



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00084

July 23, 2025

OWNER(S): ANTHONY FARRUGIA, 255 Edmund Street, Sudbury, ON, Canada P3E 1M3  
 SOPHIE HARDCASTLE, 255 Edmund Street, Sudbury, Ontario, Canada P3E 1M3

AGENT(S): ANTHONY FARRUGIA, 255 Edmund Street, Sudbury, ON, Canada P3E 1M3

LOCATION: PIN(s) 735840704, Part Lot 86, Plan 4-SB, Part Lot 5, Concession 3, Township of McKim, 255 Edmund Street, Sudbury P3E 1M3

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 reconstruct an uncovered deck, fence, and existing accessory structures on the subject property providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 18, 2025

See attached PDF

Linear Infrastructure Services, July 18, 2025

Roads

No concerns

Traffic

We note from the sketch provided two parking stalls have been proposed within the designated sight triangles. Additionally, Parking Stall 2 appears to extend into the City's right-of-way.

The owner understands that no vehicles or structures are permitted within the sight triangle area.

This ensures clear lines of sight for drivers and pedestrians at intersections.

Active Transportation

No concerns

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

Building Services has reviewed your application PL-MV-2025-00084 and has the following comments:

1) Additional minor variances will be required for the proposed shed on the west side of the property and for the fence that lies within the 7.5m sight triangle as per section 4.35 of Zoning By-law 2010-100z.

2) Parking #2 is not a legal existing parking space. The parking space is not permitted within the sight triangle and appears to be encroaching on to city property.

Applicant to be advised:

1) Building Services acknowledges a building permit application (BP-NEW-2025-00867) for the attached decks.

2) There are issued permits on the property. Please contact Building Services to schedule inspections as required and ensure permits are completed in a timely manner.

3) There is an outstanding Building Code Order BP-BCO-2024-00149 unrelated to this minor variance that is requires resolution.

Development Engineering, July 16, 2025

No Concerns

Site Plan, July 14, 2025

No Concerns

Strategic and Environmental Planning, July 14, 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.

Source Water Protection, July 11, 2025

Located within Ramsey IPZ 2 - No significant drinking water threat identified at this time.

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

Maintain proper clearances from overhead powerlines.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The applicant, Anthony Farrugia, appeared before Committee and provided a summary of the Application and additional information on what was being proposed. The applicant acknowledged the additional relief noted in the comments and requested Committee to partially approve the Application in order to complete the decks to provide access to their dwelling.

Committee Member Goswell requested staff to confirm the resolution to be read. The Secretary-Treasurer confirmed the resolution was to defer the Application and suggested to Committee the process they could follow if they decided to partially approve the Application. Committee Member Goswell expressed support to partially approve the Application.

Committee Chair Dumont confirmed with Committee Member Goswell and staff which variances he was expressing support for.

Committee Member Sawchuk requested the applicant to confirm which variances he was seeking approval for and the applicant confirmed that he was seeking approval for the variances associated with the deck and the accessory structure located in the southeast corner of the property. Committee Member Sawchuk expressed support to partially approve the Application.

Committee Member Murray confirmed with the Secretary-Treasurer the process suggested to partially approve the Application.

Committee Chair Dumont expressed support for staff's recommendation to defer the Application and provided the reasons why.

Committee Member Sawchuk put forward a motion to approve the variances associated with the deck and accessory structure located in the southeast corner of the lot. The motion was seconded by Committee Member Murray. Committee Member Goswell put forward a friendly amendment to remove the approval for the accessory structure located in the southeast corner of the lot from the motion. The friendly amendment was accepted by Committee Members Sawchuk and Murray. The motion approving the variances associated with the deck were approved and carried.

The following decision was reached:

DECISION:

THAT the application by:

ANTHONY FARRUGIA AND SOPHIE HARDCASTLE

the owner(s) of PIN(s) 735840704, Part Lot 86, Plan 4-SB, Part Lot 5, Concession 3, Township of McKim, 255 Edmund Street, Sudbury P3E 1M3

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the reconstruction of an uncovered deck providing a front yard setback and interior side yard setback of 0.2m, where uncovered decks 1.2m or less in height may encroach 1.2 m into the required yard but no closer than 1.2 m to the interior side 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Non-Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00087

July 23, 2025

OWNER(S): MATT MARSH, 130 CHERRYWOOD CRESCENT, SUDBURY, ON, Canada  
P3B3Z8

MEGAN WALTON, 130 Cherrywood Crescent, Sudbury, Ontario, Canada

AGENT(S): CR DESIGN, 2200 lakeshore blvd west unit 3609, toronto, ON, Canada

LOCATION: PIN(s) 735770025, Parcel 47862 SEC SES, Lot 91, Plan M-1055, Part Lot 11,  
Concession 3, Township of Neelon, 130 Cherrywood Crescent, Sudbury P3B 3Z8

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SUMMARY

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

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

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Development Approvals, July 17, 2025

The purpose and effect of the application is to construct a 31.2 m<sup>2</sup> accessory building with a height of 4 m that is located 1.83 m from the rear lot line, whereas 4.5 m setback is required when abutting a road width exceeding 10 m.

The subject lands contain a single detached dwelling, deck, and shed. The subject lands are serviced by a municipal water and municipal sanitary connection and have an existing access from Cherrywood Crescent.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law, are regulated by Conservation Sudbury (NDCA), and fall within the Ramsey Lake Intake Protection Zone IV in the Source Water Protection Plan.

Surrounding uses are low density residential in nature.

The agent has advised that the 1.83 m setback is requested in order to maintain more buildable area for a future addition to the single detached dwelling.

Roads that are greater than 10 m in width are often characterized by a road classification that carries more traffic volumes. Bancroft Drive is classified as a secondary arterial road. The intent of requiring a greater setback from roads greater than 10 m is for safety purposes. Traffic and Transportation did not advise of any vehicular safety concerns. There is adequate space between the building and rear lot line for access and maintenance purposes.

