



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0107/2021

September 01, 2021

OWNER(S): JANE MICHLOWSKI, 1063 Kantola Road Lively ON P3Y 1H8
JOANNE CHARRON, 1063 Kantola Road Lively ON P3Y 1H8

AGENT(S):

LOCATION: PIN 73398 0193, Parcel 19402, Survey Plan SR-457 Part(s) 5, Township of Eden, 1063 Kantola Road, Lively

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 single-detached dwelling on the subject property with no frontage onto an assumed road at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 31, 2021

REVISED

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

Note to Owners:

1) During our research of the property we have indicated that the existing shed (23.04m²) may have been built without benefit of a building permit. Any accessory structure 10m² (108 ft²) in area or more built after the first applicable zoning by-law (Walden Zoning By-law 83-303 - March 12th, 1986) would require a building permit.

CGS: Environmental Planning Initiatives, August 27, 2021

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

The subject lands are immediately adjacent to Long Lake, Township of Eden, City of Greater Sudbury. Phosphorus is an essential element for all life forms and is the most limiting major nutrient for aquatic plant growth in freshwater streams and lakes. Increasing levels of phosphorus in lakes, streams and rivers can lead to an increasing incidence of nuisance aquatic vegetation, green algae, and, in some cases, toxic cyanobacterial (blue-green algae) blooms. Cyanobacterial blooms have been confirmed by the Public Health Sudbury & Districts in Long Lake in 2008, 2011, 2012, 2013, 2014, 2016 and 2019. Existing vegetation on the subject lands acts as an important buffer, absorbing runoff sediments and holding soil in place. Vegetation removal on the subject lands should be kept to a minimum during any site preparation or construction activities or for purposes of converting existing natural vegetation to lawns. Lawns require higher maintenance and expense and generally require importing soil from outside of the lot. Imported soil can introduce considerable quantities of phosphorus. Shoreline and stream bank residents can help reduce phosphorus levels or maintain them at low levels by following a few guidelines:

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

2. Residents should minimize the amount of lawn on their property. Lawns generally require removing existing vegetation that is currently preventing soil erosion. Lawns may also require that soil be imported to the property, which can introduce significant phosphorus to the lake through erosion. Finally, lawns are expensive and time-consuming to maintain.

3. General use lawn fertilizers containing phosphorus should never be used. It is illegal to apply lawn fertilizers containing phosphorus in the City of Greater Sudbury unless establishing a new lawn. Before applying fertilizer of any kind on their lawns, owners should have the soil tested by a professional. The soil might only need crushed limestone to make it less acidic and allow soil nutrients to be more available for uptake by the turf grass.

4. Application of fertilizer containing phosphorus to flower or vegetable beds or shrubs should not be applied any closer than 30 metres from the water's edge – the farther the better.

5. Any soil that is disturbed onsite or that is brought onto the subject lands should be covered with vegetation as quickly as possible to ensure that it doesn't erode into the lake. Soil particles can contain large amounts of phosphorus. Tarps should be used to cover the soil piles if rain is in the forecast.

6. Detergents (soaps and shampoos) should never be used in a lake or river. Only phosphorus-free detergents should be used for washing vehicles on the subject lands and washing should be done as far from the lake as possible.

7. Private sewage systems should be inspected and pumped at least every three years.

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

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

CGS: Building Services Section, August 25, 2021

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

Note to Owners:

1) Driveway is to be 3m wide minimum and 6.3m wide maximum at road entrance as per zoning bylaw 2010-100Z. Please dimension on drawing.

2) During our research of the property we have indicated that the existing shed (23.04m²) may have been built without benefit of a building permit. Any accessory structure 10m² (108 ft²) in area or more built after the first applicable zoning by-law (Walden Zoning By-law 83-303 – March 12th, 1986) would require a building permit.

The Nickel District Conservation Authority, August 25, 2021

Conservation Sudbury does not object to Minor Variance A0107-2021. It appears that the dwelling is outside of the area subject to Ontario Regulation 156/06.

Notes

The proponent is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation

SUBMISSION NO. A0107/2021 Continued.

Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

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

CGS: Site Plan Control, August 24, 2021

No objection.

CGS: Development Approvals Section, August 23, 2021

The variance being sought would facilitate the construction of a single-detached dwelling providing no frontage onto an assumed road whereas no building may be constructed on any lot that does not have frontage on an assumed road. The lands have water frontage on Long Lake in Sudbury. The subject lands are designated Rural in the City's Official Plan and zoned "R1-1", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff understands that the lands benefit from an easement across Part 1 on Survey Plan 457 that provides access to Kantola Road along a private road known as Iode Road. It is on this basis that staff has no concerns with the variance being sought. Staff would also caution the owner that the proposed single-detached dwelling must otherwise be constructed in compliance with all applicable "R1-1" development standards as no further relief has been requested as part of this application. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Development Engineering, August 18, 2021

No objection.

The applicants appeared before Committee and provided a brief explanation of the application. Committee Member Castanza advised that she attended the site and had no problem with the application.

The following decision was reached:

DECISION:

THAT the application by:

JANE MICHLOWSKI AND JOANNE CHARRON
the owner(s) of PIN 73398 0193, Parcel 19402, Survey Plan SR-457 Part(s) 5, Township of Eden, 1063 Kantola Road, Lively

For relief from Part 4, Section 4.3 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, in order to facilitate the construction of a single-detached dwelling providing no frontage onto an assumed road whereas no person shall erect any building on any lot that does not have frontage on an assumed road, be granted.

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

<i>Member</i>	<i>Status</i>
Carol Ann Coupal	Concurring

SUBMISSION NO. A0107/2021 Continued.

Cathy Castanza	Concurring
Dan Laing	Concurring
Matt Dumont	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0108/2021

September 01, 2021

OWNER(S): BRENT NICHOLSON, 1086 South Lane Rd, Sudbury ON, P3G 1N6
CHRISTINE NICHOLSON, 1086 South Lane Rd, Sudbury ON, P3G 1N6

AGENT(S): TULLOCH ENGINEERING - VANESSA SMITH, 1942 REGENT STREET UNIT L SUDBURY ON P3E 5V5

LOCATION: PINs 73477 0202 & 73477 0143, Parcels 17603 & 11438, Survey Plan 53R-5363 Part(s) 1 and 2, Lot Pt 2, Concession 4, Township of Broder, 1086 South Lane Road, Sudbury

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 of the proposed retained lot, following a severance, having a lot area at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 27, 2021

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

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

Phosphorus is an essential element for all life forms and is the most limiting major nutrient for aquatic plant growth in freshwater streams and lakes. Increasing levels of phosphorus in lakes, streams and rivers can lead to an increasing incidence of nuisance aquatic vegetation, green algae, and, in some cases, toxic cyanobacterial (blue-green algae) blooms. Cyanobacterial blooms have been confirmed by the Public Health Sudbury & Districts in Long Lake in 2008, 2015 and 2017.

