



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0012/2022

March 09, 2022

OWNER(S): 12682184 CANADA INC., 219 O'Neil Drive East Sudbury ON P3L 1H6

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

LOCATION: PIN 02123 0026, Parcel 12399 SES, Survey Plan 53R-12683 Part(s) 1 & 2, Lot(s) Pt 9, Subdivision M-164, Lot Pt 4, Concession 5, Township of McKim, 377 Lasalle Boulevard, Sudbury

SUMMARY

Zoning: The property is zoned R3-1 (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to convert the existing building from five residential units to six residential units providing reduced parking, lot area per unit and landscaped open space, and no planting strip all at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, March 03, 2022

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 interior alterations to convert the existing 5-unit multiple dwelling into a 6-unit multiple dwelling, Building Permit and Building Permit documents to be submitted to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, March 03, 2022

Roads

We have some concerns regarding the reduction in the required number of parking spaces. It is important to note that on-street parking is not permitted on Lasalle Blvd, therefore any overflow parking that may occur from this site could be a cause for concern.

Transportation and Innovation Support

No Concerns

Active Transportation

No Concerns

CGS: Development Engineering, March 03, 2022

No objection.

CGS: Development Approvals Section, March 02, 2022

The variances being sought would facilitate the conversion of the existing multiple dwelling from five residential dwelling units to six residential dwelling units on the subject lands that have frontage on Lasalle Boulevard in Sudbury. The lands are designated Regional Corridor in the City's Official Plan and

zoned "R3-1(31)", Medium Density Residential Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes there is an existing site plan control agreement (SPCA) applicable to the lands that was registered on May 7, 1990. Staff advises in particular that the existing SPCA does not include the provision of a planting strip along the rear lot line where the lands abut a low-density residential zone (ie. "R1-5" Zone). Staff has no concerns with the planting strip variance given that the additional residential dwelling unit is to be added within the existing building and there would be no further reduction of any existing planting strips that are required in the City's Zoning By-law. Staff notes that the lands are well serviced by GOVA Transit (Route#1 – Main Line) running along Lasalle Boulevard providing connections to both the Downtown Transit Hub and the New Sudbury Transit Hub. Staff further notes that Section 5.5.1.1 of the City's Zoning By-law allows for the number of required parking spaces associated with a multiple dwelling to be reduced by 10% where the land immediately abuts a GOVA Transit route. This would in this case amount to a reduction of 0.9 parking spaces. The lands are also within reasonable walking and/or cycling distance from nearby commercial and institutional land uses along both Lasalle Boulevard and Notre Dame Avenue. It is on the above basis that staff is supportive of the variance request to provide five parking spaces whereas 9 parking spaces are required. Staff has no concerns with the variance to reduce the amount of landscaped open space on the lands but would note that restoration of landscaping in the front yard and along the westerly interior side lot line would be necessary in order to provide 19% landscaped open space on the lands. 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 subject to the following condition:

1. That the owner install landscaped open space and demonstrate that a minimum of 19% landscaped open space is provided on the lands to the satisfaction of the Chief Building Official and Director of Planning Services within six months of the variance decision.

The Nickel District Conservation Authority, February 28, 2022

Conservation Sudbury does not object to Minor Variance A0012/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at Melanie.Venne@ConservationSudbury.ca.

CGS: Site Plan Control, February 25, 2022

A Site Plan Control Agreement is registered on title from 1990. Based on streets view it appears that the landscaping required in the front yard has not been maintained. The required site plan features should be reinstated as part of the approval for the 6 plex.

Ministry of Transportation, February 25, 2022

No concerns.

Greater Sudbury Hydro Inc., February 25, 2022

No Conflict.

The agent, Kevin Jarus of Tulloch Engineering, appeared before Committee and provided a summary of the application. Committee Chair Chartrand asked the agent if an additional unit was being added and the agent confirmed that there was. Committee Chair Chartrand expressed concern about the reduced parking and asked staff to provide more information on staff's comments and staff provided information on the Lasalle Corridor study and the standards in the City's Zoning By-law. The agent explained the parking requirements under the site plan control agreement and that no parking would be taken away. Committee Chair Chartrand expressed concern about the increased requests for reduced parking per unit. Committee Member Dumont expressed support for staff's recommendation. Committee Member Castanza expressed support for the application.