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), July 17, 2025

No Comment Received

Building Services, July 16, 2025

No Concerns

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Site Plan, July 14, 2025

No Concerns

Strategic and Environmental Planning, July 14, 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.

Conservation Sudbury, July 11, 2025

No Concerns

Source Water Protection, July 11, 2025

Located within Ramsey Lake IPZ 3. No significant drinking water threat identified at this time.

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No Concerns

Meeting Minutes:

07/23/2025 The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application. Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

MATT MARSH AND MEGAN WALTON

the owner(s) of PIN(s) 735770025, Parcel 47862 SEC SES, Lot 91, Plan M-1055, Part Lot 11, Concession 3, Township of Neelon, 130 Cherrywood Crescent, Sudbury P3B 3Z8

for relief from Part 4, Section 4.2, Table 4.1 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 storage building providing a rear yard set-back of 1.83m, where an accessory building greater than 2.5m in height shall be set-back 4.5m from the rear lot line when the rear lot line is a streetline of a road having a width of more than 10.0m, 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00088

July 23, 2025

OWNER(S): 2810373 ONTARIO INC., 162 Mackenzie Street, Sudbury, ON, Canada

AGENT(S): J.L. RICHARDS & ASSOCIATES LIMITED, 314 Countryside Dr, Sudbury, ON, Canada

LOCATION: PIN(s) 735860343, Lots 7-10 and Part Lane, Plan 8-SA, as in S42573, except S42572; Part Lots 17-18, Plan 8-SA, being Parts 6-8, Plan SR-3338, Part Lot 7, Concession 3, Township of McKim, 40 Eyre Street, Sudbury P3C 4A5

SUMMARY

Zoning: The property is zoned C2(125) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit the location of an accessory refuse storage area at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 18, 2025

The purpose and effect of the application is to permit the refuse storage area to provide no setback from the south interior side lot line, which also abuts a residential zone, where a refuse storage area shall be located no closer than 3.0m to any lot line or any residential zone boundary than required for an accessory structure in a non-residential zone.

The subject lands contain a former church which is proposed to be converted to a light manufacturing use. The subject lands are serviced by a municipal water and municipal sanitary connection and have an access from Eyre Street and Unnamed Lane 64.

The subject lands are designated 'Institutional' within the City of Greater Sudbury Official Plan and are zoned 'C2(125)' General Commercial Special within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and general commercial in nature.

The lands are subject to a Site Plan Control Application. The applicant advised that through the Site Plan Control process staff identified that the garbage enclosure (comprised of fence boards) could not be located on the easement for water, sanitary and stormwater management and that the garbage enclosure required to be relocated. In order to accommodate proper turn around ability for the garbage collection fleet, and be located outside of the easement, the 0 m setback is being requested.

The intent of the required 3 m setback from residential use and lot line is for compatibility and access and maintenance. Staff have no concerns with residential compatibility given the refuse will be enclosed and is abutting what appears to be a parking area. Staff do have concerns with the proposed no space between the encloser and the interior lot line for access and maintenance purposes. There appears to be space on the subject lands outside of the easement to allow for a setback from the property line.

Staff recommend that the application be deferred to allow the applicant an opportunity staff comments.

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Traffic and Transportation, July 17, 2025

No Concerns

Building Services, July 16, 2025

No Concerns

Development Engineering, July 16, 2025

No Concerns

Site Plan, July 14, 2025

No Concerns

Strategic and Environmental Planning, July 14, 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.

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No Concerns

Conservation Sudbury, July 9, 2025

No Concerns

## Meeting Minutes:

07/23/2025 The applicant's agent, Sarah Vereault of J.L. Richards & Associates, appeared before Committee and provided a summary of the Application. The agent requested Committee to approve a variance for 0.5m setback for the refuse storage area. Committee Member Goswell expressed support for staff's recommendation. Committee Member Sawchuk expressed agreement with staff's comments and recommendation but advised that with the comments from the agent, he would be supportive of a deferral. Committee Member Murray expressed support for staff's recommendation. Committee Chair Dumont expressed support for the agent's request for a variance of 0.5m setback and provided the reasons why he was supportive. Committee Chair Dumont put forward a motion to amend the resolution to delete the no setback and replace with 0.5m setback. Committee Member Sawchuk seconded the motion. Committee Member Goswell requested staff to provide information regarding the easement. The question was redirected to the agent who provided information on the site plan control process, the location of the existing easement and the impact on the refuse storage area. Committee Chair Dumont provided Committee with additional information on the site plan control process. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:

2810373 ONTARIO INC.

the owner(s) of PIN(s) 735860343, Lots 7-10 and Part Lane, Plan 8-SA, as in S42573, except S42572; Part Lots 17-18, Plan 8-SA, being Parts 6-8, Plan SR-3338, Part Lot 7, Concession 3, Township of McKim, 40 Eyre Street, Sudbury P3C 4A5

for relief from Part 4, Section 4.2, subsection 4.2.9 b)(ii) and (iii) and Part 7, Section 7.3, Table 7.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sud-bury, as amended, to permit the refuse storage area to provide a 0.5m setback from the south interior side lot line, which also abuts a residential zone, where a refuse storage area shall be located no closer than 3.0m to any lot line or any residential zone boundary than required for an accessory structure in a non-residential zone, 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00089

July 23, 2025

OWNER(S): ROBERT BARRY, 1499 Joe Lake Rd, Hanmer, ON, Canada  
ANGELE BARRY, 1499 Joe Lake Rd, Hanmer, ON, Canada

AGENT(S): ANGÈLE BÉNARD-BARRY, 1499 Joe Lake Rd, Hanmer, ON, Canada P3P1R3

LOCATION: PIN(s) 735220061, 735220063, Parcels 19880 and 19971 SEC SES, Part Lot 11, Plan M-207, as in LT115777 and LT116262, Part Lot 6, Concession 1, Township of Wisner, 1499 Joe Lake Road, Hanmer P3P 1R3

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SUMMARY

Zoning: The property is zoned RS 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, July 17, 2025

No Comment Received

Development Approvals, July 17, 2025

The purpose and effect of the application is to construct an 82.8 m<sup>2</sup> accessory building with a height of 5.79 m, whereas the maximum height permitted for accessory buildings is 5 m.

