



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0092/2023

August 17, 2023

OWNER(S): PAUL LOISELLE, 1-3028 Emerald Cres, Chelmsford, ON P0M 1L0

AGENT(S):

LOCATION: PIN 73368 0330 SRO, Survey Plan 53R-21130 Part(s) 1, Lot Part 12, Concession 6, Township of Creighton - Davies, 1445 VERMILION LAKE ROAD, Chelmsford

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### SUMMARY

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

**Application:** Approval to construct a single detached dwelling and detached garage with a loft on the subject property providing a minimum interior side yard setback and height at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 09, 2023

Based on the information and plot plan provided at this time, we can advise that Building Services has no objections to this application.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

1. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.
2. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

The variances being sought would facilitate construction of a single-detached dwelling and detached garage on the subject lands that have frontage on Vermilion Lake Road in Chelmsford. The lands also have water frontage on the Vermilion River. The lands are designated Rural in the City's Official Plan and zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. There is also a southerly portion of the lands near the river that are designated Mining/Mineral Reserve in the City's Official Plan, however the proposed development would be situated entirely outside of the Mining/Mineral Reserve land use designation. Staff notes that the lands are situated within a cluster of rural waterfront lots along Vermilion Lake Road that have been created by way of the rural waterfront lot creation policies contained within the City's Official Plan. The rural waterfront lot creation policies allow for reduced water frontages and by way of minor variance approvals the former owners (ie. Ron & Lise Gosselin) also successfully reduced the street frontage requirements from 90 m (295.28 ft) to 45 m (147.64 ft). Staff acknowledges that as a result there is a demonstrated need for interior side yard setback variances on the subject lands, which are long and narrow with sloping topography toward the Vermilion River. The interior side yard setback requirement of 10 m (32.81 ft) is appropriate on larger rural lots with lot frontages of 90 m (295.28 ft) or greater, however within this cluster of smaller rural waterfront lot staff has no concerns in this instance with reduced interior side yard setbacks of 6 m (19.69 ft). Staff notes for information purposes that there was a similar variance

SUBMISSION NO. A0092/2023 Continued.

approved by the Committee within the cluster of rural waterfront lots at 1441 Vermilion Lake Road for reduced interior side yard setbacks in order to construct a single-detached dwelling (File # A0045/2022). Staff notes with respect to the proposed detached garage and loft that it would be setback approximately 203 m (666.01 ft) from the street-line of Vermilion Lake Road. The proposed detached garage would also be situated approximately 9 m (29.53 ft) further back from the street-line of Vermilion Lake Road than the proposed residential dwelling. Staff is satisfied that the proposed maximum building height for the detached garage of 8.38 m (27.49 ft) would not appear to be out of character given the separation distance proposed between the primary dwelling and the detached garage, as well as the large setback that would exist to the street-line of Vermilion Lake Road. Staff therefore does not anticipate any negative land use planning impacts on abutting residential properties or on the existing rural character that exists along this portion of Vermilion Lake Road should the additional building height of 1.88 m (6.17 ft) be approved. Staff advises that the proposed detached garage would otherwise appear to comply with all other applicable development standards for an accessory building on a rural waterfront lot. Staff would caution the owner that the proposed detached garage may not be utilized for commercial or industrial purposes (ie. non-residential land uses). Staff would also caution the owner that 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 variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law is maintained.

CGS: Infrastructure Capital Planning Services, August 09, 2023

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Ministry of Transportation, August 08, 2023

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

Application A0092/2023 is outside of our territory.

CGS: Site Plan Control, August 07, 2023

No objection.

The Nickel District Conservation Authority, August 07, 2023

Conservation Sudbury does not oppose Minor Variance A0092/2023. Subject property includes areas regulated by Conservation Sudbury, including floodplain. Detached garage is sufficiently far away from the floodplain and complies with direction given to the proponent during pre-consultation. The proponent is advised that future development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act.

#### Notes

'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

SUBMISSION NO. A0092/2023 Continued.

borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at [ndca@conservationsudbury.ca](mailto:ndca@conservationsudbury.ca) to determine the need for a permit.

CGS: Development Engineering, August 02, 2023

No objection.

CGS: Strategic and Environmental Planning, August 02, 2023

The Strategic and Environmental Planning (SEP) Section has reviewed the revised proposed development at 1445 Vermilion Lake Road, Chelmsford. As a technical commenting group, staff have reviewed this application against policies of the Official Plan related specifically to natural heritage features (Section 9.2 Significant Natural Features and Areas) and shoreline development (8.4 Surface Water Resources – Lakes, Rivers and Streams). Policies of the Official Plan unrelated to natural heritage features or shoreline development have not been considered by SEP.

Staff recognize that the development is not related to the shoreline and does not require relief from shoreline setback or buffer area provisions. Therefore, after reviewing the proposed development SEP staff do not oppose the minor variance.

The proponent is advised that it is their sole responsibility to ensure compliance with the Endangered Species Act.

Additional points are offered below for the benefit of the property owners and the Committee of Adjustment.

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

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

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

1. A shoreline buffer area is to remain in a natural vegetated state to a depth of at least 20 metres (the wider the better) from the high water mark and supplemented with additional trees and shrubs where necessary. Shoreline vegetation has beneficial effects, such as habitat creation, cooling of the lake edge through shading, reducing soil erosion, filtering nutrient-laden soil and pollutants, and visual enhancement from the lake. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or riverbank or up to 23 metres, whichever is less, is allowable. The area to be cleared within the shoreline buffer area is not to exceed 276m<sup>2</sup>.
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 amounts of 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

SUBMISSION NO. A0092/2023 Continued.

- 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 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 Applicant, Paul Loisel, appeared before the Committee and provided a summary of the Application. Committee had no comments or questions in relation to this application.

The following decision was reached:

**DECISION:**

THAT the application by:

PAUL LOISEL

the owner(s) of PIN 73368 0330 SRO, Survey Plan 53R-21130 Part(s) 1, Lot Part 12, Concession 6, Township of Creighton - Davies, 1445 VERMILION LAKE ROAD, Chelmsford

for relief from Part 4, Section 4.2, subsection 4.2.4 b) and Part 9, Section 9.3, Table 9.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to construct a single detached dwelling and detached garage providing, firstly, a maximum height of 8.38m for the detached garage with loft, where the maximum height of any building or structure accessory to a residential dwelling shall be 6.5m and secondly, a minimum interior side yard setback of 6.0m from the western lot line for the single detached dwelling and 6.0m from the eastern lot line for the detached garage, 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.