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

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

1. A natural vegetated buffer of at least 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 stream bank or up to 23 metres, whichever is less, is allowable.
2. Residents should minimize the amount of lawn on their property. Lawns generally require removing existing vegetation that is currently preventing soil erosion. Lawns may also require that soil be imported to the property, which can introduce significant phosphorus to the lake through erosion. Finally, lawns are expensive and time-consuming to maintain.
3. General use lawn fertilizers containing phosphorus should never be used. It is illegal to apply lawn fertilizers containing phosphorus in the City of Greater Sudbury unless establishing a new lawn. Before applying fertilizer of any kind on their lawns, owners should have the soil tested by a professional. The soil might only need crushed limestone to make it less acidic and allow soil nutrients to be more available for uptake by the turf grass.
4. Application of fertilizer containing phosphorus to flower or vegetable beds or shrubs should not be

SUBMISSION NO. A0108/2021 Continued.

applied any closer than 30 metres from the water's edge – the farther the better.

5. Any soil that is disturbed onsite or that is brought onto the subject lands should be covered with vegetation as quickly as possible to ensure that it doesn't erode into the lake. Soil particles can contain large amounts of phosphorus. Tarps should be used to cover the soil piles if rain is in the forecast.

6. Detergents (soaps and shampoos) should never be used in a lake or river. Only phosphorus-free detergents should be used for washing vehicles on the subject lands and washing should be done as far from the lake as possible.

7. Private sewage systems should be inspected and pumped at least every three years.

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

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

Greater Sudbury Hydro Inc., August 25, 2021

No Conflict.

CGS: Building Services Section, August 25, 2021

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

1) A review of the submitted plot plan reflects a severance of lands that has not occurred and/or been applied for via an Application of Consent. This minor variance should be conditional on the approval of an Application of Consent regarding the severance.

2) Additional minor variance(s) may come to light upon the investigation into the Application for Consent. All structures located on both properties to be dimensioned and located with respect to the lot lines. Dimensions should also be noted with respects to the Natural Water High Mark of McFarlane Lake as well. No additional minor variances are present based on information provided for this Minor Variance.

3) Additional permits may be required for the reallocation of the services in the Quonset building, if applicable.

4) #1114 South Lane access to the Quonset building should be noted on drawing. Only one driveway is allowed per residential zone.

The Nickel District Conservation Authority, August 25, 2021

Conservation Sudbury does not object to Minor Variance A0108-2021 as the proposed lot sizes are not a concern to Conservation Sudbury.

Notes

The proponent is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation

SUBMISSION NO. A0108/2021 Continued.

Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

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

CGS: Site Plan Control, August 24, 2021

No objection.

CGS: Development Approvals Section, August 23, 2021

The variance being sought would facilitate the severance (ie. lot addition) of a portion of the subject lands with abutting lands that have frontage on South Lane Road in Sudbury. The lands are designated Rural in the City's Official Plan and zoned "R1-1", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The benefitting lands are situated to the east and are known municipally as 1114 South Lane Road. The lands to be consolidated contain an existing accessory building (ie. quonset). Staff has reviewed the submitted sketch and would note that once the lot addition is completed the existing accessory building would appear to comply with applicable development standards for an accessory building on a residential lot. It is further noted that both the subject lands and the benefitting lands both form existing undersized lots of record. Staff notes that one of the existing undersized lots of record (ie. 1086 South Lane Road) would be further reduced, while the benefitting undersized lot of record would be increased in terms of lot area. The requested variance would recognize a further reduced lot area for the subject lands whereas no variance is required for the benefitting lands as these lands are moving toward closer compliance with respect to the minimum lot area requirements of the applicable "R1-1" Zone. Staff in particular would note that no new undersized lot would be created should the variance be approved. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Development Engineering, August 18, 2021

No objection.

The applicant's agent, Kevin Jarus of Tulloch Engineering, appeared before Committee and explained that the application is to facilitate the lot addition of a small portion of the lands on the west side of the screen, referred to as the retained land, over to the Lot 22. The agent explained that the relief they are seeking is because the properties are zoned such that the minimum lot area requirement is 4000.0m² and the lot, which is benefitting from this lot addition, is undersized from a Zoning By-law perspective. The agent explained that they are improving the situation for the benefitting lands from what is there now and the lands to be retained they are further undersizing, from a Zoning By-law perspective, but given the improvement to the benefitting property this is seen as an improved situation from staff's perspective and from his perspective. The agent further explained that this is a land transfer and they are further undersizing an already undersized lot of record but they are improving the situation on the neighbouring lands so there is benefit to the application. Committee Vice-Chair Dumont asked staff, referring to Building Services' comments, for clarification on their comments regarding the severance. Staff advised that it is considered good land use planning practice to resolve all zoning related relief that would be needed prior to applying to sever the land. Staff explained that this is to prevent needing a condition of consent that may not be capable of being fulfilled. Staff explained that if, for example, there was a condition that a consent or a severance was only approved and could become final and binding if there was a minor variance granted and if that minor variance was to fail then the consent could not be seen through to the end. Staff advised that it is considered good land use planning practice to bring the variance forward to Committee first in order to pave the way for the further consent application and at that point in time, when the consent application is brought forward, there would be no requirement for zoning relief because the minor variance would in place and final and binding at that time. Vice-Chair Dumont asked the agent if they are aware of Building Services comments and the agent advised that he is and is confident in moving forward with the application as presented to Committee.

