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

A Building Permit to the satisfaction of the Chief Building Official will be required for the creation of the additional dwelling units.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 25, 2024

No objection.

CGS: Development Engineering, April 24, 2024

No objection.

The applicant, Marco Ellero, and the agent, Robert Martel of Robert Martel Interior Design, appeared before Committee and provided a summary of the Application.

Committee Member Goswell, referring to Development Approval's comments, asked staff why the concerns could not have been addressed prior to the meeting and staff provided an explanation.

Committee Member Goswell asked the agent to address the concerns expressed by Committee. The agent explained that a parking space could fit in the front yard, but a decision was made to pursue the variance instead. The applicant explained that they have not received complaints relating to the dwelling. Committee Chair Dumont explained that the increase in density could create an issue.

Committee Member Murray asked staff to clarify the Development Approval's comments and staff provided an explanation.

Committee Chair Dumont read an excerpt of Development Approval's comments and explained the minor variance process to the agent and applicant and summarized Development Approval's comments.

Committee Member Murray advised Committee that he was conflicted with the recommendation due to the demand for housing.

Committee Member Goswell advised that he would like more information about a parking space in the front yard. The agent advised that a parking space in the front yard was reviewed in the SPART but it was not recommended so a decision was made to pursue the minor variance. The agent commented on the distance of the GOVA route and commented that two parking spaces could have been located in the front yard but would require a vehicle to back-up onto the sidewalk.

Committee Chair Dumont asked the agent to explain the purpose of the SPART and the agent provided an explanation.

Committee Chair Dumont directed the question to staff. Staff explained that an application to rezone was applied for which triggered a SPART. Staff further explained why parking spaces in the front yard would not be permitted or supported, the requirement of one-for-one parking spaces and the reason for the deferral recommendation.

Committee Member Murray expressed support for the application.

Committee Member Goswell expressed support for the application.

Staff commented on the need for housing but also the need to find appropriate properties for this kind of development.

The resolution to defer the application was defeated. Committee Member Murray put forward a motion to grant the application and Committee Member Goswell seconded the motion. The motion was carried.

The following decision was reached:

**DECISION:**

THAT the application by:

FREDIANO ELLERO AND MARCO ELLERO

the owner(s) of PIN 73585 1136, Lot(s) 68, Subdivision 31-SA, Lot Part 6, Concession 3, Township of McKim, 261 Walnut Street, Sudbury

for relief from Part 5, Section 5.5, subsection 5.5.3 and Part 6, Section 6.3, Table 6.4 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing building from four residential units to six residential units providing, firstly, a minimum of 5 parking spaces, where 6 is required, secondly, a minimum lot area of 92.6sq.m per unit, where 140.0sq.m is required, and thirdly, six dwelling units, where not more than 4 dwelling units are permitted, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0034/2024

May 08, 2024

OWNER(S): LIISA MAKINEN, 435 Northshore Black Lake Road Lively ON P3Y 1H8  
PAUL MAKINEN, 435 Northshore Black Lake Road Lively ON P3Y 1H8

AGENT(S): PAUL MAKINEN, 435 Northshore Black Lake Road Lively ON P3Y 1H8

LOCATION: PIN 73374 0030, Parcel 9602 SES SWS, Lot(s) 1, Subdivision M-585, Lot Part 5, Concession 2, Township of Waters, 435 North Shore Black Lake Road, Lively

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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 construct an addition and three season room to the existing single detached dwelling on the subject property, providing an increase in gross floor area within the interior side yard setback, a setback from the high water mark, shoreline setback and shoreline buffer and eaves at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to permit the construction of two additions to the existing seasonal dwelling with the following variances:

1. a setback of 13.66 m from the high water mark for the two additions, whereas a 30 m setback is required for seasonal dwellings;
2. a seasonal dwelling within the shoreline buffer area, whereas only gazebos, boathouses, docks, decks, stairs, water pumps, saunas, boat launches, marine railways, waterlines and heat pump loops are permitted within the shoreline buffer area (20 m from high water mark) up to a maximum of 25% lot coverage not exceeding 276 m<sup>2</sup>;
3. 35.5% clearance of natural vegetation within the shoreline buffer, whereas a maximum of 25% clearance is permitted not exceeding 276 m<sup>2</sup>;
4. eaves encroachment of 2.21 m into the required interior yard for the west side addition, whereas eaves may encroach 0.6 m into the required interior side yard no closer than 0.6 m from the lot line; and
5. an increased gross floor area of 3.44 m<sup>2</sup> for the west side addition within the interior side yard maintaining an interior side yard setback of 1.9 m, whereas an interior side yard setback of 3 m is required.