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0093/2023

August 17, 2023

OWNER(S): CYNTHIA WINN, 178 Kingsmount Blvd, Sudbury ON P3E 1K9  
JASON MCKENZIE, 178 Kingsmount Blvd, Sudbury ON P3E 1K9

AGENT(S): THE GENERAL, Atte: Dave Ricard, 2217 South Lane Rd, Sudbury ON P3G 1C8

LOCATION: PIN 73585 1180, Lot(s) 295 and 296, Subdivision M-95, Lot 6, Concession 3, Township of McKim, 178 KINGS MOUNT BOULEVARD, Sudbury

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### SUMMARY

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

**Application:** Approval to construct a detached garage on the subject property providing a height and corner side yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 09, 2023

Based on the information and plot plans provided at this time, we can advise that Building Services has the following comments regarding this application.

1. As per CGS Zoning By-law 2010-100Z - 4.35.2 Prohibition of Obstruction – relief should also include the proposed portion of the detached garage structure be located within a local Sight Triangle.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

2. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.

3. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

The variances being sought would facilitate construction of a detached garage in the corner side yard of the subject lands that have frontage on Kingsmount Boulevard in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The lands immediately abut an unopened road allowance along the easterly lot line. Staff notes that the unopened road allowance has been zoned "P", Park in the City's Zoning By-law given that these lands provide in part provide access to linear park running east-to-west from Winchester Avenue to Armory Trail. Staff does not anticipate that the road allowance will ever be opened given the above noted circumstances and therefore the corner side yard on the lands where the proposed detached garage would be situated functions like an interior side yard where reduced yard setbacks to accessory buildings and structures are permitted on an urban residential lot. Staff is satisfied that the proposed corner side yard setback of 1.57 m (5.15 ft) is appropriate in the above noted context and that the setback is sufficient for the purposes of being able to properly maintain the proposed detached garage (eg. mowing, snow clearing, etc.). Staff also

SUBMISSION NO. A0093/2023 Continued.

does not anticipate any negative land use planning impacts on abutting lands including the unopened road allowance. Staff would caution the owner that the proposed detached garage may not be utilized for commercial or industrial purposes (ie. non-residential land uses). Staff would also caution the owner that 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 variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 09, 2023

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Ministry of Transportation, August 08, 2023

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

All structures, equipment and personnel must maintain proper clearance from energized electrical conductors and apparatus as per the latest edition of the Ontario Electrical Safety Code. Contact GSHI energy supply department if disconnect/reconnect is required.

CGS: Site Plan Control, August 07, 2023

No objection.

The Nickel District Conservation Authority, August 07, 2023

Conservation Sudbury does not object to Minor Variance A0093/2023. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Development Engineering, August 02, 2023

No objection.

One of the Applicants, Jason McKenzie, and the Agent of the Applicants, Dave Ricard, appeared before the Committee and provided a summary of the Application.

The Agent asked whether the concerns regarding the sight triangle as referred to in comments received could be addressed. Staff advised that if the garage stayed in the proposed location a further variance would be needed and further public notice would be required. Staff indicated that if the Applicants relocated the garage outside the sight triangle that Committee could entertain placing a condition on the subject variances that an updated sketch be provided proving that the garage is located outside the sight triangle.

The Agent and Applicant discussed whether existing bedrock would hinder the garage from being moved further out of the sight triangle.

Committee Member Murray asked the Agent and Applicant whether they wished to proceed to a vote or if they wished to defer the application to review to ensure they have the space to relocate the garage. The Agent and Applicant advised that they were content to proceed to a decision with a condition.

The following decision was reached:

**DECISION:**

THAT the application by:

CYNTHIA WINN AND JASON MCKENZIE

the owner(s) of PIN 73585 1180, Lot(s) 295 and 296, Subdivision M-95, Lot 6, Concession 3, Township of McKim, 178 KINGSMOUNT BOULEVARD, Sudbury

for relief from Part 4, Section 4.2, subsection 4.2.4 a) and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing firstly, a maximum height of 6.7m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m and secondly, a minimum corner yard setback of 1.57m, where a minimum 4.5m setback is required, be granted, subject to the following condition:

1. That the owners provide an updated sketch showing that proposed garage demonstrates compliance with Section 4.35 of the City's Zoning By-Law within 30 days of the variance decision to the satisfaction of the Director of Planning Services.

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

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

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0094/2023

August 17, 2023

OWNER(S): SADDIA RAHMANYAR, 132-2 Dunsheath Way, Markham, ON L6B 0A3

AGENT(S): KRISTIN BEITES, 151 John Street, Sudbury ON P3E 1P5

LOCATION: PIN 73500 0428, Parcel 631, Surveys Plan 53R-12429 Part(s) except 1, 2 and 3 & Plan 53R-15421 Part(s) 1 and 2 & Plan 53R-17482 Part(s) 13 & Plan 53R-17961 Part(s) 1 and 2, Lot Part 11, Concession 6, Township of Blezard, 2884 Main Street, Blezard Valley

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### SUMMARY

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

**Application:** Approval to construct a detached garage with secondary dwelling unit on the subject property providing a maximum height and net floor area at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 09, 2023

Based on the information and plot plans provided at this time, we can advise that Building Services has the following comments regarding this application.

1. Require provision of minimum three (3) parking spaces for the proposed property use.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

2. Require satisfaction of the outstanding Order to Comply, issued for the creation of a Secondary Dwelling Unit within the Primary Dwelling.
3. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.
4. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

The variances being sought would facilitate construction of a detached garage containing a secondary dwelling unit to the west of an existing residential dwelling that has frontage on Main Street in Blezard Valley. The lands are designated Agricultural Reserve in the City's Official Plan and zoned "A", Agricultural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the proposed accessory building containing a detached garage and secondary dwelling unit would be setback 34.99 m (114.80 ft) from the street-line of Main Street. There is also a small stand of mature trees that will provide some degree of screening and buffering toward abutting lands and to the street-line of Main Street. It is also noted that the shorter wall length of the building would be oriented toward Main Street. Staff also notes that only a portion of the proposed accessory building which contains the secondary dwelling unit would have an increased maximum accessory building height of 10 m (32.81 ft) with the balance of the structure having a height below the maximum accessory building



SUBMISSION NO. A0094/2023 Continued.

height of 6.5 m (21.33 ft). Staff notes that the secondary dwelling unit would be situated 9.15 m (30.02 ft) from the primary residential dwelling which would be in compliance with the maximum distance separation of 30 m (98.43 ft) under Section 4.2.10.3 c) ii) of the City's Zoning By-law. Staff has no concerns in this rural residential context with the additional 3.5 m (11.48 ft) in maximum accessory building height for the proposed detached garage with secondary dwelling unit. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Infrastructure Capital Planning Services, August 09, 2023

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Ministry of Transportation, August 08, 2023

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

Application A0094/2023 is outside of our territory.