The subject lands contain a seasonal dwelling with a ground floor area of 163.8 m<sup>2</sup> and a height of 7.62 m, and three accessory buildings. The subject lands are serviced by an individual septic system and lake water, and have an existing access from Joe Lake Road West.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'RS' Rural Shoreline within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are rural shoreline and mining industrial in nature.

The accessory building is proposed to be located in the front yard with a setback of 14.6 m from the front lot line. The proposed accessory building will be subordinate in size and height in comparison to the seasonal dwelling. The accessory building is proposed to be located outside of the highwater mark and shoreline areas. There is vegetation located along the front lot line, which would act as a visual buffer from the road.

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 (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

Applicant/Owner to be advised of the following comments:

- 1) We acknowledge the receipt of associated building permit (BP-NEW-2025-00807) for the construction of a detached garage, accessory to the existing seasonal dwelling.
- 2) Applicant/Owner to be aware that sheds greater than 15m<sup>2</sup> require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m<sup>2</sup> (108 ft<sup>2</sup>) would also be subject to the Ontario Building Code and would require a building permit. Zoning By-law requirements
- 3) Applicant/Owner to be informed that should a building permit not be required, zoning by-law requirements are required to be met and maintained. We acknowledge the 0.6m setback to the interior property line. As per table 4.1, an accessory building 2.5m and less in height, is required to maintain a minimum setback of 0.6m from the interior lot line, whereas an accessory structure greater than 2.5m in height, is required to maintain a minimum of 1.2m from the interior lot line.

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Site Plan, July 14, 2025

No Concerns

Strategic and Environmental Planning, July 14, 2025

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.

Conservation Sudbury, July 11, 2025

Conservation Sudbury has no objection to the height variance for the detached garage being sought. Please note that subject property has areas regulated by Conservation Sudbury. Future development along the shoreline, including the placement of fill, requires permission of Conservation Sudbury.

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our territory.

Meeting Minutes:

07/23/2025 The applicant, Angèle Barry, appeared before Committee and provided a summary of the Application. Committee Members Goswell, Sawchuk and Murray expressed support for the Application and staff's recommendation. Committee Chair Dumont outlined Building Services comments for the benefit of the applicant and expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

ROBERT BARRY AND ANGELE BARRY

the owner(s) of PIN(s) 735220061, 735220063, Parcels 19880 and 19971 SEC SES, Part Lot 11, Plan M-207, as in LT115777 and LT116262, Part Lot 6, Concession 1, Township of Wisner, 1499 Joe Lake Road, Hanmer P3P 1R3

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 providing a maximum height of 5.79m, 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00090

July 23, 2025

OWNER(S): BAIKINSON LAND CORP, 1107 Auger Ave, Sudbury, ON, Canada

AGENT(S): BARRON WEST / 2828566 ONTARIO INC, 3061 Emerald Cres, Chelmsford, ON, Canada 555555

LOCATION: PIN(s) 733480810, Lot 20, Plan 53M-1446, Part Lot 2, Concession 2, Township of Balfour, 2984 Ruby Street, Chelmsford, ON P0M 1L0

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SUMMARY

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

Application: Approval to construct a semi-detached dwelling on a proposed severed lot subject of a Consent Application B0097/2023, providing a maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 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 building permit application BP-NEW-2025-00845 for construction of a semi-detached dwelling with attached garages, attached decks and 2 additional dwelling units.
2. Building Services acknowledges consent application B0097/2023 to divide the subject property along the party wall of a proposed semi-detached dwelling.

Development Engineering, July 16, 2025

No Concerns

## Traffic and Transportation, July 16, 2025

No Concerns

## Strategic and Environmental Planning, July 15, 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.

## Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 338 m<sup>2</sup> semi-detached dwelling (169 m<sup>2</sup>/unit) with a lot coverage of 47%, whereas the maximum lot coverage permitted is 40%.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Ruby Street.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and commercial in nature.

Staff have no concerns with the proposed lot coverage as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

The subject lands are located within the MTO permit area. MTO has identified the need for a building/land use permit. Staff have included a condition to that effect.

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 subject to the following condition:

1. That a Building/Land Use Permit be obtained from MTO, to the satisfaction of the Director of Planning Services.

## Site Plan, July 14, 2025

No Concerns

## Ministry of Transportation, July 10, 2025

The subject properties are located within the MTO's permit control area; therefore, are subject for review under the Public Transportation and Highway Improvement Act R.S.O. 1990 and will require proper MTO permits. I can confirm that the MTO supports the proposed semi-detached dwellings on both properties with the following comments to consider:

MTO Building/Land Use Permits are required for the construction of both dwellings.

Placement of any new buildings/structures within 395 meters of the centre-point of intersections of Hwy 144 and any public road requires an MTO permit

Any future development or change in land use must be subject to MTO review.