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

The subject lands contain a seasonal dwelling, accessory building, and sauna. The lands are serviced by a private septic system and lake water and have an existing access from a private road off of North Shore Black Lake Road.

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.

Conservation Sudbury has advised that a Section 28 permit is required and that confirmation will need to be provided that the location of the building is outside of the erosion hazard area. The permit will need to be obtained prior to building permit.

Strategic and Environmental Planning has no objection to the requested variances, however, has provided advisory comments for information purposes.

Given the size of the proposed additions being 3.44 m<sup>2</sup> and 15.63 m<sup>2</sup>, and the location being further setback from the lake than the existing dwelling, staff do not anticipate adverse impacts as a result of the requested variances. Additionally, although the gross floor area is increasing within the interior side yard by 3.44 m<sup>2</sup>, the existing setback of 1.9 m will be maintained. As a result, staff do not anticipate impacts to the abutting property owner as a result of the addition.

Based on this information, staff are of the opinion that the requested variances are 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, May 02, 2024

Staff of the City's Strategic and Environmental Planning Section are not opposed to this application as the proposed additions are relatively small and are no closer to the lake than the existing dwelling. For this lot, 25% of the allowable cleared area within the shoreline buffer area would be approximately 155 square metres. The proposed additions would bring the total cleared area to roughly this amount, if considering only the cleared area that has been hard surfaced.

Due to phosphorus enrichment concerns, Makada Lake is categorized as Enhanced Management 2 according to the water quality model for lakes in the City of Greater Sudbury. Respecting the required lake setbacks for structures and retaining a naturally vegetated shoreline buffer area as outlined in the Official Plan are important actions in reducing phosphorus inputs to the lake and maintaining a healthy shoreline ecosystem.

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.

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).

Greater Sudbury Hydro Inc., May 01, 2024

No comment as it falls outside of our service territory.

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Engineering, May 01, 2024

No objection.

Nickel District Conservation Authority, May 01, 2024

No objection to the Minor Variance A0034/2024.

It is unclear if the dwelling and additions are within an erosion hazard of Black Lake. If so, additions that equal less than 25% of the floor area of the dwelling are permitted provided that no additional dwelling units (bedrooms) are proposed. A permit is required pursuant to Section 28.1 of the Conservation Authorities Act prior to development. We recommend that application be made prior to the Building Permit application. For more information please email [NDCA@ConservationSudbury.ca](mailto:NDCA@ConservationSudbury.ca).

#### Notes

Please note that any additional development or lot grading within areas regulated by the Conservation Authority, requires permission prior to development. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support

the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed.

Ministry of Transportation, April 30, 2024

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

CGS: Building Services Section, April 30, 2024

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

A Building Permit to the satisfaction of the Chief Building Official will be required for the construction of the 3-season room and side addition.

CGS: Site Plan Control, April 25, 2024

No objection.

The applicants appeared before Committee and provided a summary of the Application. Committee had no comments or questions in relation to the Application.

The following decision was reached:

**DECISION:**

THAT the application by:

LIISA MAKINEN AND PAUL MAKINEN

the owner(s) of PIN 73374 0030, Parcel 9602 SES SWS, Lot(s) 1, Subdivision M-585, Lot Part 5, Concession 2, Township of Waters, 435 North Shore Black Lake Road, Lively

for relief from Part 4, Section 4.2, Table 4.1, Section 4.25, subsection 4.25.1, Section 4.41, subsections 4.41.2, 4.41.3 and 4.41.4 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 facilitate the construction of an addition and three season room, firstly, providing eaves to encroach 2.21m into the required interior yard, where eaves may encroach 0.6m into the required interior side yard but not closer than 0.6m to the lot line, secondly, providing an increase in gross floor area of 3.44 sq.m within the required interior side yard and maintaining an interior side yard setback of 1.9m, where an interior side yard setback of 3.0m is required, thirdly, providing a high water mark setback of 13.66m, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, fourthly, to be 13.66m setback from the high water mark of a lake, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3, and fifthly, providing 33.5% of the natural vegetation of the required shoreline buffer area to be cleared, whereas a maximum of 25% of the required shoreline buffer area may be cleared of natural vegetation, but in no case shall a cleared area exceed a maximum of 276 sq.m, 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0036/2024