CGS: Site Plan Control, August 07, 2023

No objection.

The Nickel District Conservation Authority, August 07, 2023

Conservation Sudbury does not object to Minor Variance A0094/2023. The proposed area of development does not contain any features regulated by Conservation Sudbury. The northern portion of the property contain a watercourse and a municipal drain. Future development within 15m of either of these requires permission of Conservation Sudbury.

CGS: Development Engineering, August 02, 2023

No objection.

Agent for the Applicant, Kristin Beites, appeared before Committee and provided a summary of the application. Committee had no comments or questions in relation to this application.

The following decision was reached:

**DECISION:**

THAT the application by:  
SADDIA RAHMANYAR

the owner(s) of PIN 73500 0428, Parcel 631, Surveys Plan 53R-12429 Part(s) except 1, 2 and 3 & Plan 53R-15421 Part (s) 1 and 2 & Plan 53R-17482 Part(s) 13 & Plan 53R-17961 Part(s) 1 and 2, Lot Part 11, Concession 6, Township of Blezard, 2884 Main Street, Blezard Valley

SUBMISSION NO. A0094/2023 Continued.

for relief from Part 4, Section 4.2, subsection 4.2.4 b) and Section 4.2.10.3 (c)(i) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage with secondary dwelling unit providing firstly, a maximum height of 10.0m, where the maximum height of any building or structure accessory to a residential dwelling shall be 6.5m and secondly, the secondary dwelling unit having a net floor area of 111.4 sq.m. being 54 percent of the gross floor area of the primary dwelling on the lot, where the maximum allowable net floor area of 45 percent is permitted, be granted.

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

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

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0095/2023

August 17, 2023

OWNER(S): CLAUDIO CORSI, 800 Notre Dame St W, Azilda ON P0M 1B0  
JOANNE SERVANT, 800 Notre Dame St W, Azilda ON P0M 1B0

AGENT(S):

LOCATION: PIN 73347 1971, Survey Plan 53R-21487 Part(s) 2, Lot Part 10, Concession 1, Township of Rayside, 0  
BISHOP ROAD, Azilda

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### SUMMARY

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

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

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 09, 2023

Based on the information and plot plans provided at this time, we can advise that Building Services has the following comments regarding this application.

1. Prior to the creation of an Accessory structure, subject property must have a permitted principle dwelling structure.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

2. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.

3. Applicant is to be aware that the northern portion of the subject property falls within a designated Flood Plain Protection Area and may be subject to sensitive use restrictions.

4. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

The variance being sought would facilitate construction of a detached garage on the subject lands that have frontage on Bishop Road in Azilda. The lands are designated Rural in the City's Official Plan and zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The lands are presently vacant and the owner is proposing to build a single-detached dwelling and detached garage on the lands. Staff notes that the proposed detached garage would be situated approximately 55.5 m (182.09 ft) from the street-line of Bishop Road. The lands contain mature vegetation that can reasonably be expected to provide good buffering to abutting rural properties and to the street-line of Bishop Road. The proposed detached garage would also be situated approximately 30 m (98.43 ft) further back from the street-line of Bishop Road than the single-detached dwelling. The proposed detached garage also appears to otherwise comply with all other applicable development

SUBMISSION NO. A0095/2023 Continued.

standards for an accessory building on a rural residential lot. Staff also does not anticipate that the proposed variance would generate any negative land use planning impacts on abutting rural properties or on the existing rural residential character that exists along this portion of Bishop Road. It is on the above noted basis that staff has no concerns in this rural residential context with the additional 1.8 m (5.91 ft) in maximum accessory building height for the proposed detached garage. Staff would caution the owner that the proposed detached garage may not be utilized for commercial or industrial purposes (ie. non-residential land uses). Staff would also caution the owner that 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, August 09, 2023

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Ministry of Transportation, August 08, 2023

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

Application A0095/2023 is outside of our territory.

CGS: Site Plan Control, August 07, 2023

No objection.

The Nickel District Conservation Authority, August 07, 2023

Conservation Sudbury does not oppose Minor Variance A0095/2023 as the height of the garage is not a concern of the Conservation Authority. Location of garage may change from site plan distributed for minor variance as Conservation Sudbury is in conversation with landowner for potential watercourse and/or wetland features.

CGS: Development Engineering, August 02, 2023

No objection.

The Applicants were not in attendance when called and in accordance with COA's Procedure By-law 2020-01, the application was moved to the end of the agenda to give the applicants an opportunity to join the meeting. Once the Application was again reached at the end of the meeting agenda, the Applicants were still not in attendance. In accordance with COA's Procedure By-law 2020-01, the Committee proceeded to deliberate the application. Staff advised that Conservation Authority made a comment that due to watercourse and wetland features on the property, the location of the garage may change. Staff advised that as the Applicants were not in attendance it was recommended to defer the application to allow the Applicants the opportunity to address the comments and update the Committee as to the status of discussion with Conservation Authority. Staff advised that although the variance being sought is for height, if the location of the garage may change, the relocation of the garage may end up in a location that is not in compliance with the City Zoning By-law and without input from the Applicants, it is still recommended for a deferral. Staff advised that if Committee wished to vote on the variance today, it is recommended that a condition be imposed that the concerns of Conservation Authority have been addressed. Committee questioned why the condition is necessary. Staff outlined the risks of proceeding without the condition and the relocation of the garage not complying with the Zoning By-law that would then impact Committee's decision and the public notice provided. The Committee and Staff discussed the timeline for satisfying such a condition. Committee agreed that the condition would be imposed.

The following decision was reached:

**DECISION:**

THAT the application by:

CLAUDIO CORSI AND JOANNE SERVANT  
the owner(s) of PIN 73347 1971, Survey Plan 53R-21487 Part(s) 2, Lot Part 10, Concession 1, Township of Rayside, 0 BISHOP ROAD, Azilda

for relief from Part 4, Section 4.2, subsection 4.2.4 b) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 8.3m, where the maximum height of any building or structure accessory to a residential dwelling shall be 6.5m, be granted, subject to the following condition:

1. That the owners submit evidence that the concerns of Conservation Sudbury have been addressed within 60 days of the variance decision.

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.