The following decision was reached:

DECISION:

THAT the application by:

12682184 CANADA INC.

the owner(s) of PIN 02123 0026, Parcel 12399 SES, Survey Plan 53R-12683 Part(s) 1 & 2, Lot(s) Pt 9, Subdivision M-164, Lot Pt 4, Concession 5, Township of McKim, 377 Lasalle Boulevard, Sudbury

for relief from Part 4, Section 4.15, subsection 4.15.4, Part 5, Section 5.5, Table 5.5 and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing building from five residential units to six residential units providing, firstly, no planting strip at the rear lot line, where a minimum 1.8m wide planting strip is required where a Medium Density Residential zone abuts a Low Density Residential zone and where an opaque fence 1.5m in height is provided, secondly, a minimum of 5 parking spaces, where 9 is required, thirdly, a minimum lot area of 107.5m² per unit, where 110.0m² is required, and fourthly, a minimum landscaped open space of 19%, where 30% is required, be granted, subject to the following condition:

1. That the owner install landscaped open space and demonstrate that a minimum of 19% landscaped open space is provided on the lands to the satisfaction of the Chief Building Official and Director of Planning Services within six months 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 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
Derrick Chartand	Concurring
Matt Dumont	Concurring
Matt Dumont	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0013/2022

March 09, 2022

OWNER(S): 2842365 ONTARIO INC., Attn: Gurpremjit Singh 5306 Creditview Road Mississauga ON L5M 5N5

AGENT(S): KRISTIN BEITES,

LOCATION: PIN 02136 0224, Lot(s) 131, Except NW corner, Subdivision 1SC, Lot Pt 6, Concession 4, Township of McKim, 0 Bloor Street, Sudbury

SUMMARY

Zoning: The property is zoned R2-2 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a semi-detached dwelling on the subject property providing a lot frontage and corner side yard setback at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, March 03, 2022

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

- 1) With respect to the proposed semi-detached dwelling with secondary unit, Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official. As construction drawings were not provided with this application, further minor variances may be identified at the time of building permit.
- 2) A review of the submitted plot plan indicates a proposed Lot A and Proposed Lot B. We acknowledge an associated Applicant for Consent (B0099/2021) to sever the subject lands, which has been conditionally issued barring several conditions including the submission of a final plan of survey. As a final plan of survey has not been provided with this Minor Variance application, should discrepancies with lot dimensions, setbacks, or otherwise be identified, additional minor variances may be identified.

CGS: Infrastructure Capital Planning Services, March 03, 2022

Roads
No Concerns

Transportation and Innovation Support
No Concerns

Active Transportation
No Concerns

CGS: Development Engineering, March 03, 2022

No objection.

CGS: Development Approvals Section, March 02, 2022

The variances being sought would facilitate the development of a semi-detached dwelling on the

subject lands at the corner of Bloor Street and Lansdowne Street in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R2-2", Low Density Residential Two being the Zoning By-law for the City of Greater Sudbury. Staff notes that the variances being sought amount to a re-application (File # A0094/2021) as it was later determined by a survey that previous corner side yard setback and lot frontage measurements were incorrect. Staff has reviewed the current application and continues to be supportive of the overall development proposal. 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.

The Nickel District Conservation Authority, February 28, 2022

Conservation Sudbury does not object to Minor Variance A0013/2022. 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 Melanie.Venne@ConservationSudbury.ca.

CGS: Site Plan Control, February 25, 2022

No objections.

Ministry of Transportation, February 25, 2022

No concerns.

Greater Sudbury Hydro Inc., February 25, 2022

No conflict.

The agent, Kristin Beites of Studio Kimiis, appeared before Committee and provided a summary of the application.

The following decision was reached:

DECISION:

THAT the application by:

2842365 ONTARIO INC.

the owner(s) of PIN 02136 0224, Lot(s) 131, Except NW corner, Subdivision 1SC, Lot Pt 6, Concession 4, Township of McKim, 0 Bloor Street, Sudbury

for relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a semi-detached dwelling providing a minimum lot frontage of 8.8m, where 10.5m is required, and also, a minimum corner side yard setback of 4.195m, where 4.5m is required, be granted.