Permits can be applied for online at the following link: <https://www.hcms.mto.gov.on.ca/>

Sudbury Hydro, July 10, 2025

No concerns, outside of our territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear both PL-MV-2025-0090 and PL-MV-2025-00091, together.  
The applicant's agent, Ron Ceaser, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

BAIKINSON LAND CORP

the owner(s) of PIN(s) 733480810, Lot 20, Plan 53M-1446, Part Lot 2, Concession 2, Township of Balfour, 2984 Ruby Street, Chelmsford, ON P0M 1L0

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, for approval to construct a semi-detached dwelling on a proposed severed lot, subject of Consent Application B0097/2023, providing a maximum 47% lot coverage, where a maximum 40% is permit-ted, be granted, subject to the following condition:

- 1. That a Building/Land Use Permit be obtained from MTO within a one-year period, to the satisfaction of the Director of Planning Services.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



**COMMITTEE OF ADJUSTMENT**

SUBMISSION NO. PL-MV-2025-00091

July 23, 2025

OWNER(S): BAIKINSON LAND CORP, 1107 Auger Ave, Sudbury, ON, Canada  
AGENT(S): BARRON WEST / 2828566 ONTARIO INC, 3061 Emerald Cres, Chelmsford, ON, Canada 555555  
LOCATION: PIN(s) 733480810, Lot 20, Plan 53M-1446, Part Lot 2, Concession 2, Township of Balfour, 2982 Ruby Street, Chelmsford P0M 1L0

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SUMMARY

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

Application: Approval to construct a semi-detached dwelling on a proposed retained lot subject of a Consent Application B0097/2023, providing a maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 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 building permit application BP-NEW-2025-00845 for construction of a semi-detached dwelling with attached garages, attached decks and 2 additional dwelling units.
2. Building Services acknowledges consent application B0097/2023 to divide the subject property along the party wall of a proposed semi-detached dwelling.

Development Engineering, July 16, 2025

No Concerns

## Traffic and Transportation, July 16, 2025

No Concerns

## Strategic and Environmental Planning, July 15, 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.

## Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 338 m<sup>2</sup> semi-detached dwelling (169 m<sup>2</sup>/unit) with a lot coverage of 48%, whereas the maximum lot coverage permitted is 40%.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Ruby Street.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and commercial in nature.

Staff have no concerns with the proposed lot coverage as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

The subject lands are located within the MTO permit area. MTO has identified the need for a building/land use permit. Staff have included a condition to that effect.

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 subject to the following condition:

1. That a Building/Land Use Permit be obtained from MTO, to the satisfaction of the Director of Planning Services.

## Site Plan, July 14, 2025

No Concerns

## Ministry of Transportation, July 10, 2025

The subject properties are located within the MTO's permit control area; therefore, are subject for review under the Public Transportation and Highway Improvement Act R.S.O. 1990 and will require proper MTO permits. I can confirm that the MTO supports the proposed semi-detached dwellings on both properties with the following comments to consider:

MTO Building/Land Use Permits are required for the construction of both dwellings.

Placement of any new buildings/structures within 395 meters of the centre-point of intersections of Hwy 144 and any public road requires an MTO permit

Any future development or change in land use must be subject to MTO review.

Permits can be applied for online at the following link: <https://www.hcms.mto.gov.on.ca/>

Sudbury Hydro, July 10, 2025

No concerns, outside of our territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear both PL-MV-2025-0090 and PL-MV-2025-00091, together.  
The applicant's agent, Ron Ceaser, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:  
BAIKINSON LAND CORP

the owner(s) of PIN(s) 733480810, Lot 20, Plan 53M-1446, Part Lot 2, Concession 2, Township of Balfour, 2982 Ruby Street, Chelmsford P0M 1L0

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, for approval to construct a semi-detached dwelling on a proposed retained lot, subject of Consent Application B0097/2023, providing a maximum 48% lot coverage, where a maximum 40% is permit-ted, be granted, subject to the following condition:

- 1. That a Building/Land Use Permit be obtained from MTO within a one-year period, to the satisfaction of the Director of Planning Services.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



**COMMITTEE OF ADJUSTMENT**

SUBMISSION NO. PL-MV-2025-00092

July 23, 2025

OWNER(S): JADE DAY, 42 Beaudry Crescent, Dowling, ON, Canada P0M1R0

AGENT(S): JADE DAY, 42 Beaudry Crescent, Dowling, ON, Canada P0M1R0

LOCATION: PIN(s) 733520715, Parcel 25655 SEC SWS SRO, Lot 12, Plan M-1041, Part Lot 2, Concession 4, Township of Dowling, 42 Beaudry Crescent, Dowling P0M 1L0

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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, July 17, 2025

No Comment Received

Development Approvals, July 17, 2025

The purpose and effect of the application is to construct an 118.9 m<sup>2</sup> accessory building with a height of 5.69 m, whereas the maximum height permitted for accessory buildings is 5 m.

The subject lands contain a single detached dwelling with a ground floor area of 135 m<sup>2</sup> and a height of 5.63 m. The subject lands are serviced by an individual septic system and well, and have an existing access from Beaudry Crescent.

It is unclear based on the concept plan provided where the intended access to the proposed building is located. As an advisory comment, if the new garage is proposed to be accessed by a secondary driveway, staff would encourage the applicant to contact Technical Services to discuss applicable policies and procedures for secondary entrances.

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 (NDCA).

Surrounding uses are low density residential in nature.

The accessory building is proposed to be located in the rear yard with a setback of 28 m from the front lot line. The proposed accessory building will be subordinate in size and 0.06 m greater in height in comparison to the single detached dwelling. The accessory building will be one storey in height and exceed the permitted height by 0.69 m. The one storey accessory building would maintain the character of the surrounding area. Staff do not anticipate negative impacts as a result of the additional height. Staff are satisfied the residential character of the subject lands will be maintained and that the proposed garage 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 (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

Applicant/Owner to be advised of the following comments:

1) We acknowledge the receipt of an associated building permit application (BP-NEW-2025-00821) for the construction of a detached garage.