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0097/2023

August 17, 2023

OWNER(S): ISIBHAKHOME AJUEZE, 1128 Ramsey Lake Road, Sudbury ON P3E 6J7  
PETER AJUEZE, 1128 Ramsey Lake Road, Sudbury ON P3E 6J7

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

LOCATION: PINs 73581 0205 & 73581 0218, Parcels 2484 & 23825 SEC SES, Lot(s) 10 and Part Lot 11, Subdivision M-38, Lot 2, Concession 3, Township of McKim, 491 KIRKWOOD DRIVE, Sudbury

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### SUMMARY

**Zoning:** The property is zoned R1-3 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 with attached deck and retaining walls on the subject property providing a high water mark setback, interior side yard and front yard setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 09, 2023

Based on the information and plot plan provided at this time, we can advise that Building Services has no objections to this application.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

1. Applicant is to be aware that the subject property falls within a designated Ramsey Lake Source Water Protection Area.
2. A Sudbury & District Health Unit approval is required prior to building permit issuance.
3. A Building Permit, inclusive of design drawings prepared by a Professional Engineer, will be required for the proposed retaining wall structures.
4. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.
5. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

The variances being sought would facilitate construction of a single-detached dwelling with attached garage and retaining walls on the subject lands that have frontage on Kirkwood Drive in Sudbury. The lands also have water frontage on Ramsey Lake. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-3", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the proposed shoreline setback of 20 m (65.62 ft) to the proposed residential dwelling whereas 30 m (98.43 ft) is required would allow for the private septic system toward Kirkwood Drive rather than Ramsey Lake. Staff is of the opinion that approval of the proposed shoreline setback would result in a more desirable land use planning outcome given that the setback to the private septic system from the shoreline would be maximized. Staff also notes that the proposed residential dwelling would be situated entirely outside of the required shoreline buffer area

SUBMISSION NO. A0097/2023 Continued.

with only a portion of a deck protruding into the shoreline buffer area. Staff also has no concerns with respect to the retaining walls variances. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

Source Water Protection Plan, August 09, 2023

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: Infrastructure Capital Planning Services, August 09, 2023

Roads  
No concerns.

Transportation and Innovation Support  
We note from the sketch provided that the proposed retaining wall from the owner's property encroaches onto the City's right of way. We do not approve the retaining wall on the City's right of way and require that the owner limit the retaining wall to his side of the property.

Active Transportation  
No concerns.

Ministry of Transportation, August 08, 2023

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

No conflict.

CGS: Site Plan Control, August 07, 2023

No objection.

The Nickel District Conservation Authority, August 07, 2023

Conservation Sudbury does not oppose Minor Variance A0097/2023. Subject property includes areas regulated by Conservation Sudbury, including floodplain. Single family dwelling is located sufficiently far out of the floodplain.

The proponent is advised that future development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act.

#### Notes

'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at [ndca@conservationsudbury.ca](mailto:ndca@conservationsudbury.ca) to determine the need for a permit.

CGS: Development Engineering, August 02, 2023

No objection.

CGS: Strategic and Environmental Planning, August 02, 2023

The Strategic and Environmental Planning (SEP) Section has reviewed the revised proposed development at 491 Kirkwood Drive, Sudbury. As a technical commenting group, staff have reviewed this application against policies of the Official Plan related specifically to natural heritage features (Section 9.2 Significant Natural Features and Areas) and shoreline development (8.4 Surface Water Resources – Lakes, Rivers and Streams). Policies of the Official Plan unrelated to natural heritage features or shoreline development have not been considered by SEP.

The proponent has indicated that site conditions “require the installation of a specialized septic system with an area of 375m<sup>2</sup> (13m x 28.85m). Given the required septic design and OBC setbacks to the dwelling and lot lines, the dwelling must be in the proposed location”. The proponent also notes that the “dwelling has been reduced in size and reconfigured to be outside of the shoreline buffer area”.

As such, staff do not oppose the proposed minor variance given:

- terrain or soil conditions exist which make other locations on the lot less suitable; and,
- the proposed dwelling does not encroach into the required 20 metre vegetative buffer area.

The proponent is advised that there are restrictions to the area that can be cleared within the required 20 metre vegetative buffer, per Zoning By-law 2010-100Z. The proponent is encouraged to maintain as much mature vegetation throughout the site as possible, while allowing the balance of the vegetative buffer to renaturalize.

The proponent is advised that it is their sole responsibility to ensure compliance with the Endangered Species Act.

Additional points are offered below for the benefit of the property owners and the Committee of Adjustment.

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

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

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

1. A shoreline buffer area is to remain in a natural vegetated state to a depth of at least 20 metres (the wider the better) from the high water mark and supplemented with additional trees and shrubs where necessary. Shoreline vegetation has beneficial effects, such as habitat creation, cooling of the lake edge through shading, reducing soil erosion, filtering nutrient-laden soil and pollutants, and visual enhancement from the lake. As per the City's Official Plan and Zoning By-law, a maximum cleared area of 25% of the shoreline or riverbank or up to 23 metres, whichever is less, is allowable. The area to be cleared within the shoreline buffer area is not to exceed 276m<sup>2</sup>.
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 amounts of 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 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 Agent of the Applicants, Kevin Jarus, appeared before Committee and provided a summary of the application.

Staff brought attention of comments from Infrastructure Capital Planning in which they are not in support of the encroachment of the retaining wall onto the City's right of way for the benefit of Committee and the Agent.

Vice-Chair Goswell asked the Agent whether they would be abiding by the request of Infrastructure Capital Planning.

The Agent advised that they understood the request and had no issue with it.

Committee Member Murray asked the members if there was a condition that was going to be placed on the decision. Vice-Chair Goswell confirmed.

The resolution with condition was read. The Agent requested the condition not be imposed. Discussion regarding the necessity of the condition ensued amongst Committee members, Staff and the Agent, with respect to time restraints, and whether Committee had the jurisdiction to grant relief past any lot lines. Staff advised that although the variance granted could not extend beyond the lot lines, it was recommended to have a condition for administrative file keeping and clarity purposes for any future review of the property.

The condition on the resolution was reread at the request of Committee.

The following decision was reached:

DECISION:

THAT the application by:

ISIBHAKHOME AJUEZE AND PETER AJUEZE

the owner(s) of PINs 73581 0205 & 73581 0218, Parcels 2484 & 23825 SEC SES, Lot(s) 10 and Part Lot 11, Subdivision M-38, Lot 2, Concession 3, Township of McKim, 491 KIRKWOOD DRIVE, Sudbury

for relief from Part 4, Section 4.2, Table 4.1 and Section 4.41, subsection 4.41.2 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a single detached dwelling with attached deck and retaining walls providing, firstly, a minimum interior side yard setback of 0.0m for the western retaining wall and the eastern retaining wall, where accessory structures 2.5m and less in height shall be no closer than 0.6m from the side lot line, secondly, a front yard setback of 0.0m for the western retaining wall, where accessory structures 2.5m and less in height are not permitted to encroach into the required front yard setback of 6.0m, and thirdly, a high water mark setback of 20.0m, where no person shall erect any residential building or other accessory structure closer than 30.0m to the high water mark of a lake or river, be granted, subject to the following condition:

1. That the owners provide an updated sketch showing that the retaining wall will not encroach onto the City's right of way within 30 days of the variance decision and to the satisfaction of the Director of Infrastructure Capital Planning.