May 08, 2024

OWNER(S): DOROTHY-ANN MEILLEUR, 3521 Long Lake Road Sudbury ON P3G 1N1  
MARC MEILLEUR, 3521 Long Lake Road Sudbury ON P3G 1N1

AGENT(S): GATEWAY CUSTOM CONTRACTING, Attn: Jonathan Rossi 1711 Valleyview Road Val Caron ON P3N 1K7

LOCATION: PIN 73476 0665, Survey Plan 53R-16953 Part(s) 7, 8, 9, and 10, Lot Part 6, Concession 4, Township of Broder, 3521 Long Lake Road, 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 to construct a detached garage with attached carport on the subject property providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to construct a 297.29 m<sup>2</sup> accessory building with a height of 8.43 m, whereas the maximum height permitted for accessory buildings is 6.5 m.

The applicant had advised that the 8.43 m height is being requested in order to accommodate a storage mezzanine and for recreational vehicle storage. The accessory building is proposed to be located in the front yard, approximately 65.73 m from Long Lake Road, 41.3 m from the rear yard, 8.6 m from the north interior side lot line, and 159.5 m from the south interior side lot line.

The subject lands contain a 527.86 m<sup>2</sup> single detached dwelling which has a height of 8.53 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 Long Lake Road.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'Rural (RU)' within the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding uses are rural and residential in nature.

It is noted that due to the proposed location of the structure and the natural vegetative character of the area, the building will not be visible from Long Lake Road, and there will be a visual buffer between the building and neighbouring property. Although the building will exceed the height by 1.93 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. 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: Strategic and Environmental Planning, May 01, 2024

No concerns.

CGS: Strategic and Environmental Planning, May 01, 2024

No concerns.

Greater Sudbury Hydro Inc., May 01, 2024

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

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Engineering, May 01, 2024

No objection.

Nickel District Conservation Authority, May 01, 2024

Proposed development appears to be over a wetland that was previously filled. However, Conservation Sudbury does not object to Minor Variance A0036/2024. Appropriate foundational design or geotechnical investigations should be undertaken to ensure safe construction.

CGS: Building Services Section, April 30, 2024

No concerns.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 25, 2024

No objection.

The applicant's agent, Jonathan Rossi, appeared before Committee and provided a summary of the Application. Committee had no comments or questions in relation to the Application.

The following decision was reached:

**DECISION:**

THAT the application by:

DOROTHY-ANN MEILLEUR AND MARC MEILLEUR

the owner(s) of PIN 73476 0665, Survey Plan 53R-16953 Part(s) 7, 8, 9, and 10, Lot Part 6, Concession 4, Township of Broder, 3521 Long Lake Road, Sudbury

for relief from Part 4, Section 4.2, subsection 4.2.4 b) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage with attached carport providing a maximum height of 8.43m, where the maximum height of any accessory building or structure on a residential lot shall be 6.5m, 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0037/2024

May 08, 2024

OWNER(S): 2380363 ONTARIO LIMITED, 219 O'Neil Drive E Hanmer ON P3L 1H6

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

LOCATION: PINs 73583 0183 &amp; 73584 0882, Survey Plan 53R-13449 Part(s) except 2 and 3, Lot(s) 5 &amp; 6, Parts 3 &amp; 4, &amp; Part closed Elizabeth &amp; Lourdes St, Subdivision 13-SB, Lot Part 5, Concession 3, Township of McKim, 291 Lourdes Street, Sudbury

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### SUMMARY

Zoning: The property is zoned R3(79) (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to convert a multiple dwelling from 24 residential units to 27 residential units providing reduced parking at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to permit the establishment of a 27 unit multiple dwelling with 24 parking spaces, whereas 1 parking space is required per unit.