The following decision was reached:

DECISION:

THAT the application by:
BRENT NICHOLSON AND CHRISTINE NICHOLSON
the owner(s) of PINs 73477 0202 & 73477 0143, Parcels 17603 & 11438, Survey Plan 53R-5363 Part(s) 1 and 2, Lot Pt 2, Concession 4, Township of Broder, 1086 South Lane Road, Sudbury

For relief from Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve the proposed retained lot following a severance, providing a minimum lot area of 2900.0m2, where 4000.0m2 is required, be granted.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0109/2021

September 01, 2021

OWNER(S): KEYSTONE HOMES INC. (C/O MARTY ROY), 2113 Lasalle Blvd Sudbury ON P3A 2A3

AGENT(S): DS DORLAND LIMITED, 298 Larch Street Sudbury ON P3B 1M1

LOCATION: PIN 73504 2283, Parcel 11271, Lot 5, Concession 3, Township of Hanmer, 0 Gravel Drive, Hanmer

SUMMARY

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

Application: Approval of the proposed retained lot, following a severance, having a lot frontage at variance to the By-law.

Comments concerning this application were submitted as follows:

The Nickel District Conservation Authority, August 26, 2021

Conservation Sudbury does not object to Minor Variance A0109/2021 as the proposed lot sizes are not a concern to Conservation Sudbury. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

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

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

CGS: Building Services Section, August 25, 2021

No concerns.

CGS: Site Plan Control, August 24, 2021

No objection.

CGS: Development Approvals Section, August 23, 2021

The variance being sought would recognize the existing northerly street-line and existing lot frontage on Gravel Drive in Hanmer. The lands are split-designated Rural and Living Area 1 and zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. It is noted that the northerly street-line having frontage on Gravel Drive measures 80.1 m (262.80 ft) whereas 90 m (295.28 ft) is required. Staff notes that the variance is largely technical in nature and necessary due to a southerly portion of the lands that are designated Living Area 1 in the City's Official Plan being included within and intended to be added to a proposed urban residential development that would accessed via

SUBMISSION NO. A0109/2021 Continued.

Philippe Street. It is further noted in particular that the existing frontage on Gravel Drive is not being further reduced as a result of the largely overall development proposal. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

Source Water Protection Plan, August 23, 2021

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

CGS: Development Engineering, August 18, 2021

No objection.

The applicant's agent, Dave Dorland, appeared before Committee and explained that this application is a result of a number of severance applications whereby Keystone Homes is assembling a package of land on which they are going to build approximately 80 residential units. The agent explained that the northerly portion subject of this application is zoned Rural and when this property was originally created it had 30.0m of frontage on Philippe Street, but the southerly part of the farm is being added to the housing development so the property no longer has sufficient frontage and it is a minor variance. The Secretary-Treasurer advised Committee that the City received an email of concern from Yvon Charles and Anita Gagne of 1211 Gravel Drive with concerns relating to the Committee of Adjustment procedure and confirmed that a copy of the same was provided to Committee. The Secretary-Treasurer advised Committee that she spoke with Yvon Charles earlier in the week and explained the application to him and advised Committee that staff will forward the decision once rendered to this concerned resident. Committee Member Castanza, referring to the location map and the portion of Gravel Road that is within the subject property's PIN, asked staff if the abutting properties were blocked from legal access to Gravel. Staff advised that it does not and that this is a common problem within the City and is referred to as the road being "stuck in the PIN". Staff advised that it does not create a landlocked situation for those properties and it is considered an assumed road by the City.

The following decision was reached:

DECISION:

THAT the application by:

KEYSTONE HOMES INC. (C/O MARTY ROY)

the owner(s) of PIN 73504 2283, Parcel 11271, Lot 5, Concession 3, Township of Hanmer, 0 Gravel Drive, Hanmer

For relief from Part 9, Section 9.3, Table 9.3, of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to approve the proposed retained lot following a severance, providing a minimum lot frontage of 80.1m, where 90.0m is required, be granted.

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

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

SUBMISSION NO. A0109/2021 Continued.

Matt Dumont

Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0111/2021

September 01, 2021

OWNER(S): JODY NADJIWON, 1880 Fairbank Rd E Whitefish ON P0M 3E0

AGENT(S):

LOCATION: PIN 73366 0015, Parcel 11398, Lot 11, Concession 1, Township of Fairbank, 1880 Fairbank East Road, Whitefish

SUMMARY

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

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

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 27, 2021

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

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

Fairbank Lake was been placed in the Enhanced Management category following a study undertaken by Hutchinson Environmental Sciences Ltd. in 2015 entitled "Development and Application of a Water Quality Model for Lakes in the City of Greater Sudbury." Lakes in this category are those that were modeled as having phosphorus loading exceeding background plus 50% and having a high responsiveness to phosphorus. In addition, Fairbank Lake is a lake trout lake, which further heightens the need for careful management of nutrient inputs, especially phosphorus.

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. There are no records of the confirmed presence of cyanobacterial blooms in Fairbank Lake according to Public Health Sudbury & Districts.

The subject lands currently have a relatively high cover of natural vegetation, including mature trees. Every effort should be made to protect and retain as much natural vegetation as possible as the site is further developed.

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

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

1. A natural vegetated buffer of at least 20 metres (the wider the better) from the high water mark should be retained and supplemented with additional shrubs where necessary. It is understood that, in this instance, a lesser natural vegetated buffer will result on portions of the subject lands due to the legal non-complying situation. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or stream bank or up to 23 metres, whichever is less, is allowable.
2. Residents should minimize the amount of lawn on their property. Lawns generally require removing

existing vegetation that is currently preventing soil erosion. Lawns may also require that soil be imported to the property, which can introduce significant phosphorus to the lake through erosion. Finally, lawns are expensive and time-consuming to maintain.

3. General use lawn fertilizers containing phosphorus should never be used. It is illegal to apply lawn fertilizers containing phosphorus in the City of Greater Sudbury unless establishing a new lawn. Before applying fertilizer of any kind on their lawns, owners should have the soil tested by a professional. The soil might only need crushed limestone to make it less acidic and allow soil nutrients to be more available for uptake by the turf grass.

4. Application of fertilizer containing phosphorus to flower or vegetable beds or shrubs should not be applied any closer than 30 metres from the water's edge – the farther the better.

5. Any soil that is disturbed onsite or that is brought onto the subject lands should be covered with vegetation as quickly as possible to ensure that it doesn't erode into the lake. Soil particles can contain large amounts of phosphorus. Tarps should be used to cover the soil piles if rain is in the forecast.

6. Detergents (soaps and shampoos) should never be used in a lake or river. Only phosphorus-free detergents should be used for washing vehicles on the subject lands and washing should be done as far from the lake as possible.