SUBMISSION NO. A0013/2022 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.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0014/2022

March 09, 2022

OWNER(S): TJ HERAULT, 1349 Lasalle Blvd PO BOX 23014 Sudbury ON P3A 0A3

AGENT(S):

LOCATION: PIN 73495 0233, Parcel 7194 SEC SES, Lot Pt 5, Concession 2, Township of Garson, 3500 Falconbridge Highway, Garson

SUMMARY

Zoning: The property is zoned R3(77) (Medium Density Residential) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a multiple dwelling on the subject property providing a front yard setback and lot depth at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, March 03, 2022

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

1) Building Services has no concerns with respect to the relief requested for a minimum front yard setback of 7.5 m where the established building line of 9.7 m is required. We also have no concerns with respect to the relief requested for a minimum lot depth of 30.48 m, where 45 m is required within a Medium Density Residential (R3) zone.

We note however, Owner to be advised that although we have no concerns with the aforementioned relief requested, the site plan provided with this application is not entirely legible and for this reason, the site plan could not be verified in its entirety. Further minor variances may be applicable at the time of building permit.

2) Owner to be informed that in accordance with CGS Zoning By-law 2010-100Z, where a Multiple Dwelling is permitted and the lot is directly abutting a GOVA route, the number of required parking spaces may be reduced by 10% of the minimum required parking spaces.

Owner to also be informed of the following information:

3) Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, March 03, 2022

Roads
No Concerns

Transportation and Innovation Support
No Concerns

Active Transportation
No Concerns

SUBMISSION NO. A0014/2022 Continued.

CGS: Development Engineering, March 03, 2022

No objection.

CGS: Development Approvals Section, March 02, 2022

The variances being sought would facilitate construction of a multiple dwelling on the subject lands that have frontage on Falconbridge Road in Garson. The lands are designated Living Area 1 in the City's Official Plan and zoned "R3(77)", Medium Density Residential Special under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff advises that the established building line variance being sought is corrective in nature as the setback was confirmed by a survey following completion of the rezoning application process (File # 751-3/21-1) that resulted in the creation of the "R3(77)" Zone. Staff would note that the lot depth is legal non-complying in nature and would not appear to be necessary. Staff does not however object to the lot depth variance should it be granted as it is understood that Building Services is requesting that it be included. 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.

The Nickel District Conservation Authority, February 28, 2022

Conservation Sudbury does not object to Minor Variance A0014/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at Melanie.Venne@ConservationSudbury.ca.

CGS: Site Plan Control, February 25, 2022

No objections.

Ministry of Transportation, February 25, 2022

No concerns.

The applicant appeared before Committee and provided a summary of the application. Committee Member Dumont asked staff to provide information on Development Approvals and Building Services' comments and staff provided clarification. Committee Chair Chartrand asked the Secretary-Treasurer if the recommendation would include the variance for lot depth and the Secretary-Treasurer confirmed that it would. Staff provided further clarification on legal non-complying lots and legal non-conforming uses for Committee's benefit.

The following decision was reached:

DECISION:

THAT the application by:

TJ HERAULT
the owner(s) of PIN 73495 0233, Parcel 7194 SEC SES, Lot Pt 5, Concession 2, Township of Garson, 3500 Falconbridge Highway, Garson

for relief from Part 4, Section 4.8 and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a multiple dwelling on the subject property providing, firstly, a minimum front yard setback of 7.5m, where the established building line of 9.7m is required, and secondly, a minimum lot depth of 30.48m, where 45.0m is required, be granted.

SUBMISSION NO. A0014/2022 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.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0017/2022

March 09, 2022

OWNER(S): JONATHON TAYLOR , 602 Ash Street Sudbury ON P3C 2A8

AGENT(S):

LOCATION: PIN 02179 0452, Parcel 15048, Lot(s) 423, 424, and 425, Subdivision M2S, Lot Pt 7, Concession 4, Township of McKim, 602 Ash Street, Sudbury

SUMMARY

Zoning: The property is zoned R2-2 (Low Density Residential Two) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to convert the existing single detached dwelling from one-storeys to two-storeys providing a front yard setback, interior side yard setback, porch, and eaves all at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, March 03, 2022

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

However, Owner to be advised of the following comments:

1) A review of the site plan provided indicates a mudroom addition to the westerly side of the existing dwelling. Although a setback is not provided from this addition to the front lot line, it appears the required 6.0 m setback will be met. Owner to be informed that a minimum setback of 6.0 m shall be maintained from the front lot line or a minor variance would be required.