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Site Plan, July 14, 2025

No Concerns

Conservation Sudbury, July 11, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Meeting Minutes:

07/23/2025 The applicant, Jade Day, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

JADE DAY

the owner(s) of PIN(s) 733520715, Parcel 25655 SEC SWS SRO, Lot 12, Plan M-1041, Part Lot 2, Concession 4, Township of Dowling, 42 Beaudry 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 facilitate the construction of a detached garage providing a maximum height of 5.69m, 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring

## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00093

July 23, 2025

OWNER(S): 2380363 ONTARIO LIMITED, 219 O'Neil Dr E, Hanmer, ON, Canada

AGENT(S): TULLOCH, 131 Fielding Road, Lively, ON, Canada

LOCATION: PIN(s) 021270524, SRO, Part Block Y, Plan M-597, Parts 1-6, Plan 53R-22089, Part Lot 6, Concession 5, Township of McKim, 6 Selkirk Street, Sudbury P3C 4L2

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### SUMMARY

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

Application: Approval to construct a 12-unit multiple dwelling on the subject property providing reduced required parking spaces at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 18, 2025

The purpose and effect of the application is to facilitate the construction of a 12-unit multiple dwelling providing 10 parking spaces, where 16 parking spaces are required and where 10 parking spaces were previously approved under Minor Variance Application A0050/2023 for a proposed 10-unit multiple dwelling.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R3-1', Medium Density Residential Zone within the City of Greater Sudbury Zoning By-law.

Staff have no concerns with the number of units proposed, as the density within the official plan and maximum number of units within the zoning by-law would be maintained, but do have concerns in regards to the proposed parking reduction.

As part of the consent and minor variance applications in 2024 staff evaluated the proposed parking reduction from the required 15 spaces (1.5 spaces/unit) to 10, and were of the opinion given the context and location of the site that one parking space per unit would be appropriate. In staff's opinion the parking ratio of one space per unit should be maintained as it represents good land use planning and would be consistent with the Municipality's approach for parking reductions for multiple unit dwellings outside of the downtown/employment areas.

Staff recognize that the lands abut a transit line, and are in walking distance to outdoor recreational facilities, however, maintain the position that no less than 1 parking space per unit is considered to be appropriate in the Living Area I designation.

It is recommended that the application be denied.

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), July 17, 2025

No Comment Received

Traffic and Transportation, July 17, 2025

Roads

No concerns

Traffic

Parking is restricted on Burton Ave. While parking is permitted on Selkirk Street it is limited to a maximum of 4 hours. It is unclear where any overflow or visitors to this site will park.

Active Transportation

No concerns

Building Services, July 16, 2025

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

1) We acknowledge an associated issued building permit (BP-NEW-2024-01343) for the construction of a 10-unit multiple dwelling. Building Services recognizes the request to adjust parking relief from the previously approved minor variance (A0050/23) as the original proposed development has increased from 10 dwelling units to 12 dwelling units. Applicant/Owner to be aware that revised drawings, updated site statistics table, and supplementary documents are to be submitted to the satisfaction of the Chief Building Official for the 2 additional proposed dwelling units. Please contact Building Services if you require further information.

Applicant/Owner to also be advised of the following comments:

2) With respect to bicycle parking, Owner/Applicant to be aware that in accordance with Part 5, Section 5.8, Table 5.10 of the Zoning By-law, 6 bicycle parking spaces are required (0.5 bicycle spaces per dwelling unit). We acknowledge a note on the site plan legend indicating that all bicycle parking to be located within the proposed multiple dwelling.

3) With respect to refuse storage, we acknowledge the note on the site plan legend which indicates that refuse storage will be contained within the building. Should refuse storage areas be located on the property, all applicable provisions to be met in accordance with Part 4, Section 4.2.9. of the Zoning By-law. Refuse storage areas are to be shown on the site plan provided at the time of building permit application

Development Engineering, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No Concerns

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The applicant, Paul Charbonneau and his agent, Vanessa Smith of Tulloch Engineering, appeared before Committee. At the request of Committee Chair Dumont, the agent provided a summary of the Application specifically addressing the previously approved minor variance and the comments contained in the planning report. The applicant addressed Committee and advised that he was the current landlord, had hundreds of units within the City and explained what his intended rental rate for the two additional units was going to be. Committee Member Goswell expressed support for staff's recommendation. Committee Member Sawchuk requested staff to provide Committee with the reason for the recommendation. Staff advised Committee that the recommendation was to deny as there was no room to accommodate additional parking on site and that staff reviewed everything submitted with the Application when making the recommendation. Committee Member Sawchuk expressed support for staff's recommendation. Committee Member Murray expressed support for the Application. Committee Chair Dumont requested the agent to clarify the variances sought in 2023. The agent and the applicant provided clarification. Committee Chair Dumont expressed support for staff's recommendation and provided his reasons why.

The following decision was reached:

DECISION:

THAT the application by:  
2380363 ONTARIO LIMITED  
the owner(s) of PIN(s) 021270524, SRO, Part Block Y, Plan M-597, Parts 1-6, Plan 53R-22089, Part Lot 6, Concession 5, Township of McKim, 6 Selkirk Street, Sudbury P3C 4L2

for relief from Part 5, Section 5.5, Table 5.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a 12-unit multiple dwelling providing, firstly, 10 parking spaces, where 16 parking spaces are required and where 10 parking spaces were previously approved under Minor Variance Application A0050/2023 for a proposed 10-unit multiple dwelling, be denied.

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 not minor in nature and is not 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 would not be maintained.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Non-Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00094

July 23, 2025

OWNER(S): ADRIAN MOLINA, 103 TWENTY NINth ST, ETOBICOKE, ON, Canada M8W3B1  
AMANDA WARAM, 103 Twentyninth Street, Etobicoke, ON, Canada

AGENT(S): ADRIAN MOLINA, 103 TWENTY NINth ST, ETOBICOKE, ON, Canada M8W3B1

LOCATION: PIN(s) 734800266, Parcel 30802 SEC SES, Part Broken Lot 3, Concession 3, Part 2, Plan SR-295, together with easement over Parts 8-9, Plan SR-295 as in LT212809, Township of Cleland, 50 Kauppi Road, Wanup P3E 4N1

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SUMMARY

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

Application: Approval to construct a detached accessory building providing a setback and eaves encroachment at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Development Approvals, July 17, 2025

The purpose and effect of the application is to construct an 84.4 m<sup>2</sup> accessory building with a front yard setback of 7.5 m, whereas 10 m is required, and an eaves encroachment of 0.61 m into the 7.5 m setback, whereas eaves may encroach 1.2 m into the required front yard no closer than 0.6m to the lot line.