SUBMISSION NO. A0097/2023 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 variances are minor in nature and are desirable for the appropriate development and use of the land and Building. The general intent and purpose of the By-Law and the Official Plan are maintained.

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

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0068/2023

August 17, 2023

OWNER(S): DANIEL LEGAULT, 846 Gravel Dr, Hanmer ON P3P 1R8  
MICHELE LEGAULT, 846 Gravel Dr, Hanmer ON P3P 1R8

AGENT(S): MICHELE LEGAULT, 846 Gravel Dr Hanmer ON P3P 1R8

LOCATION: PIN 73504 1921, Parcel 26178 SEC SES SRO, Lot(s) 50, subject to LT118794 and LT157498, Subdivision M-537, Lot 5, Concession 2, Township of Hanmer, 1076 Jeanne D'Arc Street, Hanmer

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### SUMMARY

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

**Application:** Approval to permit the construction of a two storey single detached dwelling with attached garage on a lot to be severed subject of Consent Application B0118/2022, providing a reduced rear yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 09, 2023

#### REVISED

Based on the information and plot plan provided at this time, we can advise that Building Services has no objections to this application.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

1. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.
2. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

#### REVISED

This application was previously deferred in order to afford the owners the opportunity to address those comments received from circulated agencies and departments. Staff was previously supportive of both the front yard setback and rear yard setback variances being sought. Conservation Sudbury in principle had no concerns with variances being sought, but did require a floodplain elevation survey plan in order to ensure that floodplain concerns around the availability of a safe egress route was addressed. Staff understands that this information was provided to Conservation Sudbury and in response the front yard setback to the proposed residential dwelling has been increased resulting in a greater rear yard variance. The front yard setback variance is however no longer required. 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, August 09, 2023

#### REVISED

SUBMISSION NO. A0068/2023 Continued.

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

Ministry of Transportation, August 08, 2023

REVISED

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

REVISED

Application A0068/2023 is outside of our territory.

CGS: Site Plan Control, August 07, 2023

REVISED  
No objection.

The Nickel District Conservation Authority, August 07, 2023

REVISED

Conservation Sudbury does not oppose Minor Variance A0068/2023. Subject property includes areas regulated by Conservation Sudbury, including floodplain. Setbacks on revised drawing show acceptable separation distances from the floodplain to the proposed dwelling. As per conversations with Conservation Sudbury, the lot grading plan will be need to be revised to depict the post-development floodplain through the proposed side yard swales and ensure that existing and proposed houses have a minimum of 2m between the foundation footprint and the floodplain. This revised drawing will be required prior to approval of the consent application. It does not however affect this minor variance application.

The Nickel District Conservation Authority, June 21, 2023

REVISED

Elevation survey recently submitted by landowner indicates that the floodplain extends onto the subject property where the driveway and garage are located. The location of the house will need to be directed further away from the floodplain. Conservation Sudbury will require that the lot grading plan demonstrate that no net fill is being added to the floodplain and that the house meets floodproofing requirements. Conservation Sudbury cannot approve minor variance application A0068/2023.

Please note that Conservation Sudbury is currently undertaking a floodplain study for the Whitson River watershed. Results are anticipated by the end of 2023. The location of the floodplain at this location may change as a result of this study.

Ministry of Transportation, June 15, 2023

We have determined that the subject lands are not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

CGS: Development Approvals Section, June 15, 2023

The variances being sought would facilitate construction of a single-detached dwelling having frontage on Jeanne D'Arc Street in Hanmer. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for

SUBMISSION NO. A0068/2023 Continued.

the City of Greater Sudbury. It is noted that there is a concurrent application for consent that was approved by the City's Consent Official on January 30, 2022 (File # B0118/2022). Staff has attended the lands and notes that existing front yard setbacks along this portion of Jean D'Arc Street vary considerably as some residential dwellings on the south side of the street exceed the minimum front yard setback requirement while others including a residential dwelling to the immediate east maintain legal non-complying front yard setbacks. Staff has no concerns with a front yard setback of 5.4 m (17.72 ft) whereas 6 m (19.69 ft) is required in the "R1-5" Zone. Staff notes that the required parking space for the residential dwelling would be situated within the attached garage shown on the submitted sketch. Staff is also supportive of the rear yard setback reduction to 7.2 m (23.62 ft) whereas 7.5 m (24.61 ft) is required on the basis that the variance would not render the rear yard unusable from a landscaped open space and private outdoor amenity space perspective. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Building Services Section, June 14, 2023

Building Services has reviewed the above noted application for Minor Variance and can advise that we have no concerns with the requested variances.

A Building Permit application to the satisfaction of the Chief Building Official is required for the proposed dwelling, and Building Services reserves further comment upon review of a complete application.

CGS: Infrastructure Capital Planning Services, June 14, 2023

Roads  
No concerns.  
Transportation and Innovation Support  
No concerns.  
Active Transportation  
No concerns.

Greater Sudbury Hydro Inc., June 14, 2023

Are outside of our territory, therefore we have no conflicts.

The Nickel District Conservation Authority, June 12, 2023

Conservation Sudbury does not oppose A0068/2023 as the front yard and rear yard setback is not a concern of the Conservation Authority.

However, as per a condition for the consent application B0118/2022, the owners/applicants must demonstrate to the satisfaction of Conservation Sudbury, and through an elevation survey, that the property is not located within a floodplain and that a safe egress route is available. Conservation Sudbury has to date not received this information.

#### REVISED

Elevation survey recently submitted by landowner indicates that the floodplain extends onto the subject property where the driveway and garage are located. The location of the house will need to be directed further away from the floodplain. Conservation Sudbury will require that the lot grading plan demonstrate that no net fill is being added to the floodplain and that the house meets floodproofing requirements. Conservation Sudbury cannot approve minor variance application A0068/2023.

Please note that Conservation Sudbury is currently undertaking a floodplain study for the Whitson River watershed. Results are anticipated by the end of 2023. The location of the floodplain at this location may change as a result of this study.

CGS: Site Plan Control, June 08, 2023

SUBMISSION NO. A0068/2023 Continued.

No objections.

CGS: Development Engineering, June 07, 2023

No objection.

REVISED: No objection.