2) With respect to the proposed construction, Building Permit and Building Permit documents to be submitted to the satisfaction of the Chief Building Official.

3) Our records indicate an incomplete permit for the property for an interior alteration (B14-0086). Please contact Building Services to proceed in closing this project.

CGS: Infrastructure Capital Planning Services, March 03, 2022

Roads
No Concerns

Transportation and Innovation Support
No Concerns

Active Transportation
No Concerns

CGS: Development Engineering, March 03, 2022

No objection.

SUBMISSION NO. A0017/2022 Continued.

CGS: Development Approvals Section, March 02, 2022

The variances being sought would facilitate the addition of a second-storey to an existing one-storey single-detached dwelling that is situated on the subject lands that have frontage on Ash Street in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R2-2", Low Density Residential Two under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff would note that there is an existing driveway along the westerly interior side lot line that provides a spatial buffer to the existing one-storey residential dwelling to the immediate west of the lands. Staff also notes that the existing residential dwelling to the immediate east is two-storeys and there does appear to be some existing mature vegetation providing visual buffering between the two residential properties. There is also a general mix of residential built-forms and heights in the general area. Staff therefore has no concerns with respect to the variances generating any negative land use planning impacts on abutting residential properties or on the existing residential character that exists along Ash 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.

The Nickel District Conservation Authority, February 28, 2022

Conservation Sudbury does not object to Minor Variance A0017/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at Melanie.Venne@ConservationSudbury.ca.

CGS: Site Plan Control, February 25, 2022

No objections.

Ministry of Transportation, February 25, 2022

No concerns.

Greater Sudbury Hydro Inc., February 25, 2022

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.

The applicant appeared before Committee and provided a summary of the application.

The following decision was reached:

DECISION:

THAT the application by:

JONATHON TAYLOR
the owner(s) of PIN 02179 0452, Parcel 15048, Lot(s) 423, 424, and 425, Subdivision M2S, Lot Pt 7, Concession 4, Township of McKim, 602 Ash Street, Sudbury

for relief from Part 4, Section 4.2, Table 4.1, and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing one-storey single detached dwelling to two-storeys, firstly, providing a minimum front yard setback of 4.6m, where 6.0m is required, secondly, providing an interior side yard setback of 1.5m, where 2.4m is required, thirdly, to permit the porch to encroach 3.8m into the required front yard and maintaining a 2.2m setback from the front lot line, where porches may encroach 2.4m into the required front yard, fourthly, to permit eaves to encroach 1.7m into the required front yard and 1.2m into the required interior side yard, where eaves may encroach 1.2m into the required front yard and 0.6m into the required interior side yard, but not closer than 0.6m to the lot line, be granted.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0008/2022

March 09, 2022

OWNER(S): JACK ROCCA, 87 Baycrest Rd Sudbury ON P3B 3X7

AGENT(S):

LOCATION: PIN 73586 0638, Lot(s) 297, Subdivision 4S, Lot Pt 7, Concession 3, Township of McKim, 331 Regent Street, Sudbury

SUMMARY

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

Application: Approval to convert the existing building from shared housing and two residential units to five residential units, providing reduced front yard setback, interior side yard setback, number of parking spaces and parking space dimension, as well as an eaves encroachment and an increase in residential density on the subject property all at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Building Services Section, March 03, 2022

REVISED

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

- 1) With respect to density and parking, Building Services has no concerns with the relief requested by way of this minor variance application.
- 2) With respect to the relief requested for the eaves, our records reflect a survey prepared in 1987 prepared by D.S. Dorland indicating that the eaves of the existing building on lot 297 (municipally known as 331 Regent Street) extends to the building on lot 296 (municipally known as 345 Regent Street). Given this, as the eaves is encroaching onto the neighboring lot and building, an Encroachment Agreement would be required.
- 3) With respect to relief requested for the front yard and southerly interior yard setbacks, it is the understanding of Building Services that the proposed construction detailed on the associated application and public notice is for interior alterations only. As the proposed work does not appear to present an enlargement, reconstruction, repair, and/or renovation whereby reducing the front yard and side yard setbacks, relief would not be required. The existing building and its current location on the subject property would be considered a legal non-complying building.