7. Private sewage systems should be inspected and pumped at least every three years.

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

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

CGS: Building Services Section, August 25, 2021

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

However, Owner to be advised of the following:

1) Owner to be informed that in accordance with CGS Zoning By-law Section 4.2.1. (a)(ii), the proposed garage or part thereof shall not be used for human habitation except where the building or part thereof is a permitted secondary dwelling unit.

2) We acknowledge the associated building permit for the proposed garage (21-1252). A preliminary review of the submitted building permit documents reflects a height of 8.23 m (27'). As the maximum height of 7.9947 m (26.23') has been applied for by way of this minor variance application, at the time of construction, should the height of the proposed detached garage exceed 7.9947 m (26.23'), further minor variance will be required. Owner to contact Building Services to provide revised drawings with corrected height.

The Nickel District Conservation Authority, August 25, 2021

Conservation Sudbury does not object to Minor Variance A0111/2021 as the proposed accessory structure appears to be outside of the area subject to Ontario Regulation 156/06.

Notes

The proponent is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

Please be advised that Conservation Sudbury regulates the hazards associated with natural features

SUBMISSION NO. A0111/2021 Continued.

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

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

CGS: Site Plan Control, August 24, 2021

No objection.

CGS: Development Approvals Section, August 23, 2021

The variance being sought would facilitate the construction of a detached garage having an increased maximum height on the lands that have frontage on Fairbank East Road in Whitefish. The lands also have water frontage on Fairbank Lake. The lands are designated Rural in the City's Official Plan and zoned "SLS(4)", Seasonal Limited Service Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the lands are well-vegetated and as a result the proposed detached garage would be well-screened from both abutting residential properties and from Fairbank East Road. Staff do not anticipate any negative impacts on abutting residential properties should the maximum permitted building height for the detached garage be increased by 2.99 m (9.81 ft). Staff notes that the submitted sketch include a note that the upper portion of the proposed detached garage is to be used for storage purposes. Staff would also caution the owner that the upper portion of the proposed detached garage may not be used for the purposes of human habitation unless permitted as a secondary dwelling unit or garden suite as per Section 4.2.1 of the Zoning By-law. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Development Engineering, August 18, 2021

No objection.

The applicant appeared before Committee and explained that the camp on the property does not have a basement and in anticipation of her parent's selling their house and requiring a place to store their items she wants to maximize the storage potential of the garage. Committee Member Coupal asked the applicant, referring to Building Services' comments, to confirm that the garage will not be used for human habitation. Committee Vice-Chair Dumont clarified with the applicant that the intent of the garage height is not for human habitation and the applicant confirmed that no, it would not be used for human habitation. Vice-Chair Dumont asked staff, referring to Building Services' comments regarding the discrepancy in height that the height pursuant to the Notice is the correct height being requested. Staff advised that it understands that there has been contact made between the owner/applicant and Building Services and that the variance is going forward tonight because the intended maximum height of the garage is 7.99m and that the Building Permit drawings will or have already been amended to reflect the maximum height of 7.99m versus the 8.23m which the Building Permit drawings currently do depict, however staff encouraged Committee to direct the same question to the owner/applicant. Committee Vice-Chair Dumont advised the owner that the recommendation is to approve the 7.99m and asked the owner to confirm that is accurate, as if it isn't, the two options are to re-apply for a variance for the 8.23m or defer the application to allow the owner to amend the application. The owner advised that she would resubmit drawings to Building Services to reflect the 7.9947m.

The following decision was reached:

DECISION:

THAT the application by:

JODY NADJIWON

the owner(s) of PIN 73366 0015, Parcel 11398, Lot 11, Concession 1, Township of Fairbank, 1880 Fairbank East Road, Whitefish

SUBMISSION NO. A0111/2021 Continued.

For relief from Part 4, Section 4.2, subsection 4.2.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an accessory building, being a detached garage, providing a maximum height of 7.9947m, where the maximum height of an accessory building 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. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0099/2021

September 01, 2021

OWNER(S): DEBRA BAKKER, 867 Panache Shor Road N Whitefish ON P0M 3E0
GERALD BAKKER, 867 Panache Shor Road N Whitefish ON P0M 3E0

AGENT(S): DIA CONTRACTING LTD,

LOCATION: PIN 73401 0080, Parcel 19532, Lot TR115, Township of Dieppe, 867 Panache Shor Road N, Whitefish

SUMMARY

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

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

Comments concerning this application were submitted as follows:

CGS: Environmental Planning Initiatives, August 27, 2021

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

The subject lands are immediately adjacent to Lake Panache, Township of Dieppe, City of Greater Sudbury.

Phosphorus is an essential element for all life forms and is the most limiting major nutrient for aquatic plant growth in freshwater streams and lakes. Increasing levels of phosphorus in lakes, streams and rivers can lead to an increasing incidence of nuisance aquatic vegetation, green algae, and, in some cases, toxic cyanobacterial (blue-green algae) blooms. Public Health Sudbury & Districts confirmed presence of cyanobacterial blooms in Lake Panache (North East) in 2015 and 2016.

Lake Panache is a lake trout lake, which heightens the need for careful management of nutrient inputs, especially phosphorus.

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

1. A natural vegetated buffer of at least 20 metres (the wider the better) from the high water mark should be retained and supplemented with additional shrubs where necessary. It is understood that, in this instance, a lesser natural vegetated buffer will result on portions of the subject lands due to the legal non-complying situation. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or stream bank or up to 23 metres, whichever is less, is allowable.

2. Residents should minimize the amount of lawn on their property. Lawns generally require removing existing vegetation that is currently preventing soil erosion. Lawns may also require that soil be imported to the property, which can introduce significant phosphorus to the lake through erosion.

Finally, lawns are expensive and time-consuming to maintain.

3. General use lawn fertilizers containing phosphorus should never be used. It is illegal to apply lawn fertilizers containing phosphorus in the City of Greater Sudbury unless establishing a new lawn. Before applying fertilizer of any kind on their lawns, owners should have the soil tested by a professional. The soil might only need crushed limestone to make it less acidic and allow soil nutrients to be more

available for uptake by the turf grass.

4. Application of fertilizer containing phosphorus to flower or vegetable beds or shrubs should not be applied any closer than 30 metres from the water's edge – the farther the better.

5. Any soil that is disturbed onsite or that is brought onto the subject lands should be covered with vegetation as quickly as possible to ensure that it doesn't erode into the lake. Soil particles can contain large amounts of phosphorus. Tarps should be used to cover the soil piles if rain is in the forecast.