The subject lands contain a seasonal dwelling with a ground floor area of 40 m<sup>2</sup> and a height of 4.5 m, and two accessory buildings. The subject lands are serviced by a pit privy and appear to be accessed from an unopened road allowance to Kauppi Road. Potable water is brought in for consumption.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan and are zoned 'SLS' Seasonal Limited Service within the City of Greater Sudbury Zoning By-law.

Surrounding uses are seasonal limited service and rural in nature.

The accessory building is proposed to be located in the front yard with a setback of 7.5 m from the front lot line. The front lot line abuts an unopened road allowance, separating the structure further from the travelled portion of Kauppi Road. Staff do not anticipate negative impacts as a result of the 7.5 m setback. The property contains vegetation, which will act as a visual buffer from the assumed portion of Kauppi Road. Traffic and Transportation have not identified any sightline safety concerns.

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 (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

1. Building Services acknowledges building permit application BP-NEW-2025-00467 for the construction of the proposed detached garage. In review of the building permit application, it appears we have been provided with a different plot plan than the plot plan provided for the minor variance application. Please ensure the building permit is updated with the plot plan that aligns with the minor variance application.

Building Services also has the following comments for the Applicant/Owner's information:

2. The proposed detached garage shall not be used as "Habitable Living Space", as per CGS Zoning By-law 2010-100Z, 4.2 Accessory Buildings, Structures and Uses, unless an approved Secondary Unit Building Permit is issued and occupancy granted.

3. Applicant/Owner to be aware that any accessory structure (excluding sheds) greater than 108 square feet built after January 1, 2001 requires a building permit. A building permit for the sauna may be required for the 10'x14' sauna.

Development Engineering, July 16, 2025

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.61 m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 2025

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.

The applicant is reminded that a 20 metres deep shoreline buffer area is required to be maintained with natural vegetation in accordance with section 4.41.3 Shoreline Buffer Areas of the City's Zoning By-law 2010-100Z. A naturally vegetated shoreline buffer area acts as an important buffer, absorbing runoff nutrients such as phosphorus, holding soil in place (preventing erosion), and supporting shoreline habitat.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our territory.

Conservation Sudbury, July 9, 2025

Subject property is located outside of the jurisdictional boundaries of Conservation Sudbury. No comment.

Meeting Minutes:

07/23/2025 The applicant, Amanda Waram, appeared before Committee and provided a summary of the Application. Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

ADRIAN MOLINA AND AMANDA WARAM

the owner(s) of PIN(s) 734800266, Parcel 30802 SEC SES, Part Broken Lot 3, Concession 3, Part 2, Plan SR-295, together with easement over Parts 8-9, Plan SR-295 as in LT212809, Township of Cleland, 50 Kauppi Road, Wanup P3E 4N1

for relief from Part 4, Section 4.2, Table 4.1 and Part 9, Section 9.3, Table 9.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a front yard setback of 7.5m with eaves encroaching an additional 0.61m into the proposed 7.5m setback, where 10.0m is required and where eaves may encroach 1.2m into the required 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00096

July 23, 2025

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada  
AGENT(S): CR DESIGN, 2200 Lakeshore Blvd West unit 3609, Toronto, ON, Canada  
LOCATION: PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 133, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3086 Vanier Avenue, Valley East P3P 0E3

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SUMMARY

Zoning: The property is zoned FD, R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.  
Application: Approval to construct a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan, subject of a future Consent Application, providing a setback and maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Building Services, July 17, 2025

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

1) It is noted the driveways have not been paired and centered at the common/party wall. It is the understanding of Building Services that it is the Owner's intention to sever the lands along the party wall. Should the subject lands not be severed, a minor variance would be required for 2 driveways where only 1 driveway is permitted per lot in accordance with the Zoning By-law 2010-100z, Part 5, 5.4.2 (c). Consent Application to be submitted for the aforementioned severance.

Applicant/Owner to also be advised of the following comments:

2) The party wall on the proposed property line shall be constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.

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

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 324 m<sup>2</sup> semi-detached dwelling (162 m<sup>2</sup>/unit) with a lot coverage of 50%, whereas the maximum lot coverage permitted is 40% and a rear yard setback of 6.5 m, where 7.5 m is required.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Varnier Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and park in nature.

Staff have no concerns with the proposed lot coverage or rear yard setback deficiency as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

Staff are 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.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear Applications PL-MV-2025-00096, PL-MV-2025-00097, PL-MV-2025-00098, PL-MV-2025-00099, PL-MV-2025-00100 and PL-MV-2025-00101, together.  
The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

DOMINION PARK DEVELOPMENTS CORP

the owner(s) of PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 133, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3086 Vanier Avenue, Valley East P3P 0E3

for approval to construct a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan submitted with the application, subject of a future Consent application providing, firstly, a rear yard setback of 6.5m, where 7.5m is required, and secondly, a maximum 50% lot coverage, where a maximum 40% is permitted, be granted.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00097

July 23, 2025

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada

AGENT(S): CR DESIGN, 2200 Lakeshore Blvd West unit 3609, Toronto, ON, Canada

LOCATION: PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 133, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3082 Vanier Avenue, Valley East P3P 0E3

SUMMARY

Zoning: The property is zoned FD, R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan, subject of a future Consent Application, providing a setback and maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Building Services, July 17, 2025

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

1) It is noted the driveways have not been paired and centered at the common/party wall. It is the understanding of Building Services that it is the Owner's intention to sever the lands along the party wall. Should the subject lands not be severed, a minor variance would be required for 2 driveways where only 1 driveway is permitted per lot in accordance with the Zoning By-law 2010-100z, Part 5, 5.4.2 (c). Consent Application to be submitted for the aforementioned severance.

Applicant/Owner to also be advised of the following comments:

2) The party wall on the proposed property line shall be constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.

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

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 324 m<sup>2</sup> semi-detached dwelling (162 m<sup>2</sup>/unit) with a lot coverage of 50%, whereas the maximum lot coverage permitted is 40% and a rear yard setback of 6.5 m, where 7.5 m is required.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Varnier Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law. Surrounding uses are low density residential and park in nature.

Staff have no concerns with the proposed lot coverage or rear yard setback deficiency as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

Staff are 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.

Source Water Protection, July 11, 2025

Located within the Vermillion IPZ 3 - this vulnerable area is considered non-critical and has no restrictions or prohibitions within the Source Protection Plan. So significant drinking water threat identified at this time.

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear Applications PL-MV-2025-00096, PL-MV-2025-00097, PL-MV-2025-00098, PL-MV-2025-00099, PL-MV-2025-00100 and PL-MV-2025-00101, together.  
The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:

DOMINION PARK DEVELOPMENTS CORP

the owner(s) of PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 133, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3082 Vanier Avenue, Valley East P3P 0E3

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, for approval to construct a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan submitted with the application, subject of a future Consent application providing, firstly, a rear yard setback of 6.5m, where 7.5m is required, and secondly, a maximum 50% lot coverage, where a maximum 40% is permitted, be granted.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



**COMMITTEE OF ADJUSTMENT**

SUBMISSION NO. PL-MV-2025-00098

July 23, 2025

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada  
AGENT(S): CR DESIGN, 2200 Lakeshore Blvd West unit 3609, Toronto, ON, Canada  
LOCATION: PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 132, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3078 Vanier Avenue, Valley East P3P 0E3

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SUMMARY

Zoning: The property is zoned FD, R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan, subject of a future Consent Application, providing a setback and maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

1) It is noted the driveways have not been paired and centered at the common/party wall. It is the understanding of Building Services that it is the Owner's intention to sever the lands along the party wall. Should the subject lands not be severed, a minor variance would be required for 2 driveways where only 1 driveway is permitted per lot in accordance with the Zoning By-law 2010-100z, Part 5, 5.4.2 (c). Consent Application to be submitted for the aforementioned severance.

Applicant/Owner to also be advised of the following comments:

2) The party wall on the proposed property line shall be constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.

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

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 324 m<sup>2</sup> semi-detached dwelling (162 m<sup>2</sup>/unit) with a lot coverage of 50%, whereas the maximum lot coverage permitted is 40% and a rear yard setback of 6.5 m, where 7.5 m is required.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Varnier Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are low density residential and park in nature.

Staff have no concerns with the proposed lot coverage or rear yard setback deficiency as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

Staff are 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.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear Applications PL-MV-2025-00096, PL-MV-2025-00097, PL-MV-2025-00098, PL-MV-2025-00099, PL-MV-2025-00100 and PL-MV-2025-00101, together.  
The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:

DOMINION PARK DEVELOPMENTS CORP

the owner(s) of PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 132, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3078 Vanier Avenue, Valley East P3P 0E3

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, for approval to construct a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan submitted with the application, subject of a future Consent application providing, firstly, a rear yard setback of 6.5m, where 7.5m is required, and secondly, a maximum 50% lot coverage, where a maximum 40% is permitted, be granted.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00099

July 23, 2025

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada

AGENT(S): CR DESIGN, 2200 Lakeshore Blvd West unit 3609, Toronto, ON, Canada

LOCATION: PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 132, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3074 Vanier Avenue, Valley East P3P 0E3

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SUMMARY

Zoning: The property is zoned FD, R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan, subject of a future Consent Application, providing a setback and maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

1) It is noted the driveways have not been paired and centered at the common/party wall. It is the understanding of Building Services that it is the Owner's intention to sever the lands along the party wall. Should the subject lands not be severed, a minor variance would be required for 2 driveways where only 1 driveway is permitted per lot in accordance with the Zoning By-law 2010-100z, Part 5, 5.4.2 (c). Consent Application to be submitted for the aforementioned severance.

Applicant/Owner to also be advised of the following comments:

2) The party wall on the proposed property line shall be constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.

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

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 324 m<sup>2</sup> semi-detached dwelling (162 m<sup>2</sup>/unit) with a lot coverage of 50%, whereas the maximum lot coverage permitted is 40% and a rear yard setback of 6.5 m, where 7.5 m is required.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Varnier Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are low density residential and park in nature.

Staff have no concerns with the proposed lot coverage or rear yard setback deficiency as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

Staff are 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.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear Applications PL-MV-2025-00096, PL-MV-2025-00097, PL-MV-2025-00098, PL-MV-2025-00099, PL-MV-2025-00100 and PL-MV-2025-00101, together.  
The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:

DOMINION PARK DEVELOPMENTS CORP

the owner(s) of PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 132, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3074 Vanier Avenue, Valley East P3P 0E3

for approval to construct a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan submitted with the application, subject of a future Consent application providing, firstly, a rear yard setback of 6.5m, where 7.5m is required, and secondly, a maximum 50% lot coverage, where a maximum 40% is permitted, be granted.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00100

July 23, 2025

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada  
AGENT(S): CR DESIGN, 2200 Lakeshore Blvd West unit 3609, Toronto, ON, Canada  
LOCATION: PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 131, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3070 Vanier Avenue, Valley East P3P 0E3

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SUMMARY

Zoning: The property is zoned FD, R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan, subject of a future Consent Application, providing a setback and maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

1) It is noted the driveways have not been paired and centered at the common/party wall. It is the understanding of Building Services that it is the Owner's intention to sever the lands along the party wall. Should the subject lands not be severed, a minor variance would be required for 2 driveways where only 1 driveway is permitted per lot in accordance with the Zoning By-law 2010-100z, Part 5, 5.4.2 (c). Consent Application to be submitted for the aforementioned severance.

Applicant/Owner to also be advised of the following comments:

2) The party wall on the proposed property line shall be constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.