Owner to also be advised of the following comments:

- 1) With respect to the proposed interior alterations, Building Permit and Building Permit documents to be submitted to the satisfaction of the Chief Building Official.

CGS: Infrastructure Capital Planning Services, March 03, 2022

REVISED

Roads

We have some concerns regarding the reduction in the required number of parking spaces, it is

SUBMISSION NO. A0008/2022 Continued.

important to note that no on-street parking is available on the east and west side of Regent St and parking is also restricted in the laneway, therefore any overflow parking that may occur from this site may affect the neighboring commercial properties

Transportation and Innovation Support
No Concerns

Active Transportation
No Concerns

CGS: Development Approvals Section, March 02, 2022

REVISED

The variances being sought would facilitate the removal of a shared housing component in favour of adding two residential dwelling units to the existing three residential dwelling units that are contained within the existing building on the subject lands that have frontage on Regent Street in Sudbury. The lands are designated Mixed Use Commercial in the City's Official Plan and zoned "C2", General Commercial under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff would advise that the development proposal largely amounts to a conversion from one residential land use (ie. shared housing) to another residential land use (ie. multiple dwelling) and can be considered to be somewhat technical in nature. Staff notes that there is no applicable development standard with respect to density for shared housing while a multiple dwelling does have a maximum density of 60 units per hectare in the "C2" Zone. It is on this basis that staff has no concerns with the change in residential use and the density variance that is required in order to implement such. Staff has also reviewed the existing parking area and configuration of parking spaces on the lands and in general have no concerns. Staff notes that a parking aisle width of 6 m (19.69 m) is required providing access to the five parking spaces in the rear yard. The parking aisle width does appear to be provided however the five parking spaces span the entire length of the rear lot line and therefore it is not possible to utilize the parking aisle without trespassing onto abutting lands. Staff would note that this could be remedied by mirroring the parking area configuration in the rear yard so that the five parking spaces abut the building with a 6 m (19.69 ft) directly abutting the lane. Staff would also note that in this scenario the sixth parking space would be accessed via the existing driveway onto Regent Street where there does appear to be a 3 m (9.84 ft) wide driveway based on the submitted sketch. It is noted that this portion of Regent Street has good access to existing GOVA routes to the north and to the east along Lorne Street. Staff recommends that the variances be approved subject to the following condition:

1. That the owner prepare and submit an amended sketch depicting five parking spaces in the rear yard with a parking aisle that is directly accessible from the lane to the satisfaction of the Director of Planning Services within 30 days of the variance decision.

The Nickel District Conservation Authority, February 28, 2022

REVISED

As per our letter dated February 15, 2022, Conservation Sudbury does not object to Minor Variance A0008/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at Melanie.Venne@ConservationSudbury.ca.

CGS: Site Plan Control, February 25, 2022

REVISED
No objections.

Greater Sudbury Hydro Inc., February 25, 2022

REVISED
No conflict.

SUBMISSION NO. A0008/2022 Continued.

CGS: Site Plan Control, February 18, 2022

No objections.

CGS: Development Approvals Section, February 16, 2022

The variances being sought would facilitate the removal of a shared housing component in favour of adding two residential dwelling units to the existing three residential dwelling units that are contained within the existing building having frontage on Regent Street in Sudbury. Staff understands that there are discrepancies with respect to the requested interior side yard setback and eaves encroachment variances that are identified on the application form when compared to survey plan that was submitted in support of the development proposal. Staff also advised the owner prior to the application being submitted that the existing front yard and interior side yard setbacks may be legal non-complying and therefore no variances would be necessary in order to facilitate the development that is being proposed. Staff would also advise that the resulting density on the lands would appear to be 86.11 units per hectare and it would be the opinion of staff that the variance should be seeking 87 units per hectare. Staff recommends that the application be deferred in order to afford the owner the opportunity to address those comments received.

CGS: Infrastructure Capital Planning Services, February 16, 2022

Roads
No Concerns

Transportation and Innovation Support

We have some concerns regarding the reduction in the required number of parking spaces, it is important to note that no on-street parking is available on the east and west side of Regent St and parking is also restricted in the laneway, therefore any overflow parking that may occur from this site may affect the neighbouring commercial properties.