June 22, 2023

The Applicants, Daniel Legault and Michele Legault, appeared before the Committee and provided a summary of the Application. They requested a deferral of the application in order to address comments received from Conservation Sudbury. They also requested a waiver of the deferral fee.

The Applicants had provided a letter of support from neighbours, Steve Lemega and Anne Lemega, dated May 16, 2023, as part of their application submission.

Committee Member Murray expressed support of the deferral and the waiver of the deferral fee due to the fact that Conservation Sudbury is preparing a study with respect to the Whitson River watershed.

Committee Member Goswell requested clarification on why the deferral is being requested based on the comments from Conservation Sudbury when staff is expressing support on the application. The Applicants explained that the house is slab on grade and not being supported by Conservation Sudbury and they are trying to avoid a denial.

Chair Dumont went through the variance relief being sought and how it relates to the Consent Application. He inquired of staff whether a minor variance was a condition of the provisional consent. Staff confirmed that at the time of Consent application, there was no building footprint provided. When the Application for Minor Variance was filed, a location of the proposed dwelling was provided. Initially, Conservation Authority advised that they were not in opposition but did amend their comments upon further review to reflect that they could not support the variance application. Staff advised that in this case, a deferral is supported.

Committee Member Murray again expressed support of the deferral in light of the events and revised comments recently received. Committee Member Sawchuk also expressed support of a deferral.

Committee Member Goswell requested clarification of the process of waiving of deferral fees and whether Committee has the authority to do so.

Committee Member Murray brought a motion forward to discuss the request for a waiver of the deferral fee at the time the application is brought back before the Committee of Adjustment. The motion was voted upon and carried.

August 18, 2023

The Applicants, Daniel and Michele Legault, appeared before Committee and provided a summary of the application which had been previously deferred from the June 22, 2023, meeting. They confirmed discussions having taken place with Conservation Authority resulting in the relocation of the house and garage and the change in variances being requested at this meeting.

Committee had no comments or questions in relation to this application. The resolution was read.

Vice Chair Goswell reminded Committee that at the original hearing of this application on June 22, 2023, the Applicants requested a waiver of the deferral fee. Committee Member Murray asked the Applicants to remind Committee of the circumstances prompting the request for refund. The Applicants provided a brief summary of events. Committee Member Murray tabled a motion to grant the refund and Committee Member Sawchuk seconded the motion. Vice-Chair Goswell asked if Staff had any comments regarding the motion tabled. Staff advised that typically Committee asks Staff to report to the Committee with findings of what led to the deferral at a future meeting, which had occurred, and Staff provided their findings and recommendation on the request, being a denial due to finding no fault on the part of the City and agencies for the deferral. Committee Member Murray advised that the findings and recommendation of Staff did not alter his tabled motion and Committee Member Sawchuk confirmed that he also continued to second the tabled motion. The Motion was read and voted upon to grant the refund request.

The following decision was reached:

#### DECISION:

THAT the application by:

DANIEL LEGAULT AND MICHELE LEGAULT

the owner(s) of PIN 73504 1921, Parcel 26178 SEC SES SRO, Lot(s) 50, subject to LT118794 and LT157498, Subdivision M-537, Lot 5, Concession 2, Township of Hanmer, 1076 Jeanne D'Arc Street, Hanmer

SUBMISSION NO. A0068/2023 Continued.

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 facilitate the construction of a single detached dwelling with attached garage on lands to be severed subject of a Consent Application B0118/2022, providing a minimum rear yard setback of 5.76m, where a minimum 7.5m setback is required, be granted.

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

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

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0075/2023

August 17, 2023

OWNER(S): MELISSA ALKHOURY, 10 Wilfred Avenue Unit 2 Garson ON P3L 1A9  
NICOLA ALKHOURY, 10 Wilfred Avenue Unit 2 Garson ON P3L 1A9

AGENT(S): MELISSA ALKHOURY, 10 Wilfred Avenue Unit 2 Garson ON P3L 1A9

LOCATION: PIN 73495 1318, Survey Plan 53R-21061 Part(s) 1, Lot(s) Part 12, Subdivision M-50, Lot Part 5, Concession 2, Township of Garson, 170 Birch Street, Garson

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### SUMMARY

Zoning: The property is zoned C2(112) (General Commercial) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a multiple dwelling containing four units on the subject property providing a reduced lot area, rear yard setback, residential density, and landscaped open space at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, August 15, 2023

REVISED

Roads

No concerns.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns

CGS: Building Services Section, August 09, 2023

REVISED

Based on the information and plot plans provided at this time, we can advise that Building Services has the following comments regarding this application.

1. A reserve has been established along the Birch Street line, requiring the street line known as Birch Lane to be utilized as the front lot line for this property. The requested minor variance application should also include relief from a rear yard setback of 1.6m where 7.5m is required.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

2. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

CGS: Development Approvals Section, August 09, 2023

REVISED

This application was previously deferred in order to afford the owners the opportunity to address those



SUBMISSION NO. A0075/2023 Continued.

comments received from circulated agencies and departments. Staff was previously supportive of the variances being sought and continue to be supportive of the application. Staff was previously informed by Building Services that there is a "one foot reserve" extending across the entirety of the lot line which abuts Birch Street. The presence of the "one foot reserve" thereby requires that owners utilize Birch Lane for access purposes (ie. driveway entrances, parking areas and spaces, etc.). The presence of the "one foot reserve" also by definition shifts the front lot line to Birch Lane and not Birch Street. The variance being sought therefore needed to be amended to a rear yard setback variance as opposed to a front yard setback variance. The owner has since corrected their application to properly reflect the rear yard setback variance that is required in order to facilitate construction of the multiple dwelling. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law is maintained.

CGS: Infrastructure Capital Planning Services, August 09, 2023

REVISED

Roads

No concerns.

Transportation and Innovation Support

Staff have no concerns, but we note on the sketch provided that parking stalls 2 and 5 are adjacent to the wall of the parking garage. These two parking stalls require a width of 3 meters in order to safely exit or enter their vehicles without the door hitting the wall.

Active Transportation

No concerns.

Ministry of Transportation, August 08, 2023

REVISED

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

REVISED

Application A0075/2023 is outside of our territory.

CGS: Site Plan Control, August 07, 2023

REVISED

No objection.

The Nickel District Conservation Authority, August 07, 2023

REVISED

Conservation Sudbury does not object to Minor Variance A0075/2023. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

CGS: Building Services Section, July 13, 2023

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

1. A reserve has been established along the street line of Birch Street, requiring the street line know as Birch Lane to be utilized as the front lot line for this property. The requested minor variance application should be requesting for relief from a rear yard setback of 1.6m where 7.5m is permitted.

CGS: Infrastructure Capital Planning Services, July 13, 2023

Roads

SUBMISSION NO. A0075/2023 Continued.