6. Detergents (soaps and shampoos) should never be used in a lake or river. Only phosphorus-free detergents should be used for washing vehicles on the subject lands and washing should be done as far from the lake as possible.

7. Private sewage systems should be inspected and pumped at least every three years.

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

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

CGS: Building Services Section, August 25, 2021

REVISED:

Based on the information provided and additional investigation undertaken after deferral, Building Services has no concerns with this application.

However, Owner to be advised of the following comments:

1) With respect to the proposed garage, Building Services acknowledges the building permit application (#B21-0947) and modifications by the contractor have corrected discrepancies previously noted to the building height.

2) With respect to the existing seasonal dwelling located partially on Crown Reserve lands, the Owner awaits response from the Ministry of Natural Resources regarding the purchase of lands abutting Lake Panache. We acknowledge a letter from the Ministry of Natural Resources to the Owner dated March 26, 2013 confirming receipt of an application to purchase lands as well as subsequent email response indicating a significant backlog in processing such applications. For the purposes of this Minor Variance application, the Chief Building Official engaged the Ministry of Natural Resources on August 20, 2021 and confirmed there were no objections to this Minor Variance application as it appears before the Committee of Adjustment.

3) We note that a site visit was conducted by Building Services on August 9, 2021 and previous comments presented at the Committee of Adjustment meeting on August 4, 2021 have been addressed and no longer serve to present any objections to this application.

The Nickel District Conservation Authority, August 25, 2021

The parcel is outside of the watershed regulated by Conservation Sudbury. Please contact the Ministry of Natural Resources and Forestry at their district general office number (705) 564-7823 or via e-mail at MNRFSudburyDistrict@ontario.ca.

Should you have any questions, please contact the undersigned at bailey.chabot@conservationsudbury.ca.

CGS: Site Plan Control, August 24, 2021

Revised
No objection

SUBMISSION NO. A0099/2021 Continued.

CGS: Development Approvals Section, August 23, 2021

Staff understands that the owner has now confirmed that the maximum accessory building height for the proposed detached garage will be 7.53 m (24.70 ft) whereas a maximum accessory building height of 5 m (16.40 ft) is permitted. Staff understands that the proposed detached garage has been situated in a location whereby the existing driveway can be utilized for access purposes. Staff notes that the lands are well-vegetated and as a result the proposed detached garage would be well-screened from both abutting residential properties and from Panache Shor Road North. Staff do not anticipate any negative impacts on abutting residential properties should the maximum permitted building height for the detached garage be increased by 2.53 m (8.30 ft). Staff would caution the owner that the upper portion of the proposed detached garage may not be used for the purposes of human habitation unless permitted as a secondary dwelling unit or garden suite as per Section 4.2.1 of the Zoning By-law. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads
No concerns.

Transportation & Innovation
No concerns.

Active Transportation
No concerns.

CGS: Development Approvals Section, July 29, 2021

The variance being sought would facilitate the construction of a detached garage in the rear yard of the subject lands that have water frontage on Lake Panache in Whitefish. The lands are also accessible from Panache Shor Road North via a private driveway that provides access to a number of properties in the immediate area. The lands are zoned "SLS", Seasonal Limited Service under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that conflicting information with respect to the maximum building height has been provided both on the application form (ie. 7.01 m), the submitted sketch (ie. 7.53 m) and also to Building Services on an associated building permit application (ie. 7.39 m). Staff would also bring to the attention of the owner that Building Services has identified that further variances may be necessary as there appears to be other structures on the lands including an attached deck that appear to have been constructed without benefit of a building permit. Staff recommends that the application be deferred in order to afford the owner the opportunity to address those comments received with respect to the intended maximum building height for the proposed detached garage.

CGS: Building Services Section, July 28, 2021

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

1) The Public Notice requests relief for a maximum height of 7.01 m, however a review of the drawings reflects a height of 7.53 m. Further, a review of the drawings submitted with the building permit application reflects a height of 7.39 m. To ensure appropriate relief is requested by way of this Minor Variance application, Owner to verify height of the proposed accessory structure in accordance with the definition of building height as detailed in Part 3, Line 153 of the CGS Zoning By-law 2010-100Z.

2) A review of the submitted plot plan does not reflect the true footprint and dimension of the existing seasonal dwelling. Owner to provide a revised plot plan which reflects the actual footprint of the existing seasonal dwelling (including all decks and porches) along with dimensions and setbacks to the property lines and high water mark. It appears an attached deck may have been constructed (facing the waterfront) without benefit of a building permit. Owner to verify as further minor variances may be required.

3) With respect to the existing seasonal dwelling, our research indicates the dwelling was built on Crown Reserve land without prior approval from Ministry of Natural Resources (MNR). A letter from the Ministry of Natural Resources was provided to the Owner dated March 26, 2013 confirming receipt of an application to purchase Crown lands. The letter indicated a review would not be initiated on new applications until further notice and further email communication from the MNR advised of a five year back log on application to purchase Crown reserve lands. In response, we acknowledge that a Conditional Building Permit Agreement was issued to the Owner on July 11, 2013 indicating that the Conditional Building Permit was a temporary document to be replaced by a regular building permit once all of the requirements for the purchase of Crown Reserve were completed with the Ministry of Natural Resources. According to our records, we have not received the required letter from MNR confirming the purchase of these lands and the aforementioned 5 year back log has lapsed. Owner to be informed that should the purchase of the Crown reserve lands be unsuccessful (therefore preventing issuance of a regular building permit), all conditions of the Conditional Building Permit Agreement remain applicable and are to be met. As specified in paragraph 5(f) of the Agreement; if, for whatever reason, a regular building permit cannot be issued for this project, the Owner will at his/her expense remove all construction erected on the subject lands under the authority of the Conditional Building Permit.

For this reason, we recommend deferral of this application until such time that the Owner can provide an update on the purchase of the Crown shore reserve fronting the subject property. The purchase of the Crown reserve lands will impact the current/future location of the existing seasonal dwelling as well as future construction such as the proposed detached garage.

4) Our research indicates the existing sauna may have been built without benefit of a building permit. Any accessory structure 10m² (108 ft²) in area or more built after the applicable zoning by-law (Walden Zoning By-law 83-303 - March 12, 1986) will require a building permit. Building permit and building permit documents may be required to be submitted to the satisfaction of the Chief Building Official.

5) With respect to the proposed garage, Building Services acknowledges the permit building application (#B21-0947).