The subject lands are designated 'Downtown' within the City of Greater Sudbury Official Plan, are zoned 'Medium Density Residential Special R3(79) Zone' within the City of Greater Sudbury Zoning By-law, and is located in a vulnerable area defined as Ramsey Lake Intake Protection Zone (IPZ) 2 under the Source Protection Plan.

The lands are subject to Zoning By-law Amendment Application 751-6-21-23 and a Site Plan Control Application which was finalized in 2023. The applicant has advised that they wish to add an additional three units to the building for a total of 27 units, however in doing so would not comply with the requirement of one parking space per unit. Staff have no concerns with the number of units proposed, as the density within the official plan and maximum number of units within the zoning by-law would be maintained, but staff do have concerns in regards to the proposed parking reduction.

As part of the rezoning application in 2021, staff evaluated the proposed parking reduction from the required 36 spaces (1.5 spaces/unit) to 24 and were of the opinion given the context and location of the site that one parking space per unit would be appropriate. In staff's opinion, the parking ratio of one space per unit should be maintained as it represents good land use planning. There appears to be space on site to accommodate the additional three parking spaces. It is understood that adding additional spaces may impact the existing Site Plan from an engineering/stormwater management perspective. Staff requests further information on the viability of adding three parking spaces prior to providing a recommendation on the variance.

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

Source Water Protection Plan, May 02, 2024

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.

Greater Sudbury Hydro Inc., May 01, 2024

No conflict.

CGS: Strategic and Environmental Planning, May 01, 2024

No concerns.

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads

No concerns.

Transportation and Innovation Support

We have some concerns regarding the reduction in the required number of parking spaces, it is important to note that only short term on-street parking (maximum of 4 hours) is available on Walnut Street and Alder Street South. Therefore, any overflow parking that may occur from this site will affect the neighboring property owners or other area roadways.

Active Transportation

No concerns.

CGS: Development Engineering, May 01, 2024

No objection.

Nickel District Conservation Authority, May 01, 2024

Conservation Sudbury does not object to Minor Variance A0037/2024. 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: Building Services Section, April 30, 2024

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

We acknowledge Building Permit B23-0129 issued for the conversion of the building to residential (24 Units). Please be advised that an additional Building Permit to the satisfaction of the Chief Building Official will be required for the creation of the additional dwellings

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 25, 2024

No objection.

The applicant's agent, Vanessa Smith of Tulloch Engineering, appeared before Committee and provided a summary of the Application.

Committee Member Murray expressed support for the application.

Committee Member Goswell asked staff if the location was part of the downtown and staff advised that the property is zoned residential but not part of the C6 downtown zoning. Committee Member Goswell asked staff if they could provide rationale as to why the property is part of the downtown but doesn't benefit from the reduced parking provisions and staff advised that they could not provide any historical context as to why it is zoned the way it is but clarified that the property is designated Downtown in the Official Plan. Committee Member Goswell expressed to the agent that there seemed to be space available on the site and would like the applicant to look at the option of adding the additional parking spaces. The agent explained to Committee that the Tulloch civil engineering team reviewed the option of adding the additional parking spaces and they advised that it would be significantly challenging and may not be feasible, adding the parking spaces would re-open the site plan process which would delay construction, also require new storm water management

plans, grading plans and amending the site plan and the associated fees. The agent provided information on storm water challenges due to the topography of the property and the Ramsey Lake intake protection zone. Committee Member Goswell asked staff if there are any policies relating to lease clauses for zero parking for rental units and staff explained that the City would not regulate landowner contracts or agreements. Committee Chair Dumont expressed support for the application noting the distance to the downtown, location to the bus depot and downtown amenities. Committee Chair Dumont noted that staff did not provide context regarding the distance to the GOVA route unlike other applications. Staff provided additional context to the recommendation commenting on the rezoning process and the reduced parking that was approved through the rezoning. Staff also explained that the amendment to the site plan would be minor as it would be a reduced circulation process. Committee Chair Dumont put forward a motion to grant the application and Committee Member Murray seconded the motion. The motion was supported and carried.