No concerns.

Transportation and Innovation Support

Staff have no concerns, but we note on the sketch provided that parking stalls 2 and 5 are adjacent to the wall of the parking garage. These two parking stalls require a width of 3 m in order to safely exit or enter their vehicles without the door hitting the wall.

Active Transportation

No concerns

CGS: Development Approvals Section, July 13, 2023

REVISED

Staff understands from Building Services that there is a "one foot reserve" extending across the entirety of the lot line which abuts Birch Street. The presence of the "one foot reserve" thereby requires that owners utilize Birch Lane for access purposes (ie. driveway entrances, parking areas and spaces, etc.). The presence of the "one foot reserve" also by definition shifts the front lot line to Birch Lane and not Birch Street. The variance being sought should therefore be a rear yard setback as opposed to a front yard setback. The required rear yard setback is 7.5 m (24.61 ft) whereas 1.6 m (5.25 ft) is proposed. Staff would therefore now recommend that the application be deferred in order to issue further public noticed that a larger variance than what was originally applied for is now being sought by the owner.

CGS: Development Approvals Section, July 12, 2023

The variances being sought would facilitate construction of a multiple dwelling containing four residential dwelling units having frontage on Birch Street in Garson. The lands also have frontage on Birch Lane. The lands are designated Town Centre in the City's Official Plan and zoned "C2(112)", General Commercial Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff has no concerns with the variances to permit a minimum lot area of 611 m<sup>2</sup> (6,576.75 ft<sup>2</sup>) whereas 617 m<sup>2</sup> (6,641.33 ft<sup>2</sup>) is required and a residential density of 65.6 dwelling units per hectare whereas 65 dwelling units per hectare is permitted. Staff views the minimum lot area and residential density variances as being largely technical in nature as they would adjust previous planning approvals granted by the City's Planning Committee on the lands which resulted in the creation of the "C2(112)" Zone (Files # 701-3/18-2 & 751-3/18-1). Staff notes that most abutting residential buildings maintain legal non-complying front yard setbacks and landscaped open space areas along this portion of Birch Street. Staff is satisfied that the variances to reduce the front yard setback and to provide for a reduced landscaped open space area in the front yard will not negatively impact any abutting residential properties or the existing urban residential character that exists along this portion of Birch Street. Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

Greater Sudbury Hydro Inc., July 11, 2023

No concerns.

The Nickel District Conservation Authority, July 10, 2023

Conservation Sudbury does not object to Minor Variance A0075/2023. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Ministry of Transportation, July 10, 2023

We have determined that the subject lands are not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

CGS: Site Plan Control, July 06, 2023

SUBMISSION NO. A0075/2023 Continued.

No objections.

CGS: Development Engineering, July 05, 2023

No objection.

REVISED: No objection.

The Applicants, Melissa Alkhoury and Nicola Alkhoury, appeared before Committee and provided a summary of the application which had been previously deferred prior to the July 19, 2023 meeting in order to address comments received. Vice-Chair Goswell asked the Applicants to address the comments from Infrastructure Capital Planning with respect to parking space dimensions. The Applicants advised that the concerns had been addressed and the dimensions of the spaces have been increased.

Committee had no comments or questions in relation to this application.

Staff had no comments or questions but referenced the amended sketch from the Applicants depicting the amended parking spaces and confirmed that Infrastructure Capital Planning no longer had any concerns with respect to the parking spaces.

The following decision was reached:

**DECISION:**

THAT the application by:

MELISSA ALKHOURY AND NICOLA ALKHOURY  
the owner(s) of PIN 73495 1318, Survey Plan 53R-21061 Part(s) 1, Lot(s) Part 12, Subdivision M-50, Lot Part 5, Concession 2, Township of Garson, 170 Birch Street, Garson

for relief from Part 4, Section 4.15, subsection 4.15.1 (e), Part 7, Section 7.3, Table 7.3 and Part 11, Section 2, subsection 2, paragraph (ggggg), clause (i) (b), and (e) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a four-plex providing firstly, a 1.6m wide landscaped open space adjacent to the full length of the lot line abutting Birch Street, where a 3.0m wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m, secondly, a minimum lot area of 611 sq.m., where the minimum lot area required is 617 sq.m., thirdly, a rear yard setback of 1.6m, where a minimum rear yard setback of 7.5m is permitted, and fourthly, a maximum residential density of 65.6 dwelling units per hectare, where a maximum residential density of 65 dwelling units per hectare is permitted, be granted.

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

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

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



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0081/2023

August 17, 2023

OWNER(S): DOMINIQUE LALANDE, 841 Dominion Dr, Hanmer, ON P3P 0A6  
JENNIFER EDWARDS, 841 Dominion Dr, Hanmer, ON P3P 0A6

AGENT(S): DOMINIQUE LALANDE, 841 Dominion Dr, Hanmer, ON P3P 0A6

LOCATION: PINs 73504 3172 & 73504 3173, SRO, Surveys Plan 53R-21589 Part(s) 1, 2 and 3 & Plan SR-1672 Part(s) 1, Lot Part 4, Concession 1, Township of Hanmer, 841 Dominion Drive, Hanmer

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### SUMMARY

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

Application: Approval to construct a secondary dwelling unit providing a setback from the primary dwelling at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, August 10, 2023

#### REVISED

Based on the information and plot plan provided at this time, we can advise that Building Services has no objections to this application.

For the applicant's information, we can advise that Building Services has the following additional comments regarding this application.

1. Notwithstanding any other provisions, as a result of development of this site, removals of site soils shall adhere to Ontario Regulation 406/19: On-site and Excess Soil Management under jurisdiction of Environmental Protection Act, R.S.O. 1990, c. E.19.
2. With respect to additional considerations related to this project, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.
3. Our records indicate a discrepancy with the existing building floor area. Confirmation will be required to verify compliance with the permitted Secondary Dwelling Unit net floor area per CGS Zoning By-law 2010-100Z.
4. A search of our records indicates that there are building permits which is not complete. Owner should contact Building Services to discuss the outstanding requirements necessary for permit completion of 07-2358 (Mobile Home) & B08-2246 (Addition).

CGS: Development Approvals Section, August 09, 2023

#### REVISED

This application was previously deferred in order to afford the owners the opportunity to address those comments received from circulated agencies and departments. Staff understands that the owner has relocated the proposed secondary dwelling unit in response to comments from Conservation Sudbury with respect to setbacks from an erosion hazard related to the nearby Frost Municipal Drain. Staff previously supported the development proposal and would note that the changes made to the application would result in a reduced separation distance between the primary residential dwelling and the secondary dwelling unit of 45.3 m (148.62 ft) whereas previously 47.4 m (155.51 ft) was proposed. Staff also notes that the private septic system has been added to the submitted sketch. Staff has

SUBMISSION NO. A0081/2023 Continued.

reviewed the site context in further detail and have no concerns with the variance being sought. 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, August 09, 2023

REVISED

Roads

No concerns.

