



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00036

April 29, 2026

OWNER(S): SUDBURY CATHOLIC DISTRICT SCHOOL BOARD, 165 A D'Youville Street, Sudbury, ON, Canada P3C5E7

AGENT(S): BELANGER SALACH ARCHITECTURE, 255 Larch Street, Sudbury, ON, Canada P3B1M2

LOCATION: PIN(s) 734780033; 734780143, Parcels 53066 & 50641 SEC SES SRO, Lot 1, Plan M-589, Parts 1-3, Plan 53R-15638, Parts 1-2, Plan 53R-12702, Part Lot 4, Concession 5, Township of Broder, 2993 Algonquin Road, Sudbury P3E 0E9, 2997 Algonquin Road, Sudbury P3E 4X5

SUMMARY

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

Application: Approval to construct two portables providing building separation at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, April 23, 2026

No Comment Received

Development Approvals, April 23, 2026

The purpose and effect of the application is to facilitate the construction of two portables providing a building separation of 0.5m, where 3.0m is required.

The subject lands contain St Benedict High School, Holy Cross Elementary School and three accessory buildings. The lands are serviced by a municipal water and sanitary connection and are accessed from Algonquin Road.

The subject lands are designated 'Institutional' within the City of Greater Sudbury Official Plan, are zoned 'I', Institutional within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury.

Surrounding uses are residential in nature.

The applicant has advised that the reduced separation distance is being requested to avoid impeding the existing track and to reduce civil works.

Building Services did not identify any concerns with the reduced separation distance.

Staff is 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.

Hydro One, April 23, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), April 23, 2026

No Comment Received

Building Services, April 22, 2026

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

- 1) Building Services acknowledges an associated building permit application (BP-NEW-2026-00207) for the two proposed portable classroom buildings.
- 2) Owner to be advised our records indicate incomplete permits for the property. Please contact Building Services to proceed in closing these projects.

Krista Deredin, Plans Examiner
Building Services

Strategic and Environmental Planning, April 22, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Ministry of Transportation, April 21, 2026

I can confirm that the subject lands are located within the MTO's Permit Control Area is subject for review under the Public Transportation and Highway Improvement act R.S.O. 1990 and will require MTO permits.

- An MTO Building/Land Use Permit is required for the placement of any new buildings/structures as well as any site grading/paving taking place on the subject property within 45 m of the Hwy 17 property line.
- Please direct any permit inquiries to Michelle Lavalley, Corridor Management Officer, at Michelle.Lavalley@ontario.ca.

Development Engineering, April 20, 2026

No Concerns

Conservation Sudbury, April 17, 2026

No Concerns

Sudbury Hydro, April 17, 2026

No objection.

Site Plan, April 16, 2026

No Concerns

Meeting Minutes:

04/29/2026 The applicant's authorized representative, James Morgan, and agent, Taylor Kreps of Belanger Salach Architecture, appeared before Committee and provided a summary of the Application. Committee Member Castanza clarified with the agent the number of portables proposed and expressed concern with the increase in number in close proximity to the buses. Committee Members Goswell, Sawchuk, Murray and Committee Chair Dumont expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
SUDBURY CATHOLIC DISTRICT SCHOOL BOARD
the owner(s) of PIN(s) 734780033; 734780143, Parcels 53066 & 50641 SEC SES SRO, Lot 1, Plan M-589, Parts 1-3, Plan 53R-15638, Parts 1-2, Plan 53R-12702, Part Lot 4, Concession 5, Township of Broder, 2993 Algonquin Road, Sudbury P3E 0E9, 2997 Algonquin Road, Sudbury P3E 4X5

for relief from Part 10, Section 10.3, Table 10.3, special provision 5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of two portables providing a building separation of 0.5m, where 3.0m is required, be granted.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00038

April 29, 2026

OWNER(S): C. ENFIELD INC, 610 Notre Dame St W, Azilda, ON, Canada
AGENT(S): EVELYN DUTRISAC, 45 Main Street, Chelmsford, ON, Canada P0M1L0
LOCATION: PIN(s) 733510035, 733510048, Parcels 968 and 1266 SEC SWS, Lot 50-51, Plan M-18, Part Lot 2, Concession 4, Township of Balfour, 45 Main Street, Chelmsford P0M 1L0

SUMMARY

Zoning: The property is zoned C6(1) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: To permit the existing building providing no planting strip along the north and east lot lines at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, April 23, 2026

No Comment Received

Hydro One, April 23, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), April 23, 2026

No Comment Received

Building Services, April 22, 2026

Based on the information provided, Building Services has no concerns with this application. For the applicants' information: 1) Building Services acknowledges building permit application # BP-NEW-2025-00119 (Convert Commercial Space to 3 Dwelling Units).

Strategic and Environmental Planning, April 22, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk

Act, 2002, is their sole responsibility.

Ministry of Transportation, April 21, 2026

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

Development Approvals, April 20, 2026

The purpose and effect of the application is to permit the existing building without the required planting strip along the north and east lot lines, where a 3.0m wide planting strip is required adjacent to the full length of the lot line that abuts a residential lot or Residential Zone and where a planting strip containing an opaque fence having a height of 1.5m or more may be reduced to 1.8m in width.

The subject lands contain a mixed use commercial and residential building. The lands are serviced by a municipal water and sanitary connection and are accessed from O'Connor Street.

The subject lands are designated 'Town Centre' within the City of Greater Sudbury Official Plan and are zoned 'C6(1)', Downtown Commercial Special within the City of Greater Sudbury Zoning By-law.

Surrounding uses are commercial and residential in nature.

It is noted that there is a 1.8 m tall fence along the north property line, however no associated 1.8 m wide planting strip due to the location of the parking area. The applicant has advised that the abutting property owner to the east accesses their parking area through the subject lands.

Staff have no concerns with the requested relief as it reflects the existing site conditions. No visual or use changes are being proposed at this time. Staff are not aware of land use compatibility concerns between the subject land and abutting properties to the north and east.

Staff is 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.

Development Engineering, April 20, 2026

No Concerns

Sudbury Hydro, April 17, 2026

This property falls outside of our service territory; therefore, we have no concerns.

Conservation Sudbury, April 16, 2026

No Concerns

Site Plan, April 16, 2026

No Concerns

Meeting Minutes:

04/29/2026 The applicant's authorized representative, Chico Vallaincourt, and agent, Evelyn Dutrisac, appeared before Committee and provided a summary of the Application. The Committee Members and Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

C. ENFIELD INC

the owner(s) of PIN(s) 733510035, 733510048, Parcels 968 and 1266 SEC SWS, Lot 50-51, Plan M-18, Part Lot 2, Concession 4, Township of Balfour, 45 Main Street, Chelmsford P0M 1L0

for relief from Part 4, Section 4.15, subsection 4.15.4 a) i) and b) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the existing building providing no planting strip along the north and east lot lines, where a 3.0m wide planting strip is required adjacent to the full length of the lot line that abuts a residential lot or Residential Zone and where a planting strip containing an opaque fence having a height of 1.5m or more may be reduced to 1.8m in width, 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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00039

April 29, 2026

OWNER(S): MARTIN LEES, 398 Nelson St, Sudbury, ON, Canada
CHRISTY BRIGGS-PETERS, 298 Nelson Street, Sudbury, Ontario, Canada

AGENT(S): MARTIN LEES, 398 Nelson St, Sudbury, ON, Canada

LOCATION: PIN(s) 735840692, West Part of Lot 30, Plan 4-SB, as in S108126, Part Lot 5, Concession 3, Township of McKim, 398 Nelson Street, Sudbury

SUMMARY

Zoning: The property is zoned R2-3 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit an existing addition on the existing dwelling providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, April 23, 2026

No Comment Received

Hydro One, April 23, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), April 23, 2026

No Comment Received

Building Services, April 22, 2026

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

For the Owner's information Building Services has the following comments,

- 1. A search of our records indicates there may be additional covered structures on the property. A plot plan showing all structures and sizes will be required. Additional minor variances and building permits may be required.

2. A search of our records indicates there are Building Permits which have not been completed. Owner shall contact Building Services to discuss outstanding items. Building Permit Number 07-1965 and B09-1400.

Development Engineering, April 22, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.46m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Source Water Protection, April 22, 2026

No significant drinking water threat identified at this time

Strategic and Environmental Planning, April 22, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Ministry of Transportation, April 21, 2026

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

Development Approvals, April 20, 2026

The purpose and effect of the application is to permit an existing addition on the existing dwelling providing a north interior side yard setback of 1.7m with eaves encroaching an addition 0.46m, where 1.8m is required and where eaves may encroach 0.6m into the interior side yard but not closer than 0.6 m to the lot line.

The subject lands contain a single detached dwelling. The lands are serviced by a municipal water and sanitary connection and are accessed from Nelson Street.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-3', Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are located within Ramsey Lake Protection Zone IV within the City's Source Water Protection Plan.

Surrounding uses are predominantly residential in nature.

The applicant has advised that the 0.1 m deficiency was done in error at the time of construction and was identified by Building Services through the process of finalizing an open building permit from 2007.

Staff have no concerns with the requested relief as it reflects the existing site conditions. No visual changes are being proposed at this time.

Staff is 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.

Sudbury Hydro, April 17, 2026

No objection.

Conservation Sudbury, April 16, 2026

No Concerns

Site Plan, April 16, 2026

No Concerns

Meeting Minutes:

04/29/2026 The applicants appeared before Committee and provided a summary of the Application. Committee Member Castanza advised Committee that she attended the property for a site visit and noted a shed that was not identified on the Plan. The Member referred to Building Services comments and asked the owner when the shed was constructed, and the owner advised that they replaced an existing shed after the submission of the Application. The Member requested staff to explain the comments and staff provided an explanation. The Member expressed support for a deferral. Committee Member Goswell and Sawchuk expressed support for staff's recommendation. Committee Member Murray explained the discussion to the owners and provided them with their options, decision or deferral. The owners advised Committee that they were comfortable moving forward with a decision. The Member expressed support for staff's recommendation. Committee Chair asked staff if an updated plot plan would delay the permit for the addition and staff advised Committee that the comments seemed advisory in nature.

The following decision was reached:

DECISION:

THAT the application by:
MARTIN LEES AND CHRISTY BRIGGS-PETERS
the owner(s) of PIN(s) 735840692, West Part of Lot 30, Plan 4-SB, as in S108126, Part Lot 5, Concession 3, Township of McKim, 398 Nelson Street, Sudbury

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing addition on the existing dwelling providing a north interior side yard setback of 1.7m with eaves encroaching an addition 0.46m, where 1.8m is required and where eaves may encroach 0.6m into the interior side yard but not closer than 0.6 m 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 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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00041

April 29, 2026

OWNER(S): ROBERT DMYTRUK, 665 Westmount Avenue, Sudbury, Ontario, Canada P3A 1B7
ANGELE DMYTRUK, 665 Westmount Avenue, Sudbury, Ontario, Canada P3A 1B7

AGENT(S): 3RD LINE STUDIO, 289 Cedar St, 3rd Fl, Sudbury, ON, Canada P3B 1M8

LOCATION: PIN(s) 735710455, Parcel 27646 SEC SES SRO, Lot 116, Plan M-511, subject to LT144964, Part Lot 12, Concession 5, Township of Neelon, 665 Westmount Avenue, Sudbury P3A 1B7

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 an addition with eaves on the existing dwelling, and permit accessory building and structures providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, April 23, 2026

No Comment Received

Development Approvals, April 23, 2026

- The purpose and effect of the application is to permit the construction of an addition on the existing single detached dwelling and permit an existing shed, accessory structure identified as a canopy in the plan submitted with the application, and a 1.55m high fence providing with the following variances:
1. a corner side yard setback of 1.9m for the addition with eaves encroaching an additional 0.6m into the proposed 1.9m setback, where 4.5m is required and where eaves may encroach 1.2 m into the corner side yard but not closer than 0.6 m to the lot line;
 2. a corner side yard setback of 3.5m for the existing accessory structure identified as a canopy in the plan submitted with the application, where no encroachment is permitted for accessory structures greater than 2.5m in height and where a 4.5m setback if required;
 3. a corner side yard setback of 3.5m for the existing shed, where no encroachment is permitted for accessory buildings greater than 2.5m in height and where a 4.5m setback is required; and
 4. a corner side yard setback of 2.8m for the existing 1.55m high fence, where no encroachment is permitted for fences over 1.0m in height and where a 4.5m setback is required.

The subject lands contain a single detached dwelling and three accessory buildings. The lands are serviced by a municipal water and sanitary connection and are accessed from Westmount Avenue.

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 residential in nature.

The applicant is of the opinion that the existing driveway that is located within the site triangle is legally existing and has advised that the required parking space for the single detached dwelling is located within the garage.

Development Engineering did not provide any comments or concerns in regards to the placement of the addition and accessory buildings within the corner side yard in terms of vehicular and pedestrian sightlines.

As an advisory comment, only one driveway is permitted per residential lot.

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

Hydro One, April 23, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), April 23, 2026

No Comment Received

Building Services, April 22, 2026

Building Services has no objections to the proposed minor variances.

Owner to be aware that:

1) A building permit is required to be submitted for the attached garage to the satisfaction of the Chief Building Official.

2) A building permit is required for buildings, other than sheds, greater than 10m². The gazebo and canopy indicated on the plot plan both appear to be 14.88m². Dimensions of the gazebo were not provided. Owners to confirm size of both and if applicable, submit a building permit application to the satisfaction of the Chief Building Official.

Comments provided by Amanda Dittrich, Plans Examiner

Development Engineering, April 22, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.46m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Strategic and Environmental Planning, April 22, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Ministry of Transportation, April 21, 2026

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

Sudbury Hydro, April 17, 2026

Limits of Approach must be maintained from powerlines. Contact GSHI Energy Supply Department if Disconnect/Reconnect or Service Upgrade is required.

Conservation Sudbury, April 16, 2026

No Concerns

Site Plan, April 16, 2026

No Concerns

Meeting Minutes:

04/29/2026 The applicant, Angele Dmytruk, appeared before Committee and provided a summary of the Application.
Committee Member Sawchuk referenced the driveway comment and the owner confirmed that only one driveway existed on the property.
The Committee Members and Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
ROBERT DMYTRUK AND ANGELE DMYTRUK
the owner(s) of PIN(s) 735710455, Parcel 27646 SEC SES SRO, Lot 116, Plan M-511, subject to LT144964, Part Lot 12, Concession 5, Township of Neelon, 665 Westmount Avenue, Sudbury P3A 1B7

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 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 an addition on the existing single detached dwelling and permit an existing shed, accessory structure identified as a canopy in the plan submitted with the application and a 1.55m high fence providing, firstly, a corner side yard setback of 1.9m for the addition with eaves encroaching an additional 0.6m into the proposed 1.9m setback, where 4.5m is required and where eaves may encroach 1.2 m into the corner side yard but not closer than 0.6 m to the lot line, secondly, a corner side yard setback of 3.5m for the existing accessory structure identified as a canopy in the plan submitted with the application, where no encroachment is permitted for accessory structures greater than 2.5m in height and where a 4.5m setback is required, thirdly, a corner side yard setback of 3.5m for

the existing shed, where no encroachment is permitted for accessory buildings greater than 2.5m in height and where a 4.5m setback is required, and fourthly, a corner side yard setback of 2.8m for the existing 1.55m high fence, where no encroachment is permitted for fences over 1.0m in height and where a 4.5m 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 Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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