The following decision was reached:

**DECISION:**

THAT the application by:

2380363 ONTARIO LIMITED

the owner(s) of PINs 73583 0183 & 73584 0882, Survey Plan 53R-13449 Part(s) except 2 and 3, Lot(s) 5 & 6, Parts 3 & 4, & Part closed Elizabeth & Lourdes St, Subdivision 13-SB, Lot Part 5, Concession 3, Township of McKim, 291 Lourdes Street, Sudbury

for relief from Part 11, Section 1, subsection 10, paragraph (aaaa), clause (iv) of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing multiple dwelling from twenty-four residential units to twenty-seven residential units providing a minimum of 24 parking spaces, where 27 parking spaces are required, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-Law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0038/2024

May 08, 2024

OWNER(S): REEMA RAJPAL, 1410 South Lane Road Sudbury ON P3G 1N8  
SULABH SINGH, 1410 South Lane Road Sudbury ON P3G 1N8

AGENT(S): SULABH SINGH, 1410 South Lane Road Sudbury ON P3G 1N8

LOCATION: PIN 73477 0037, Parcel 48271 SEC SES, Lot(s) 1, Subdivision M-218, Lot Part 1, Concession 4, Township of Broder, 1410 South Lane 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 to construct a detached garage and retaining wall on the subject property providing a reduced front yard setback, eaves and high water mark setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to permit the construction of an accessory building and retaining wall with the following variances:

1. a setback of 26.6 m from the high water mark for the accessory building and retaining wall, whereas a 30 m setback is required;
2. a front yard setback of 4.5 m for the accessory building, whereas a 6 m front yard setback is required; and
3. an eave encroachment of 0.6 m into the 4.5 m front yard setback, whereas eaves may encroach 1.2 m into the required front yard setback no closer than 0.6 m from a lot line.

The subject lands are designated 'Rural' within the Greater City of Sudbury Official Plan, are zoned 'Low Density Residential (R1-1)' within the Greater City of Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).

The subject lands contain a single detached dwelling, two accessory buildings (that are identified as the applicant as to be removed), a carport, a gazebo, and a retaining wall. The lands are serviced by a private septic system and lake water and have an existing access from South Lane Road.

The proposed accessory building would replace the existing two sheds and carport on the subject lands and would be located no closer to the road than the existing carport. Given the topography of the land, accessory structures in the front yard visible from the road are not uncommon in this area. It is also noted that given the depth of the lands being 44 m it is challenging to locate a building outside of the highwater mark while maintaining adequate separation from the travelled portion of the road.

Strategic and Environmental Planning has no objection to the requested variances, however, has provided advisory comments for information purposes.  
Roads Department has no concerns with the application.

Based on this information, staff are of the opinion that the requested variances are 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, May 02, 2024

Staff of the City's Strategic and Environmental Planning Section are not opposed to the approval of this application as the lot size does not permit the proposed structure to be moved farther from the shoreline. Proper soil erosion controls must be strictly adhered to during and after construction to ensure that existing and/or imported topsoil does not enter the lake through erosion. Soil particles generally contain phosphorus and if allowed to enter a lake during rain increases nutrient loading that heightens the risk of algal blooms.

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.

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).

Greater Sudbury Hydro Inc., May 01, 2024

No conflict.

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Engineering, May 01, 2024

No objection.

Nickel District Conservation Authority, May 01, 2024

Conservation Sudbury does not object to Minor Variance A0038/2024. Subject property does contain areas regulated by Conservation Sudbury, including floodplain. Future development in these areas requires permission of Conservation Sudbury.

Notes

Please note that any additional development or lot grading within areas regulated by the Conservation Authority, requires permission prior to development. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed.

CGS: Building Services Section, April 30, 2024

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

Applicant to be advised that a Building Permit to the satisfaction of the Chief Building Official will be required for the proposed detached garage and for the retaining walls. Engineered design drawings will be required for retaining walls greater than 1.0m in height.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 25, 2024

No objection.

The applicant, Sulabh Singh, appeared before Committee and provided a summary of the Application. Committee had no comments or questions in relation to the Application.