The Nickel District Conservation Authority, July 28, 2021

The parcel is outside of the watershed regulated by Conservation Sudbury. Please contact the Ministry of Natural Resources and Forestry at their district general office number (705) 564-7823 or via e-mail at MNRF.SudburyDistrict@ontario.ca.

Should you have any questions, please contact the undersigned at bailey.chabot@conservationsudbury.ca.

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Development Engineering, July 22, 2021

No objection.

The applicant's agent, Richard Greaves of DIA in Lively, appeared before Committee and explained that they are building a new garage for the Bakker family on Lake Panache. The agent explained that it is a basic garage with storage to store seasonal belongings in the winter months and for their boats and watercrafts. Committee Member Coupal asked the agent if they received the comments, specifically Building Services comments. Committee Vice-Chair Dumont asked the agent if he had an opportunity to review the comments with respect Building Services. The agent confirmed that he had and clarified that Building Services update their comments as everything has been rectified.

The following decision was reached:

SUBMISSION NO. A0099/2021 Continued.

DECISION:

THAT the application by:

DEBRA BAKKER AND GERALD BAKKER

the owner(s) of PIN 73401 0080, Parcel 19532, Lot TR115, Township of Dieppe, 867 Panache Shor Road N, Whitefish

For relief from Part 4, Section 4.2, subsection 4.2.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an accessory building, being a detached garage, providing a maximum height of 7.53m, where the maximum height of an accessory building 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. The general intent and purpose of the By-Law and the Official Plan are maintained. As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0100/2021

September 01, 2021

OWNER(S): 1973750 ONTARIO INC (MATIAS MARIANI), 208 Caswell Drive, Unit 1 Sudbury ON P3E 2N8

AGENT(S): CENTRELINE ARCHITECTURE (DANIELLE BILODEAU), 158 Elgin Street Suite 101 Sudbury ON P3E 3N5

LOCATION: PIN 02135 0226, Lot(s) Part 41, Subdivision 3S, Lot 6, Concession 4, Township of McKim, 135 Pine Street, Sudbury

SUMMARY

Zoning: The property is zoned C4(1)(Office Commercial) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to provide a reduced number of parking spaces on the subject property at variance to the By-law.

Comments concerning this application were submitted as follows:

Greater Sudbury Hydro Inc., August 25, 2021

No Conflict.

CGS: Building Services Section, August 25, 2021

REVISED:

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

- 1) As drawings have not been provided with this application to verify the net floor area, parking calculations may be impacted at the time of building permit. Further minor variance may be required.
- 2) Owner to be informed that in accordance with the Ontario Building Code Division B, Part 11, Table 1.3.1.4., a building permit for Change of Use will be required for the transition from a Group C (residential occupancy) to a Group D (business and personal services occupancy). Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.
- 3) A review of the submitted plot plan reflects a barrier free path of travel and ramp. Owner to be informed the barrier free path of travel and accessibility ramp is required to meet all requirements of the Ontario Building code.

The Nickel District Conservation Authority, August 25, 2021

Conservation Sudbury does not oppose Minor Variance Application A0100/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

Notes

Please be advised that Conservation Sudbury regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although Conservation

SUBMISSION NO. A0100/2021 Continued.

Sudbury makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

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

CGS: Site Plan Control, August 24, 2021

Revised
No objection.

CGS: Development Approvals Section, August 23, 2021

The variance being sought would facilitate the conversion of an existing residential building to a medical office on the subject lands that have frontage on Pine Street in Sudbury. The lands are designated Downtown in the City's Official Plan and zoned "C4(1)", Office Commercial Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that on-street parking is permitted on the south side of Pine Street for a maximum duration of four hours. Staff further notes that there is access to public transportation to the immediate south along Elm Street. Staff would also advise that there are a number of similar converted residential dwellings along Pine Street that have been zoned to permit non-residential uses. For example, there is an existing "C4(5)" Zone to the immediate east that permits a martial arts school and one residential dwelling unit having a total of three parking spaces. It is for these reasons that staff acknowledges that some degree of relief from the applicable development standards of the "C4(1)" Zone would be appropriate given that the subject lands are considered to be in the Downtown. Staff would also note then that the overall development proposal would otherwise appear to comply with all other applicable general provisions, parking provisions and the development standards associated with the "C4(1)" Zone. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, July 30, 2021

Roads
No concerns.

Transportation & Innovation
Parking is restricted on Vanier Lane. While parking is permitted on the south side of Pine Street, it is limited to a maximum of 4 hours. It is unclear where any overflow staff or visitors to this site will park.

Active Transportation
No concerns.

CGS: Development Approvals Section, July 29, 2021

The variances being sought would facilitate the conversion of an existing residential building to a medical office on the subject lands that have frontage on Pine Street in Sudbury. The lands are zoned "C4(1)", Office Commercial Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff would advise that the user of a parking space (ie. staff v.s. client) is of less importance than the overall functionality of a parking area within the context of the land use associated with said parking area and parking spaces. The City's Zoning By-law does not permit tandem parking spaces for any commercial uses due to the nature and pattern of vehicular movements associated with this category of land uses. Tandem parking spaces are permitted for residential secondary dwelling units only as required by the Planning Act (O. Reg. 299/19). Staff is therefore unable to support a tandem parking arrangement for a medical office in this location. Should the owner eliminate the

SUBMISSION NO. A0100/2021 Continued.

tandem parking, the variance requesting a decreased number of required parking spaces for the medical office would change from six parking spaces to three parking spaces whereas nine parking spaces of which one parking space must be an accessible parking space is required based on the floor area calculations provided. This change would require further public notice as the variance being sought would then be greater than what was advertised to the public with respect to the variances being sought. Staff recommends that the application be deferred in order to afford the owner the opportunity to consider and respond to those comments received by agencies and departments with respect to the variances being sought.

Greater Sudbury Hydro Inc., July 28, 2021

No concerns.