Transportation and Innovation Support

No concerns.

Active Transportation

No concerns.

Ministry of Transportation, August 08, 2023

REVISED

We have determined that the subject land is not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., August 08, 2023

REVISED

Application A0081/2023 is outside of our territory.

CGS: Site Plan Control, August 07, 2023

REVISED

No objection.

The Nickel District Conservation Authority, August 07, 2023

REVISED

Conservation Sudbury does not oppose Minor Variance A0081/2023. Subject property includes areas regulated by Conservation Sudbury. Secondary dwelling is sufficiently far away from the municipal drain. The proponent is advised that future development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act.

Notes

'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at [ndca@conservationsudbury.ca](mailto:ndca@conservationsudbury.ca) to determine the need for a permit.

CGS: Development Approvals Section, July 13, 2023

REVISED

Staff have reviewed those comments received from Conservation Sudbury and understand that the proposed secondary dwelling unit would be situated within an NDCA regulated area which includes an erosion hazard and in close proximity to the Frost Municipal Drain. Staff understands that the proposed secondary dwelling unit must therefore maintain a minimum setback of 15 m (49.21 ft) from top of bank from the municipal drain. Staff would caution that any approval of the application is likely to result in a future reapplication at a later date as it would appear that the owner would be unable to obtain necessary permits from the NDCA if they continue to pursue the current location for the proposed

SUBMISSION NO. A0081/2023 Continued.

secondary dwelling unit. Staff would therefore recommend instead that the application be deferred in order to afford the owner the opportunity to address those comments received from circulated agencies and departments.

CGS: Building Services Section, July 13, 2023

Based on the information provided, Building Services has no concerns with the request for increased setback.

Owner to be advised of the following comments:

1. A Building Permit application to the satisfaction of the Chief Building Official is required for the proposed Secondary Dwelling.
2. Setbacks for the proposed Secondary Dwelling have not been provided on the submitted sketch. Additional variances may be identified at time of permit application.
3. Our records indicate a discrepancy with existing building floor area. Confirmation will be required to verify compliance with permitted Secondary Dwelling net floor area per Zoning By-law.
4. Based on our research there are uncompleted permits on record which will need to be closed. Please contact Building Services for further information. There also appears to be multiple structures and alterations that have been constructed without benefit of permit, including but not limited to, pool, deck (s), sauna, garden kiosk, garage, and shed(s). Building permits to the satisfaction of the Chief Building Official will be required.
5. Imagery research indicates there may be a storage container on site. Storage containers are not permitted as per the Zoning By-law and removal will be required.

CGS: Infrastructure Capital Planning Services, July 13, 2023

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns

CGS: Development Approvals Section, July 12, 2023

The variance being sought would facilitate construction of a secondary dwelling unit having an increased setback from the primary residential dwelling on the subject lands that have frontage on Dominion Drive in Hanmer. The lands are designated Rural in the City's Official Plan and zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the lands have two existing driveways with one providing access to the primary residential dwelling and the other to an accessory building on a westerly portion of the lands. Staff has confirmed with the owners that they intend on installing a private septic system to the south of the existing detached garage with the proposed secondary dwelling unit then being situated to the immediate south of the newly installed septic system. It is further acknowledged that the lands to the rear of the existing residential dwelling appear to be actively cultivated and the proposed location would be least disruptive to cultivation opportunities that exist on the lands. Staff is therefore satisfied that the proposed separation distance of 47.4 m (155.51 ft) whereas 30 m (98.43 ft) is required is not excessive or unreasonable in nature given the site context that exists on the lands. 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 subject to the following condition:

1. That the owner submits an updated sketch depicting the location of a private septic system located between the detached garage and the secondary dwelling unit to the satisfaction of the Director of

SUBMISSION NO. A0081/2023 Continued.

Planning Services within 30 days of the variance decision.

Ministry of Transportation, July 10, 2023

We have determined that the subject lands are not within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Greater Sudbury Hydro Inc., July 10, 2023

No concerns.

The Nickel District Conservation Authority, July 10, 2023

Subject property is located adjacent to the Frost Drain and includes a regulated area and an erosion hazard. Conservation Sudbury cannot support A0081/2023 as shown on the plot plan. Secondary dwelling unit must be at least 15m away from the top of the bank of the municipal drain. Please indicate this distance on future plot plans.

Notes

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

CGS: Site Plan Control, July 06, 2023

No objections.

CGS: Development Engineering, July 05, 2023

No objection.

REVISED: No objection.

July 19, 2023

One of the Applicants, Dominique Lalande, appeared before Committee and provided a summary of the application. Committee Member Castanza asked the Applicant if there was any way the secondary dwelling could be located closer to the primary dwelling than what is proposed. The Applicant advised that if they did so, they would sacrifice an agricultural field that they grow corn in. The Applicant advised that a revised sketch was brought with him. Committee Member Sawchuk asked whether the City has had the opportunity to review the revised sketch that the Applicant has referred to. Staff confirmed that they have not received a revised sketch which is why the recommendation is to defer the application as a revised sketch may involve further notice to the public. Committee Member Sawchuk asked Staff to indicate where the top of the bank is on the sketch. Staff advised that the sketch does not indicate where the top of the bank is located.

August 17, 2023

One of the Applicants, Dominique Lalande, appeared before Committee and provided a summary of the application which had been previously deferred from the July 19, 2023, meeting. The Applicant confirmed that the application had been amended to comply with the requirements previously provided by Conservation Authority in which it was advised that the secondary dwelling needed to be 15m from top of bank from the municipal drain. Committee had no comments or questions in relation to this application.

The following decision was reached:

SUBMISSION NO. A0081/2023 Continued.

**DECISION:**

THAT the application by:

DOMINIQUE LALANDE AND JENNIFER EDWARDS

the owner(s) of PINs 73504 3172 & 73504 3173, SRO, Surveys Plan 53R-21589 Part(s) 1, 2 and 3 & Plan SR-1672 Part (s) 1, Lot Part 4, Concession 1, Township of Hanmer, 841 Dominion Drive, Hanmer

for relief from Part 4, Section 4.2, subsection 4.2.10.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a secondary dwelling unit providing a 45.3m setback from the primary dwelling, where a secondary dwelling unit in an "RU", Rural zone shall be located no more than 30.0m from the primary dwelling, be granted.

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

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

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