Active Transportation
No Concerns

CGS: Building Services Section, February 16, 2022

Based on the information provided, Building Services is suggesting a deferral base on following:

- 1) The requested relief of the existing southerly interior side yard setback of 0.3m and southerly eaves setback of 0.03m from the lot line contradict a survey from D.S Dorland that Building Services has on record.
- 2) The requested relief of 86 units per hectare would not allow for (5) units as it results in less than 5 units based on the current lot size. There is no rounding on the number of dwelling units so only four dwelling units would be permitted during Building Permit phase with 86 units per hectare.

The owner to be advised of the following comments:

- 1) There are outstanding Orders to Comply on this property with respects to legalizing the current dwelling units.
- 2) A building permit to the satisfaction of the chief building official is required for the additional two dwelling units and to legalize the existing three units.

The Nickel District Conservation Authority, February 15, 2022

Conservation Sudbury does not object to Minor Variance A0008/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

SUBMISSION NO. A0008/2022 Continued.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at Melanie.Venne@ConservationSudbury.ca.

Greater Sudbury Hydro Inc., February 14, 2022

No Conflict.

CGS: Development Engineering, February 10, 2022

No objection.

The applicant appeared before Committee and provided a summary of the application as well as addressed the parking and the email of concern received by staff. The Secretary-Treasurer advised Committee that an email of concern was received from Guy Rouleau, Property Manager for 1763988 Ontario Inc., owner of 323 Regent Street, expressing concern with proposed parking space #6 and snow accumulation which may cause tenants to park on their property. The applicant explained to Committee that the owner of 323 Regent Street has been using parking space #6 without permission. He further explained that he would have the snow cleared when the building is occupied so that no parking is lost. Committee Member Dumont asked staff to clarify the condition that was being requested and staff illustrated on the sketch what the condition was asking of the applicant. Committee Member Dumont asked the applicant if he understood the condition and the applicant confirmed that he did but that he wouldn't be able to provide any landscaping. He further explained that neighbouring properties do not have aisles to access their parking. Committee Member Dumont advised the applicant that he has 30 days to provide the revised sketch and the applicant confirmed that he understood. The applicant asked if neighbouring properties would be trespassing on his property and Committee Chair Chartrand explained to the applicant that the abutting properties do not seem to have room for an aisle but that the applicant's property does and asked staff to address the applicant's concern. Staff advised that they could not provide comment on what abutting neighbours would do and that the comments were provided to ensure that parking areas are functional. Committee Chair Chartrand supported staff's comments and asked staff if moving the parking would allow for visitor parking and staff explained that it could but they wouldn't be required.

The following decision was reached:

DECISION:

THAT the application by:

JACK ROCCA
the owner(s) of PIN 73586 0638, Lot(s) 297, Subdivision 4S, Lot Pt 7, Concession 3, Township of McKim, 331 Regent Street, Sudbury

for relief from Part 4, Section 4.2, Table 4.1, Part 5, Section 5.2, subsection 5.2.3.1 and Section 5.5, Table 5.5 and Part 7, Section 7.2, Table 7.1 and Section 7.3, Table 7.3 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing building by removing a shared housing component having 10 guest rooms in favour of adding two residential dwelling units to the existing three residential dwelling units for a total of five residential dwellings units all contained within the existing building, firstly, providing a maximum net residential density of 87 units per hectare, where a maximum net residential density of 60 units per hectare is permitted, secondly, to recognize an existing minimum front yard setback of 0.06m, where 7.5m is required, thirdly, to recognize an existing southerly interior side yard setback of 0.03m, where 1.2m is required, fourthly, to provide for a minimum of 6 parking spaces, where 8 is required, fifthly, eaves with no setback from the southerly side lot line, where eaves may encroach 0.6m into the required yard but not closer than 0.6m to the lot line, and sixthly, to permit parking space #6 on the sketch submitted with the application to provide a reduced size of 2.9m by 6.0m, where the width of a required parking when the length abuts a wall or barrier shall be 3.0m and a length of 6.0m, be granted, subject to the following condition:

1. That the owner prepare and submit an amended sketch depicting five parking spaces in the rear yard with a parking aisle that is directly accessible from the lane to the satisfaction of the Director of Planning Services within 30 days of the variance decision.

SUBMISSION NO. A0008/2022 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.

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
Derrick Chartand	Concurring
Matt Dumont	Concurring