CGS: Building Services Section, July 28, 2021

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

- 1) A review of the response to question #15 of the application indicates that one (1) dwelling unit will remain. Owner to verify if one dwelling unit will remain or if the existing building will be fully transitioned to a non-residential use as a medical office.
- 2) In review of the site information detailed on the submitted plot plan, we acknowledge several discrepancies with our records that may impact the parking calculations. The site information indicates a building area of 102.99 m² where our records indicate a building area of 160.90 m² (1732 ft²). As drawings have not been provided with this application to verify the net floor area, parking calculations may be impacted at the time of building permit. We also note a discrepancy with the total lot coverage whereby the site information indicates a lot coverage of 27.72% whereas our calculations reflect a total lot coverage of 43.08%. With respect to the parking, further minor variance may be required.
- 3) Our research indicates the current use of the subject property as residential. Based on the information provided, it appears the building will be transitioned from residential use to a medical office. Owner to be informed that in accordance with the Ontario Building Code Division B, Part 11, Table 1.3.1.4., a building permit for Change of Use will be required for the transition from a Group C (residential occupancy) to a Group D (business and personal services occupancy). Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.
- 4) A review of the submitted plot plan reflects a barrier free path of travel and ramp. Owner to be informed the barrier free path of travel and accessibility ramp is required to meet all requirements of the Ontario Building code.

The Nickel District Conservation Authority, July 28, 2021

Conservation Sudbury does not oppose Minor Variance Application A0100/2021. It does not appear that a permit pursuant to Section 28 of the Conservation Authorities Act will be required as the subject property does not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

Notes

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

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

CGS: Site Plan Control, July 27, 2021

No concerns.

CGS: Development Engineering, July 22, 2021

No objection.

August 4, 2021 - The agent appeared before Committee and explained that they are seeking relief from the 9 parking space requirement as the space does not accommodate that number of parking spaces and that they are requesting that 6 be permitted. The agent explained that in error they checked-off that there was a dwelling unit, however there will not and the building will just be medical offices. The agent also explained that the building area and lot coverage did not match what she had and it seems that there was a garage on the lot that had been demolished and that seems to be where the discrepancy was. The agent, addressing Infrastructure Capital Planning's comments, advised that she could address the thought process if any Committee Members have any questions. Committee Member Dumont asked the agent to provide context around the use of the property, if it was previously a residential dwelling that was converted to a medical office. The agent advised that the building's existing condition was residential and through this variance process they hope to make it a medical office/commercial space, similar to what is happening with a lot of the buildings on Pine Street. Committee Member Dumont advised that he agrees with staff to defer the application. Committee Chair Chartrand expressed agreement with Development Approval's comments and the tandem parking. Staff advised that there would be a process in amending the application and staff would want to see an updated drawing and the overall development proposal in order to address staffs concerns and it would be wise to defer the application. Committee Chair Chartrand, addressing Building Services' comments, asked staff to clarify what the agent would have to provide to address the lot coverage. Staff advised that the agent should address those concerns in their amended drawing and overall development proposal.

September 1, 2021 - The applicant's agent, Danielle Bilodeau of Centreline Architecture, appeared before Committee and explained that they are asking for relief to provide 3 parking spots where 9 is required due to the existing lot not being large enough to provide for 9 parking spots. Committee Member Coupal asked the agent if they received the comments and the agent confirmed that they had. Committee Vice-Chair Dumont asked the agent, referring to Building Services' comments, if she has had an opportunity to review those comments and the agent confirmed that yes she has. Committee Member Coupal asked the agent if they have addressed Building Services comments. The agent explained that they are working on the drawings however, they need to get this variance before they go any further as the comments are more on the architectural drawing side.

The following decision was reached:

DECISION:

THAT the application by:

1973750 ONTARIO INC (MATIAS MARIANI)

the owner(s) of PIN 02135 0226, Lot(s) Part 41, Subdivision 3S, Lot 6, Concession 4, Township of McKim, 135 Pine Street, Sudbury

For relief from Part 5, Section 5.3, Table 5.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit a medical office providing three (3) parking spaces, where nine (9) are required, be granted.

SUBMISSION NO. A0100/2021 Continued.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0106/2021

September 01, 2021

OWNER(S): KIMBERLEY MELANSON, 232 Langdon Road Whitefish ON P0M 3E0
RICHARD MELANSON, 232 Langdon Road Whitefish ON P0M 3E0

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

LOCATION: PIN 73366 0118, Parcel 19862, Surveys Plan SR-1249 Part(s) 3 & Plan 53R-21457 Part(s) 2, Lot Pt Broken 8, Concession 1, Township of Fairbank, 232 Langdon Road, Whitefish

SUMMARY

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

Application: Approval to construct a two-storey seasonal dwelling and attached deck on the subject property providing an increase in gross floor area within the shoreline setback and a rear yard setback both at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 25, 2021

REVISED:

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

However, Owner to be advised of the following comments:

1) Our research indicates several accessory structures on the property may have been built without benefit of a building permit. Owner to be informed that any accessory structure 10m² (108 ft²) in area or more built after the first applicable zoning by-law (by-law 83-300 – July 13, 1983) will require a building permit. Please contact Building Services to resolve any outstanding building permits.

2) We acknowledge the demolition permit (#21-0765) to demolish the existing 1-seasonal storey dwelling. A review of the plot plan submitted also indicates demolition of the existing pump house. Owner to be informed that demolition of the existing pump house will be added to the demolition permit for the dwelling.

The Nickel District Conservation Authority, August 25, 2021

Conservation Sudbury does not object to Minor Variance A0106-2021 as the proposed development has been reviewed and has been accepted as complying with the development standards of our agency.

Notes

The proponent is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any

SUBMISSION NO. A0106/2021 Continued.

permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

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

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

CGS: Site Plan Control, August 24, 2021

Revised
No objection.

CGS: Development Approvals Section, August 23, 2021

Staff has reviewed the amended application and would advise that those comments provided by the Development Approvals Section on August 12, 2021, continue to be generally applicable. In this regard, it should be noted that staff has no concerns with respect to the added rear yard setback variance.

CGS: Infrastructure Capital Planning Services, August 13, 2021

Roads
No concerns.

Transportation & Innovation
No concerns.

Active Transportation
No concerns.

The Nickel District Conservation Authority, August 13, 2021

Conservation Sudbury does not object to Minor Variance A0106-2021 as the proposed development has been reviewed and has been accepted as complying with the development standards of our agency.

