



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00013

April 2, 2025

OWNER(S): KURTIS MARTIN, 27 Lindsley Street, Falconbridge, ON, Canada
NATASHA MARTIN, 27 Lindsley Street, Falconbridge, ON, Canada

AGENT(S): KURTIS MARTIN, 27 Lindsley Street, Falconbridge, ON, Canada

LOCATION: PIN(s) 734900074, Parcel 41922 SEC SES SRO, Lot 235, Plan M-1039, Part Lot 12, Concession 3, Township of Falconbridge, 27 Lindsley Street, Falconbridge P0M 1S0

SUMMARY

Zoning: The property is zoned R1-5 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached accessory building providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, March 27, 2025

No Comment Received

Development Approvals, March 27, 2025

The purpose and effect of the application is to construct a 59.5 m² accessory building with a height of 6 m, whereas the maximum height permitted for accessory buildings is 5 m.

The subject lands contain a two-storey single detached dwelling with a ground floor area of 75 m² and a height of 9.14 m. Additionally, the subject lands contain an accessory building that is proposed to be demolished and replaced with the new proposed accessory building. The subject lands are serviced by municipal servicing and have an existing access from Lindsley Street.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R1-5' Low Density Residential One within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and institutional in nature.

The accessory building is proposed to be setback further from the road than the dwelling and will be subordinate in ground floor area and height in comparison to the single detached dwelling.

Staff are of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Ministry of Natural Resources and Forestry (MNRF), March 27, 2025

No Comment Received

Building Services, March 26, 2025

Based on the information provided, we can advise that Building Services has no concerns with this application.

However, Owner is to be advised of the following comments:

1) A review of our records indicates that a building permit has not yet been submitted for the proposed detached garage. Building permit applications and building permit documents to be submitted to the satisfaction of the Chief Building Official.

Also, a review of the documents provided indicates the proposed detached garage to be supported by a slab on grade foundation with a building area of 59.8m². Owner to be informed that garages with a slab over 55m² require the slab to be designed by a Professional Engineer licensed in the Province of Ontario.

Development Engineering, March 26, 2025

No Concerns

Strategic and Environmental Planning, March 26, 2025

No Concerns

Linear Infrastructure Services, March 25, 2025

No Concerns

Sudbury Hydro, March 24, 2025

Maintain proper clearance from energized apparatus and conductors as per latest edition of Ontario Electrical Safety Code.

Site Plan, March 19, 2025

No Concerns

Conservation Sudbury, March 18, 2025

No Concerns

Ministry of Transportation, March 18, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Meeting Minutes:

04/02/2025 Kurtis Martin and his representative Ken Kaltiainen appeared before Committee and provided a summary of the Application and addressed the concerns expressed by a neighbour.
The Secretary-Treasurer advised Committee that an email of concern was received from Brenda Tickett of 27 Lindsley Street and confirmed Committee's receipt of the email.
Committee Member Castanza advised Committee that she attended the site and noted that the existing dwelling was two-storeys, and the garage would fit into the neighbourhood. She was supportive of the Application.
Committee Member Goswell referring to the objector's letter, asked staff if the overall aesthetics of the neighbourhood were impacted. Staff advised Committee that the structure would not be out of character for the neighbourhood.
Committee Member Sawchuk asked staff what the minimum side yard setback and distance between buildings were and staff provided him with the setback but was not able to speak to the distance as that would relate to Building Code which staff did not have readily available. Committee Member Sawchuk was supportive of staff's recommendation.
Committee Member Murray had no comments and was supportive of the Application. Committee Chair Dumont asked Mr. Kaltiainen what the wall height would be. Mr. Kaltiainen was not able to provide the wall height but suggested that it would not be less than nine feet. Committee Chair Dumont spoke to process, design and Building Services' comments.

The following decision was reached:

DECISION:

THAT the application by:

KURTIS MARTIN AND NATASHA MARTIN

the owner(s) of PIN(s) 734900074, Parcel 41922 SEC SES SRO, Lot 235, Plan M-1039, Part Lot 12, Concession 3, Township of Falconbridge, 27 Lindsley Street, Falconbridge P0M 1S0

for relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of detached garage providing a maximum height of 6.0m, where the maximum height of any accessory building on a residential lot shall be 5.0m, be granted.

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

nature and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan are maintained.

Public comment has been received and considered and had no effect on Committee of Adjustment's decision as the application represents good planning.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00018

April 2, 2025

OWNER(S): TERRANCE RUTTAN, 28 Douglas Crescent, Dowling, ON, Canada

AGENT(S): TERRANCE RUTTAN, 28 Douglas Crescent, Dowling, ON, Canada

LOCATION: PIN(s) 733520564, Parcel 22055A SEC SWS SRO, Lot 55, Plan M-395, Part Lot 3, Concession 4, Township of Dowling, 28 Douglas Crescent, Dowling P0M 1L0

SUMMARY

Zoning: The property is zoned R1-5 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached accessory building providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, March 27, 2025

No Comment Received

Development Approvals, March 27, 2025

The purpose and effect of the application is to construct a 111.02 m² accessory building with a height of 5.5 m, whereas the maximum height permitted for accessory buildings is 5 m.

The subject lands contain a one-storey single detached dwelling with a ground floor area of 97.17 m² and a height of 4.2 m. The subject lands are serviced by municipal servicing and have an existing access from Douglas Crescent.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R1-5' Low Density Residential One within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential in nature.

The accessory building will be larger in ground floor area and height in comparison to the single detached dwelling, however, is proposed to be located in the rear yard, 29.1 m from the front lot line. Given the location, and the requested 0.5 m deficiency, staff do not anticipate impacts to surrounding land uses and are satisfied that the building will be accessory in nature.

Staff are of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Ministry of Natural Resources and Forestry (MNRF), March 27, 2025

No Comment Received

Development Engineering, March 26, 2025

No Concerns

Strategic and Environmental Planning, March 26, 2025

No Concerns

Linear Infrastructure Services, March 25, 2025

No Concerns

Building Services, March 24, 2025

No Concerns

Sudbury Hydro, March 24, 2025

No Concerns

Site Plan, March 19, 2025

No Concerns

Conservation Sudbury, March 18, 2025

No Concerns

Ministry of Transportation, March 18, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Meeting Minutes:

04/02/2025 The applicant appeared before Committee and provided a summary of the Application. Committee Member Castanza advised Committee that she attended the site and found the garage already constructed. She asked if the resolution needed to be amended. The Secretary-Treasurer advised Committee that a motion could be put forward to amend the resolution. Committee Members Goswell, Sawchuk, Murray and Committee Chair Dumont expressed support for the Application and amending the resolution. Committee Member Castanza put forward a motion to amend the resolution to delete “to facilitate the construction of” and replace with “to permit the existing”, which was seconded by Committee Member Murray. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:
TERRANCE RUTTAN

the owner(s) of PIN(s) 733520564, Parcel 22055A SEC SWS SRO, Lot 55, Plan M-395, Part Lot 3, Concession 4, Township of Dowling, 28 Douglas Crescent, Dowling P0M 1L0

for relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the existing detached garage providing a maximum height of 5.5m, where the maximum height of any accessory building on a residential lot shall be 5.0m, be granted.

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

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

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring