



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00156

February 4, 2026

OWNER(S): RICHARD RAYMOND DANIELSON, 217 Maki Avenue, Sudbury, Ontario, Canada P3E 2P3

AGENT(S): DANIELSON ARCHITECTURE OFFICE INC., 217 Maki Ave, Sudbury, ON, Canada P3E 2P3

LOCATION: PIN(s) 735940260, Parcel 25958 SEC SES, Lot 16, Plan M-143, Part Lot 5, Concession 1, Township of McKim, 217 Maki Avenue, Sudbury P3E 2P3

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 permit an addition on the existing single detached dwelling providing a reduced setback, an increase in lot coverage and gross floor and eave encroachment at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, January 30, 2026

The purpose and effect of the application is to facilitate the construction of a 7.9 m² addition to the single detached dwelling with the following variances:

1. a reduction of the existing front yard and an increase in lot coverage and gross floor area of a legal non-complying dwelling, where enlargement, reconstruction, repair and/or renovation shall not reduce the existing front yard or increase the lot coverage or increase the gross floor area of a building or structure located within the minimum required front yard;
2. a minimum front yard setback of 3.15m, where 6 m is required; and
3. an eaves encroachment of 0.3m into the proposed 3.15m front yard setback, where eaves may encroach 1.2m into the required front yard but not closer than 0.6m to the lot line.

The subject lands contain a single detached dwelling and accessory building. The lands are serviced by a municipal water and sanitary connection and have an entrance from Maki Avenue.

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

The applicants have advised that they are proposing to construct a 7.9 m² addition to accommodate a new entrance to the dwelling for accessibility reasons. Staff have no concerns with the request as

it will maintain the character of the area and is not anticipated to impact surrounding properties.

Staff is of the opinion that the application is 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.

Corridor Management, January 29, 2026

No Comment Received

Hydro One, January 29, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), January 29, 2026

No Comment Received

Development Engineering, January 28, 2026

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.6 m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Strategic and Environmental Planning, January 28, 2026

The proposed development is outside of the 30 metre highwater mark setback to the lake. Lake Nepawhin is identified as a lake with phosphorus enrichment concerns, however, the proposed development is neither lot creation or intensification of an existing use, therefore the policies of the Official Plan do not apply.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the federal Fisheries Act, 1985, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007, is their sole responsibility.

Ministry of Transportation, January 27, 2026

No concerns - the subject lot is located outside the MTO's permit control area (PCA); and therefore, we have no comments to provide at this time.

Building Services, January 26, 2026

Building Services has no objections to the proposed minor variances.

Owner to be aware that a building permit is required to be submitted for the addition to the satisfaction of the Chief Building Official.

A review of the subject property indicates alterations to the front yard that may require a Site Alteration Permit. It appears that these changes impact the City's right-of-way, in which case a Letter

of Tolerance and/or Encroachment Agreement may be required. Additional minor variances may also be required.

Conservation Sudbury, January 26, 2026

No Concerns

Sudbury Hydro, January 26, 2026

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.

Site Plan, January 23, 2026

No Concerns

Meeting Minutes:

- 02/04/2026 The applicant's agents, Patrick Danielson and Jason Presse of Danielson Architecture Office Inc., appeared before Committee and Patrick provided a summary of the Application.
Committee Member Castanza asked the agent about the parking and retaining wall on the property and the agent advised that it was common on Maki Avenue to park in the City's right-of-way and that the retaining wall was on City lands.
Committee Members Goswell, Sawchuk and Murray and Committee Chair Dumont expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

RICHARD RAYMOND DANIELSON

the owner(s) of PIN(s) 735940260, Parcel 25958 SEC SES, Lot 16, Plan M-143, Part Lot 5, Concession 1, Township of McKim, 217 Maki Avenue, Sudbury P3E 2P3

for relief from Part 4, Section 4.2, Table 4.1 and Section 4.25, subsection 4.25.1 a) and b) 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 an addition on the existing single detached dwelling providing, firstly, a reduction of the existing front yard and an increase in lot coverage and gross floor area of a legal non-complying dwelling, where enlargement, reconstruction, repair and/or renovation shall not reduce the existing front yard or increase the lot coverage or increase the gross floor area of a building or structure located within the minimum required front yard, and secondly, a minimum front yard setback of 3.15m with eaves encroaching an additional 0.3m into the proposed 3.15m front yard setback, where a 6.0m front yard setback is required and where eaves may encroach 1.2m into the required front 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 is 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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00172

February 4, 2026

OWNER(S): 2269139 ONTARIO INC., 21 Killarney Road, Sault Ste. Marie, ON, Canada

AGENT(S): YALLOWEGA ARCHITECTURE INC., 157 Silpaa Street, Greater Sudbury, ON, Canada

LOCATION: PIN(s) 735851176; 735851175; and Part of 735851085, Firstly: Part Lot 6, Concession 3, Part 1, Plan 53R-20640, Township of McKim; Secondly: Lots 88 and 89, Plan 31-SA, Part 2, Plan 53R-20640, Part Lot 6, Concession 3, Township of McKim; and Thirdly: Alder Street, Plan 31SA, Part of Part 1, Plan 53R-21656, Township of McKim, 185 Lorne Street, Sudbury P3C 4P6

SUMMARY

Zoning: The property is zoned H53R3-1(33) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit a non-residential use on the subject property without satisfying conditions in the H53 Holding Zone, and, providing planting strips, loading spaces, area of commercial space, landscaped area and setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

Building Services, January 30, 2026

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

However, Owner to be informed of the following information:

1) Based on the information provided, a Record of Site Condition may be required in accordance with O. Reg. 153/04, as our records indicate this site was previously used as a brewery / distillery, Group F, Division 1, high hazard industrial occupancies, and a more sensitive use is proposed. A Qualified Person as defined by the regulation shall be retained.

2) Building permit and building permit documents, to the satisfaction of the Chief Building Official, are required for the proposed construction.

3) Should any signs be relocated / erected / constructed, they shall comply with the Sign By-law 2021-111 and will require building and sign permits to the satisfaction of the Chief Building Official.

4) With respect to additional considerations related to this development, Building Services reserves

further comment until the time of Building Permit Application and Plans Examination.

Development Approvals, January 30, 2026

The purpose and effect of the application to permit the use of a restaurant and entertainment space subject to the following variances:

1. allow development to take place without satisfying the three (3) conditions of the H53 Holding Zone, where the three (3) conditions must be satisfied prior to development;
2. a minimum 1.3m-wide planting strip abutting Lot 90, Plan 31SA, where a planting strip containing an opaque fence having a height of 1.5m or more may be 1.8m in width;
3. 0 loading spaces, where one (1) is required;
4. a maximum net floor area of 2131.0 sq. m, where non-residential uses shall have a maximum net floor area of 1673.0 sq. m;
5. a minimum 25% landscaped open space, where a minimum landscaped open space of 27% is required; and
6. a 0 m western corner side yard setback abutting Alfer Street, where enlargement, reconstruction, repair and/or renovation shall not further reduce the existing 0.05m side yard.

The subject lands contain a commercial building. The lands are serviced by a municipal water and sanitary connection and have proposed entrances from Alder Street.

The subject lands are designated 'Downtown' within the City of Greater Sudbury Official Plan and are zoned 'H53R3-1(33)', Medium Density Special with a Holding Provision within the City of Greater Sudbury Zoning By-law.

The lands are subject to Site Plan Control. Site plan control staff have recommended the proposal undergo a first submission of site plan prior to the minor variance application in order to identify all applicable relief and avoid subsequent applications.

The applicant is seeking to redevelop the subject lands utilizing the existing building footprint and the existing site-specific zone standards.

The applicant is proposing to keep the holding provision in place to prevent residential development until the items (traffic impact study, noise and vibration) have been adequately addressed, while seeking permission to proceed with development of a commercial use. Staff generally do not object to this approach.

Staff is of the opinion that the variances will allow for the redevelopment and revitalization of an existing property which supports economic development in the Downtown area.

Staff is of the opinion that the application is 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.

Strategic and Environmental Planning, January 30, 2026

Staff in SEP have previously noted that site is likely habitat for species protected by the Endangered Species Act, 2007. The subject land contains a former industrial building. Urban settlements

containing chimneys and other manmade structures are prime habitat for chimney swift (*Chaetura pelagica*). There are a number of known nesting sites in the area. Policy 2 of 9.2.2 Habitat of Endangered Species and Threatened Species prohibits development and site alteration in habitat of endangered and threatened species except in accordance with provincial and federal requirements.

Staff in SEP acknowledge that the proposed amendments do not impact the existing development approvals of the site, nor are they specifically regarding the existing chimney, therefore staff in SEP do not object to the proposed minor variances.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Corridor Management, January 29, 2026

No Comment Received

Hydro One, January 29, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), January 29, 2026

No Comment Received

Development Engineering, January 28, 2026

Please refer to Site Plan Control comments for this application.

Ministry of Transportation, January 27, 2026

No concerns - the subject lot is located outside the MTO's permit control area (PCA); and therefore, we have no comments to provide at this time.

Sudbury Hydro, January 26, 2026

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.

Conservation Sudbury, January 23, 2026

No Concerns

Site Plan, January 23, 2026

An application for site plan control is required for the proposed development. The developer should complete the first circulation of the site plan control process prior to applying for a minor variance so that all minor variance requirements can be identified through the site plan control process, otherwise a second minor variance application may be required.

Meeting Minutes:

02/04/2026 The applicant's agent, Denver Farquhar of Yellowega Architecture Inc., appeared before Committee and provided a summary of the Application. Deborah O'Connor, 276 Victoria Street, appeared before Committee and expressed concerns regarding the closure of Adler Street, parking, the volume of traffic the development would cause and that no sound barriers were being provided. Scott Merrifield, 269 Willow Street, appeared before Committee and requested clarification on the variances being sought, if less parking was requested and if the entrance on Victoria Street was for two-way traffic. Vickie McGauley, 269 Willow Street, appeared before Committee and requested clarification on the development's entrances and expressed concern with the parking as the area already has parking issues due to other local businesses. Elvira Kamstra, 264 Willow Street, appeared before Committee and expressed pleasure that the Willow Street lane was being kept open but expressed concern that it could be used as parking inhibiting resident's use. The Secretary-Treasurer advised Committee that an email of concern was received from area resident, Heidi Manitowabi of 263 Willow Street, and confirmed Committee's receipt of the email. The Committee Chair requested the residents to provide their emails to the Secretary-Treasurer in order for the agent to communicate with them directly to address the questions and concerns. Committee Member Goswell requested staff to clarify the Site Plan Control comments and staff explained that the comments were advisory in nature and nothing prevents the applicant from applying for the minor variance ahead of the Site Plan Control application. Committee Chair Dumont confirmed with the agent that they were aware of those comments. Committee Member Goswell asked staff if any of the residents' comments or concerns impacted the variances being sought and staff advised that there was no impact on the variances. Committee Member Goswell asked staff if there was public notification for the Site Plan Control process and staff advised that there was not. Committee Member Goswell commented that the residents should contact their Councillor. Committee Chair Dumont explained minor variances under the Planning Act, reviewed the variances being sought and suggested that the residents contact the agent to address their concerns. Committee Member Sawchuk acknowledged the residents' concerns and felt that the mitigation strategies were appropriate and expressed support for staff's recommendation. Committee Member Murray requested staff to explain the H53 Holding Zone conditions and staff read and explained the conditions. Committee Chair Dumont asked staff when the holding was passed, and staff advised that it was in 2022. Committee Chair Dumont asked if the property had been rezoned and staff confirmed that it had and explained the development proposed at the time of the rezoning. Committee Member Murray commented on the Alder Street acquisition and expressed support for the Application. Committee Chair Dumont explained the four tests of a minor variance, Committee's role

and scope, advised that the Site Plan Control process was not public and suggested that the residents contact the agent.

Staff advised that the closure of Alder Street was a public process and advised that residents would have been notified and clarified that the notices would have been provided in late 2025.

A resident in attendance at the meeting advised Committee that none of them received notice of the closure.

The following decision was reached:

DECISION:

THAT the application by:
2269139 ONTARIO INC.

the owner(s) of PIN(s) 735851176; 735851175; and Part of 735851085, Firstly: Part Lot 6, Concession 3, Part 1, Plan 53R-20640, Township of McKim; Secondly: Lots 88 and 89, Plan 31-SA, Part 2, Plan 53R-20640, Part Lot 6, Concession 3, Township of McKim; and Thirdly: Alder Street, Plan 31SA, Part of Part 1, Plan 53R-21656, Township of McKim, 185 Lorne Street, Sudbury P3C 4P6

for relief from Part 4, Section 4.15, subsection 4.15.4 a) i) and 4.15.4 b), Section 4.25, subsection 4.25.1 (a), Part 5, Section 5.6, Table 5.8, Part 11, Section 1, subsection 11, paragraph (gg), clause (iii) and (viii) and Part 13, Table 13.1 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the development of the subject lands for a non-residential use, firstly, without satisfying the three (3) conditions of the H53 Holding Zone, where the three (3) conditions must be satisfied prior to development, secondly, providing a 1.3m-wide planting strip abutting Lot 90, Plan 31SA, where a planting strip containing an opaque fence having a height of 1.5m or more may be 1.8m in width, thirdly, providing no loading space, where one (1) is required, fourthly, providing a maximum net floor area of 2131.0 sq. m, where non-residential uses shall have a maximum net floor area of 1673.0 sq. m, fifthly, providing a minimum 25% landscaped open space, where a minimum landscaped open space of 27% is required, and sixthly, providing a reduction of the existing western corner side yard abutting Alder Street to provide no setback, where enlargement, reconstruction, repair and/or renovation shall not further reduce the existing 0.05m side yard, 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 is 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.

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-2025-00174

February 4, 2026

OWNER(S): MELANIE POULIN, 114 Robert Street, Garson, ON, Canada
STEPHAN POULIN, 114 Robert Street, Garson, Ontario, Canada P3L 1M4

AGENT(S): MELANIE & STEPHAN POULIN, 114 Robert Street, Garson, ON, Canada

LOCATION: PIN(s) 734960180, Parcel 29152 SEC SES SRO, Lot 20, Plan M-324, Part Lot 9, Concession 1, Township of Garson, 114 Robert Street, Garson P3L 1M4

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 permit a garage addition on the existing single detached dwelling providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, January 30, 2026

The purpose and effect of the application is to facilitate the construction of a 164 m² addition to the single detached dwelling with the following variances:

1. a minimum interior lot line setback of 0.45 m, where 1.8 m is required;
2. an eaves encroachment of 0.41 m into the proposed 0.45 m side yard setback, where eaves may encroach 0.6 m into the required yard, no closer than 0.6 m.

The subject lands contain a single detached dwelling, a pool, and two accessory buildings. The lands are serviced by a municipal water and sanitary connection and have two entrances from Robert Street. As an advisory comment, it is noted only one driveway is permitted per residential property.

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.

The applicant has advised that due to the existing location of the house and the angle of the west interior lot line the proposed addition of a two-car garage is unable to be constructed in compliance with the zoning standard.

Staff is supportive of the request as space will be maintained in between the building and lot line for access and maintenance purposes. Given the eaves are requested to be located 4 cm from the

property line, as an advisory comment, the applicant is encouraged to confirm by survey the location of the western lot line to avoid inadvertently encroaching onto the abutting property. Additionally, it is the applicant's responsibility to contain water on the subject lands.

It is staff's understanding that the rear yard shed will be brought into compliance with the zoning by-law.

Staff is of the opinion that the application is 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.

Corridor Management, January 29, 2026

No Comment Received

Hydro One, January 29, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), January 29, 2026

No Comment Received

Strategic and Environmental Planning, January 29, 2026

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Development Engineering, January 28, 2026

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be *0 m (0 ft) from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Ministry of Transportation, January 27, 2026

No concerns - the subject lot is located outside the MTO's permit control area (PCA); and therefore, we have no comments to provide at this time.

Sudbury Hydro, January 26, 2026

No concerns - outside of our territory.

Building Services, January 23, 2026

Building Services has no objections to the proposed minor variances other than the following comment:

1) Should this minor variance be approved, revised drawings must be submitted for Building Permit BP-NEW-2025-00312. If you choose to proceed with the project revisions associated with this application, construction must remain on hold until the permit has been fully recirculated, all required approvals have been obtained, and any applicable additional fees have been paid.

Owner to also be aware of the following:

2) A pool enclosure permit remains outstanding for the existing pool indicated on the plot plan. Please contact Building Services at 705-674-4455 ext 4278 for information on permit submission requirements.

Conservation Sudbury, January 23, 2026

No Concerns

Site Plan, January 23, 2026

No Concerns

Meeting Minutes:

02/04/2026 The applicants and their agent, Dan Guillemette of Centreline Architecture, appeared before Committee and the agent provided a summary of the Application. Committee Chair Dumont confirmed with the agent that they were aware of Building Services' comments. The agent advised that the existing shed would be moved into compliance with the By-law. Committee Member Castanza advised that she attended the site and referred to staff's comments regarding the driveway and expressed support for staff's recommendation. Committee Member Goswell expressed support for the Application. Committee Member Sawchuk asked the agent if the existing garage was remaining and the agent confirmed that it was. Committee Member Sawchuk expressed support for staff's recommendation. Committee Member Murray and Committee Chair Dumont expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
MELANIE POULIN AND STEPHAN POULIN
the owner(s) of PIN(s) 734960180, Parcel 29152 SEC SES SRO, Lot 20, Plan M-324, Part Lot 9, Concession 1, Township of Garson, 114 Robert Street, Garson P3L 1M4

for relief from Part 4, Section 4.2, Table 4.1 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z,

being the By-law for the City of Greater Sudbury, as amended, to facilitate a garage addition on the existing single detached dwelling providing an interior side yard setback of 0.45m with eaves encroaching an additional 0.41m into the proposed 0.45m side yard setback, where a minimum interior side yard setback of 1.8m is required and where eaves may encroach 0.6 m into the required 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-2026-00001

February 4, 2026

OWNER(S): LUC LAVERDIERE, 521 Monique St., Chelmsford, ON, Canada P0M1L0
JULIE LAVERDIERE, 521 Monique, Chelmsford, ON, Canada

AGENT(S): LUC LAVERDIERE, 521 Monique St., Chelmsford, ON, Canada P0M1L0

LOCATION: PIN(s) 733480138, Parcel 18926 SEC SWS SRO, Part Lot 44, Plan M-446, Parts 3-4, Plan 53R-12988, Part Lot 1, Concession 2, Township of Balfour, 521 Monique Street, Chelmsford 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 permit an addition on the existing single detached dwelling providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, January 30, 2026

The purpose and effect of the application is to facilitate the construction of a 7.37 m² addition to the single detached dwelling with the following variances:

1. a minimum front yard setback of 4.8 m, where 6 m is required;
2. an eaves encroachment of 0.6 m into the proposed 4.8 m front yard setback, where eaves may encroach 1.2 m into the required yard, no closer than 0.6 m.

The subject lands contain a single detached dwelling, a pool, and two accessory buildings. The lands are serviced by a municipal water and sanitary connection and have an entrance from Monique 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.

The applicant has not provided a rationale for the request.

Staff have no concerns with the proposed addition as it is 7.37 m² in size and is therefore not anticipated to impact surrounding uses or alter residential character of the neighbourhood.

Staff is of the opinion that the application is 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.

Corridor Management, January 29, 2026

No Comment Received

Hydro One, January 29, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), January 29, 2026

No Comment Received

Strategic and Environmental Planning, January 29, 2026

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Building Services, January 28, 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. Building Services acknowledges an associated building permit application (BP-NEW-2026-00011) for the proposed construction.

Development Engineering, January 28, 2026

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.6 m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Ministry of Transportation, January 27, 2026

No concerns - the subject lot is located outside the MTO's permit control area (PCA); and therefore, we have no comments to provide at this time.

Sudbury Hydro, January 26, 2026

No concerns - outside of our territory.

Conservation Sudbury, January 23, 2026

No Concerns

Site Plan, January 23, 2026

No Concerns

Meeting Minutes:

02/04/2026 The applicant, Luc Laverdiere, appeared before Committee and provided a summary of the Application.
All Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
LUC LAVERDIERE AND JULIE LAVERDIERE
the owner(s) of PIN(s) 733480138, Parcel 18926 SEC SWS SRO, Part Lot 44, Plan M-446, Parts 3-4, Plan 53R-12988, Part Lot 1, Concession 2, Township of Balfour, 521 Monique Street, Chelmsford P0M 1L0

for relief from Part 4, Section 4.2, Table 4.1 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate an addition on the existing single detached dwelling providing a front yard setback of 4.8m with eaves encroaching an additional 0.6m into the proposed 4.8m front yard setback, where a minimum front yard setback of 6.0m is required and where eaves may encroach 1.2m into the required front 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-2025-00168

February 4, 2026

OWNER(S): VINCE POLLESEL, 1581 O'Neil Drive West, Garson, ON, Canada P3L1L6
KAREN ANN POLLESEL, 1581 O'Neil Drive West, Garson, Ontario, Canada P3L1L6

AGENT(S): YALLOWEGA ARCHITECTURE INC., 157 Silpaa St, Sudbury, ON, Canada P3B3E5

LOCATION: PIN(s) 734960453, SRO, Part Lot 9, Concession 1, Part 1, Plan 53R-17575, Township of Garson, 1581 O'Neil Drive, Garson P3L 1L6

SUMMARY

Zoning: The property is zoned R1-1(10) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit an accessory building on the subject property providing a height a variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, January 30, 2026

REVISED:

The purpose and effect of the application is to facilitate the construction of a 3 storey detached garage on the subject property providing a maximum height of 13.2m, whereas the maximum height of any accessory building on a residential lot shall be 5.0m.

The subject lands contain a 3 storey single detached dwelling with a height of 10.7 m that is serviced by an individual well and private septic system and is accessed from O'Neil Drive.

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan and are zoned 'R1-1(10)', Low Density Residential One Special within the City of Greater Sudbury Zoning By-law.

Subsequent to the previous meeting the applicant provided additional information on the intended use of the garage being for a personal car collection, associated cleaning and maintenance of the personal vehicles, as well as recreation space. Additionally, the applicant has provided a new drawing which compares the height of the dwelling to the single detached dwelling at grade. As an advisory comment, matching the aesthetics of the dwelling has no bearing on staff's analysis.

Due to the topography of the lands, the detached garage will exceed the height of the single detached dwelling, however, it will not appear to be taller than the single detached dwelling at grade level. The garage is proposed to be located 14.7 m from the road and will be visually buffered from the road from existing deciduous trees. Staff is satisfied that the building will be used for personal use only, accessory to the residential use. The proposed garage would not be out of character with the existing residences in this area.

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

Development Engineering, December 18, 2025

No Concerns

Building Services, December 17, 2025

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. Building Services acknowledges an associated building permit application (BP-NEW-2024-00833) for the proposed construction.
 - a) Revised drawings will be required reflecting the removal of the subterranean walkway between the proposed detached garage and existing single family dwelling.
 - b) Owner to ensure that a revised plot plan is provided for the associated building permit that aligns with this minor variance application.
2. A search of our records indicates there is a Building Permit which has not been completed. Owner shall contact Building Services to discuss outstanding items. Building Permit Number B05-0416

Development Approvals, December 17, 2025

The purpose and effect of the application is to facilitate the construction of a 3 storey detached garage on the subject property providing a maximum height of 13.2m, whereas the maximum height of any accessory building on a residential lot shall be 5.0m.

The subject lands contain a 3 storey single detached dwelling with a height of 10.7 m that is serviced by an individual well and private septic system and is accessed from O'Neil Drive.

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan and are zoned 'R1-1(10)', Low Density Residential One Special within the City of Greater Sudbury Zoning By-law.

The applicant has advised that they are seeking additional height to match the roof slope of the single detached dwelling. The applicant has not advised of the intended use of the building.

The detached garage is proposed to be located closer to the road than the dwelling and will exceed the height of the single detached dwelling. Staff acknowledge that the building is intended to be

constructed with the slope of the land resulting in only a portion of the building having a height of 13.2 m, however, the tallest portion will be visible from the front lot line. The detached garage is proposed to exceed the height requirement by more than double what is permitted. Given the proposed size, height, and location, staff have some concerns with the intended use and the accessory nature of the building. Staff require additional information on the intended use of the building and justification for the additional 8.2 m in height over what is permitted, prior to providing a recommendation.

It is recommended that the application be deferred to allow the applicant an opportunity to address staff comments.

Corridor Management, December 16, 2025

No Comment Received

Hydro One, December 16, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), December 16, 2025

No Comment Received

Strategic and Environmental Planning, December 16, 2025

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Sudbury Hydro, December 16, 2025

Please note PL-MV-2025-00168 is outside of our service territory.

Conservation Sudbury, December 12, 2025

No Concerns

Ministry of Transportation, December 11, 2025

That the subject properties are not located within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Site Plan, December 10, 2025

No Concerns

Meeting Minutes:

- 12/23/2025 The applicant's agent, Rick Yallowega of Yallowega Architecture Inc., appeared before Committee and provided a summary of the Application and an explanation on the use. The agent requested a decision from Committee.
Committee Chair Dumont advised Committee that he attended the site and noted that the garage was currently under construction and requested additional information from the agent and the agent explained the building permit process and the changes that occurred to the plans to eliminate an underground walkway.
Committee Member Castanza clarified with the agent his comments on the underground walkway and expressed support for the Application.
Committee Member Goswell, referring to a letter submitted by the agent on December 22, asked staff if the letter explained the use and staff advised that they did not have an opportunity to review the letter or formally comment. Committee Member Goswell expressed support for the Application.
Committee Chair Dumont expressed agreement with his fellow Committee Members but expressed concern with approving the Application without receiving rationale on the four tests from staff.
Committee Member Goswell expressed support for the Application and commented on the four tests. Committee Chair Dumont expressed concern and Committee Member Castanza expressed support for the Application.
Committee Chair Dumont advised Committee that he supported staff's recommendation and explained why.
Committee Member Goswell requested staff to comment on the magnitude of the Application and if it constituted a minor variance. Staff advised Committee that there was no set number, applications are reviewed looking at the impact on surrounding uses and each application was context specific.
Committee Chair Dumont expressed his desire to have rationale from staff.
The agent commented on the topography of the land and the height in relation to the house and the street.
Committee Chair Dumont and Committee Member Goswell expressed support for staff's recommendation.
- 02/04/2026 The applicant's agent, Rick Yallowega of Yallowega Architecture Inc., appeared before Committee and provided a summary of the Application
All Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
VINCE POLLESEL AND KAREN ANN POLLESEL
the owner(s) of PIN(s) 734960453, SRO, Part Lot 9, Concession 1, Part 1, Plan 53R-17575, Township of Garson, 1581 O'Neil Drive, Garson P3L 1L6

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 a detached garage on the subject property providing a maximum height of 13.2m, whereas 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