The following decision was reached:

**DECISION:**

THAT the application by:

REEMA RAJPAL AND SULABH SINGH

the owner(s) of PIN 73477 0037, Parcel 48271 SEC SES, Lot(s) 1, Subdivision M-218, Lot Part 1, Concession 4, Township of Broder, 1410 South Lane Road, Sudbury

for relief from Part 4, Section 4.2, Table 4.1, and Section 4.41, subsection 4.41.2 and 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 facilitate the construction of, firstly, a detached garage providing a minimum required front yard setback of 4.5m with eaves encroaching 0.6m into the proposed 4.5m front yard setback, where a minimum front yard setback of 6.0m is required and where eaves may encroach 1.2m into the required rear yard, but not closer than 0.6m to the lot line and a high water mark setback of 26.6m, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, and secondly, a retaining wall providing a high water mark setback of 26.6m, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring

SUBMISSION NO. A0039/2024

May 08, 2024

OWNER(S): KENDRA SPRINGER, 52 Scarlett Drive Skead ON P0M 2Y0  
CRAIG GIFFORD, 52 Scarlett Drive Skead ON P0M 2Y0

AGENT(S):

LOCATION: PIN 73513 0201, Parcel 14605 SEC SES, Lot Part 6, Concession 4, Township of MacLennan, 52 Scarlett Drive, Skead

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

Comments concerning this application were submitted as follows:

CGS: Development Approvals Section, May 03, 2024

The purpose and effect of the application is to permit the establishment of an accessory building with a height of 5.6 m, whereas the maximum height permitted is 5 m.

The subject lands contain a single detached dwelling, three accessory buildings, a boathouse, and a sauna. The subject lands do not abut a year-round maintained public road and appear to have access through a driveway located across 44 Scarlet Drive connecting to Scarlet Drive. Staff would recommend that a legal access easement be established if not already existing, regardless of if both parcels currently have common ownership.

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan, are zoned 'Low Density Residential One (R1-1)' within the City of Greater Sudbury Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding uses are residential in nature.

Accessory buildings are intended to be ancillary to the main use of the lands. The proposed accessory building will be larger in ground floor area and height in comparison to the main use of the lands, being the single detached dwelling; however, it will maintain lot coverage and location standards. The applicants have advised that the additional height is required in order to accommodate a backhoe. The applicants should be advised that the accessory building is to be utilized for residential accessory purposes only. Contractor's yard and other commercial business uses are not permitted as of right.

Given the rural context of the area, the lack of frontage abutting a road, and the natural vegetation on the subject lands, staff do not anticipate negative impacts to surrounding land uses as a result of the variance. 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: Strategic and Environmental Planning, May 02, 2024

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.

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).

Greater Sudbury Hydro Inc., May 01, 2024

No comment as it falls outside of our service territory.

CGS: Infrastructure Capital Planning Services, May 01, 2024

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Engineering, May 01, 2024

No objection.

Nickel District Conservation Authority, May 01, 2024

Subject property is located on Lake Wanapitei. Conservation Sudbury regulates development along Lake Wanapitei in the following locations:

1. To the geodetic elevation of 269.15m above sea level, plus an additional 15m inland.
2. Any slopes steeper than 3:1 (horizontal:vertical), and setbacks from these (a horizontal distance equal to 3 times the height of the slope, plus an additional 15m).

The proposed garage appears to be outside of these regulated areas, and Conservation Sudbury does not object to Minor Variance A0039/2024.

**Notes**

Please note that any additional development or lot grading within areas regulated by the Conservation Authority, requires permission prior to development. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed.

CGS: Building Services Section, April 30, 2024

No concerns.

Ministry of Transportation, April 30, 2024

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

CGS: Site Plan Control, April 25, 2024

No objection.

The applicants appeared before Committee and provided a summary of the Application. Committee had no comments or questions in relation to the Application.

The following decision was reached:

**DECISION:**

THAT the application by:

**KENDRA SPRINGER AND CRAIG GIFFORD**

the owner(s) of PIN 73513 0201, Parcel 14605 SEC SES, Lot Part 6, Concession 4, Township of MacLennan, 52 Scarlett Drive, Skead

for relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 5.6m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, be granted.

Consideration was given to Section 45(1) of the Planning Act, R.S.O.1990, c. P.13 as amended including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land and 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
David Murray	Concurring
Matt Dumont	Concurring
Ron Goswell	Concurring