Notes

The proponent is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

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

CGS: Development Approvals Section, August 12, 2021

This application seeks permission to demolish and reconstruct a seasonal dwelling maintaining a legal non-complying setback to the high watermark of Little Fairbank Lake. The lands are designated Rural in the City's Official Plan and zoned "SLS(4)", Seasonal Limited Service Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. It is noted that the reconstructed seasonal dwelling would generally utilize the existing cleared area on the lands that is occupied by the seasonal dwelling that is to be demolished. Staff also understands that the reconstructed seasonal dwelling would result in additional gross floor area being added within the required 25 m (82.02 ft) setback to the high watermark of Little Fairbank Lake. It is noted however that the existing legal non-complying setback of 13.15 m (43.14 ft) itself would not be further reduced should the application be approved. Staff is satisfied that the proposed new seasonal dwelling is not excessive in nature, or unreasonable, despite the additional gross floor area that is being added within the required setback from the high watermark of Little Fairbank Lake.

Staff also notes that the lands are also the subject of a recently approved rezoning application (File # 751-8/20-3) that was intended to prevent a split-zoning from occurring as a result of a lot addition. There is a further related application for consent (File # B0088/2020) that was approved by the City's Consent Official and for which a final consent certificate has now been issued, thereby facilitating the above noted lot addition. Staff recommends that the application be approved as it is reasonable, not excessive in nature and no negative impacts are anticipated on abutting residential properties.

CGS: Environmental Planning Initiatives, August 12, 2021

The subject lands are adjacent to Fairbank Lake. Shoreline property owners are encouraged to continue adopting lake-friendly practices.

The reconstruction and expansion of the legal non-complying building on the subject lands will only be considered appropriate if undue adverse impacts on the neighbouring lake do not result from the development. Recommendations outlined below should be followed to help mitigate undue adverse impacts resulting from the proposed development.

Fairbank Lake was been placed in the Enhanced Management category following a study undertaken by Hutchinson Environmental Sciences Ltd. in 2015 entitled "Development and Application of a Water Quality Model for Lakes in the City of Greater Sudbury." Lakes in this category are those that were modeled as having phosphorus loading exceeding background plus 50% and having a high responsiveness to phosphorus. Furthermore, Fairbank Lake is a lake trout lake, which further heightens the need for careful management of nutrient inputs, especially phosphorus.

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. There are no records of the confirmed presence of cyanobacterial blooms in Fairbank Lake according to Public Health Sudbury & Districts.

The subject lands currently have a relatively high cover of natural vegetation, including mature trees. Every effort should be made to protect and retain as much natural vegetation as possible as the site is further developed.

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

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

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

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

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

The Nickel District Conservation Authority, August 12, 2021

Conservation Sudbury does not object to Minor Variance A0106-2021 as the proposed development has been reviewed and has been accepted as complying with the development standards of our agency.

Notes

The proponent is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

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

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

SUBMISSION NO. A0106/2021 Continued.

CGS: Building Services Section, August 12, 2021

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

However, Owner to be advised of the following comments:

1) With respect to the proposed dwelling and attached garage, a review of the site plan indicates a southerly rear yard setback of 3.20 m where a minimum of 10.0 m is required in accordance with Part 9, Section 9.3, Table 9.3 of the CGS Zoning By-law 2010-100Z. A minor variance will be required.

2) We acknowledge the demolition permit (#21-0765) to demolish the existing 1-seasonal storey dwelling. A review of the plot plan submitted also indicates demolition of the existing pump house. Owner to be informed that demolition of the existing pump house will be added to the demolition permit for the dwelling.

CGS: Site Plan Control, August 06, 2021

No objections.

CGS: Development Engineering, August 04, 2021

No objection.

The applicant's agent, Kevin Jarus of Tulloch Engineering, appeared before Committee explained that the application is to facilitate the expansion/reconstruction of the existing camp on the property to allow for the new construction of a new camp within the 25.0m setback, which is required in the Zoning By-law for Fairbank Lake. The agent further explained that the general intent of allowing the expansion of the legal non-conforming structure within the 25.0m setback is twofold, first, the owner is looking to leverage/maintain the existing vegetation on the property as the property is quite well treed and the only existing cleared area where there would be an opportunity to minimize the amount of vegetation removed from the site would be both within the existing building footprint and also in the general area the expanded structure is proposed to be within. The agent also explained that they have made an effort on this application to site the dwelling as appropriately as they could in terms of the By-laws intent for maintaining as much vegetation within shoreline properties which the proposed location certainly does do. The agent further explained that the sketch shows the necessary vegetation clearing which is outside of that 25.0m setback and that vegetation clearing is purely for information purposes for Committee and for staff, especially as they worked with Steve Monet, Manager of Environmental Planning at the City, to demonstrate why the locating of the structure in this location would mitigate/minimize the vegetation removal on the property given that where the structure is now is the cleared area on site. The agent further explained that the second intent of locating the structure on this portion of the property is owing to topographic constraints on the land and they included the topographic contours on the sketch to show that the opportunity for a building envelope on this property is limited and they are therefore looking to leverage the existing area that is developed which is the flat portion and to enlarge the structure within that existing flat portion so as to not have to move the structure elsewhere to remove additional vegetation. The agent explained that the second variance that they are asking for in terms of the rear yard setback is largely due to a technical exercise and that is the reason why this application was originally deferred as through the review of Building Services they came to the conclusion that that lot line is a rear lot line/yard whereas it was understood that as the application was prepared and had discussions with staff it was thought as an interior side lot line. The agent explained that they see this permission as enabling the best situation that this property can present from a residential development perspective. The agent also advised that there is a letter of support from the neighbouring lands to the south addressing the rear yard setback of 3.2m and that southerly neighbor is aware of that application and supportive of that reduced setback.

The following decision was reached:

DECISION:

THAT the application by:

KIMBERLEY MELANSON AND RICHARD MELANSON

the owner(s) of PIN 73366 0118, Parcel 19862, Surveys Plan SR-1249 Part(s) 3 & Plan 53R-21457 Part(s) 2, Lot Pt Broken 8, Concession 1, Township of Fairbank, 232 Langdon Road, Whitefish

For relief from Part 4, Section 4.25, subsection 4.25.1, Part 9, Section 9.3, Table 9.3 and Part 11, Section 4, subsection 4, paragraph (d), clause (ii) of By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a two-storey seasonal dwelling and attached deck, providing firstly, a total gross floor area of 422.0m² of which 347.0m² is within the required high water mark setback of Fairbank Lake, maintaining the existing setback of 13.15m from the high water mark, where enlargement, reconstruction, repair and/or renovation is not permitted to increase the gross floor area of a legal non-complying building located within the required 25.0m setback from the high water mark, and secondly, a minimum rear yard setback of 3.2m, where 10.0m is required, be granted.

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

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

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