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

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 324 m<sup>2</sup> semi-detached dwelling (162 m<sup>2</sup>/unit) with a lot coverage of 50%, whereas the maximum lot coverage permitted is 40% and a rear yard setback of 6.5 m, where 7.5 m is required.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Varnier Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are low density residential and park in nature.

Staff have no concerns with the proposed lot coverage or rear yard setback deficiency as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

Staff are 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.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear Applications PL-MV-2025-00096, PL-MV-2025-00097, PL-MV-2025-00098, PL-MV-2025-00099, PL-MV-2025-00100 and PL-MV-2025-00101, together.  
The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:  
DOMINION PARK DEVELOPMENTS CORP  
the owner(s) of PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 131, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3070 Vanier Avenue, Valley East P3P 0E3

for approval to construct a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan submitted with the application, subject of a future Consent application providing, firstly, a rear yard setback of 6.5m, where 7.5m is required, and secondly, a maximum 50% lot coverage, where a maximum 40% is permitted, be granted.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00101

July 23, 2025

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada

AGENT(S): CR DESIGN, 2200 lakeshore blvd west unit 3609, toronto, ON, Canada

LOCATION: PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 131, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3066 Vanier Avenue, Valley East P3P 0E3

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SUMMARY

Zoning: The property is zoned FD, R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan, subject of a future Consent Application, providing a setback and maximum lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 17, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), July 17, 2025

No Comment Received

Building Services, July 16, 2025

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

1) It is noted the driveways have not been paired and centered at the common/party wall. It is the understanding of Building Services that it is the Owner's intention to sever the lands along the party wall. Should the subject lands not be severed, a minor variance would be required for 2 driveways where only 1 driveway is permitted per lot in accordance with the Zoning By-law 2010-100z, Part 5, 5.4.2 (c). Consent Application to be submitted for the aforementioned severance.

Applicant/Owner to also be advised of the following comments:

2) The party wall on the proposed property line shall be constructed as a fire separation with a 1-hour fire resistance rating and is continuous from top of footing to the underside of the roof sheathing.

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

Development Engineering, July 16, 2025

No Concerns

Traffic and Transportation, July 16, 2025

No Concerns

Strategic and Environmental Planning, July 15, 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.

Development Approvals, July 14, 2025

The purpose and effect of the application is to construct a 324 m<sup>2</sup> semi-detached dwelling (162 m<sup>2</sup>/unit) with a lot coverage of 50%, whereas the maximum lot coverage permitted is 40% and a rear yard setback of 6.5 m, where 7.5 m is required.

The subject lands are currently vacant of buildings and structures. The building will be serviced by a municipal water and sanitary connection and be accessed from Varnier Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are low density residential and park in nature.

Staff have no concerns with the proposed lot coverage or rear yard setback deficiency as the proposed built form will result in a functional site with appropriate parking, landscaping, rear yard access, and private amenity space.

Staff are 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.

Site Plan, July 14, 2025

No Concerns

Ministry of Transportation, July 10, 2025

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

Sudbury Hydro, July 10, 2025

No concerns, outside of our service territory.

Conservation Sudbury, July 9, 2025

No Concerns

Meeting Minutes:

07/23/2025 The Committee unanimously agreed to hear Applications PL-MV-2025-00096, PL-MV-2025-00097, PL-MV-2025-00098, PL-MV-2025-00099, PL-MV-2025-00100 and PL-MV-2025-00101, together.  
The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.  
Committee Members expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:  
DOMINION PARK DEVELOPMENTS CORP  
the owner(s) of PIN(s) 735041108, Parcel M1114-124-1 SES SRO, Lot 131, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 3066 Vanier Avenue, Valley East P3P 0E3

for approval to construct a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan submitted with the application, subject of a future Consent application providing, firstly, a rear yard setback of 6.5m, where 7.5m is required, and secondly, a maximum 50% lot coverage, where a maximum 40% is permitted, be granted.

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

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00073

July 23, 2025

OWNER(S): JOEL JACQUES, 4157 Bonaventure Drive, Hanmer, Ontario, Canada P3P 0E3  
MICHELLE JACQUES, 4157 Bonaventure Drive, Hanmer, Ontario, Canada P3P 0E3

AGENT(S): JOEL JACQUES, 4157 Bonaventure Drive, Hanmer, Ontario, Canada P3P 0E3

LOCATION: PIN(s) 735043158, Part Lot 157, Plan M-1115, Parts 4-6, Plan 53R-21557, Part Lot 5, Concession 2, Township of Hanmer, 4157 Bonaventure Drive, Hanmer P3P 0E3

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SUMMARY

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

Application: Approval to permit an addition on the existing deck providing an encroachment at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 17, 2025

REVISED

The purpose and effect of the application is to permit the construction of an addition to the existing uncovered deck 1.7m in height to encroach into the required rear yard providing a 2.64 m setback from the rear lot line, where uncovered decks greater than 1.2m in height may encroach 3.6m into the required rear yard but not closer than 3.0m to the rear lot line.

The subject lands contain one unit of a semi-detached dwelling and a deck. The subject lands are serviced by a municipal water and sanitary connection and have access from Bonaventure Drive.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and future development in nature.

Subsequent to the public hearing, the applicants have revised their application by increasing the rear yard setback of the proposed deck extension from 0.8 m to 2.64 m and have identified a 2.21 m tall privacy fence measured from the deck up, which is intended to be extended along the shared property line. With the increased setback distance from the rear and extension of privacy fencing along the top of the deck abutting the internal side lot line, staff's concerns in regards to privacy have been addressed.

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.

Building Services, July 11, 2025

REVISED

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

- 1) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for the proposed attached deck.
- 2) A search of our records indicates an incomplete building permit for the subject property for the semi-detached dwelling (B21-0625). Please contact Building Services to proceed in closing this project.

Building Services, June 19, 2025

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

- 1) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for the proposed attached deck.
- 2) A search of our records indicates an incomplete building permit for the subject property for the semi-detached dwelling (B21-0625). Please contact Building Services to proceed in closing this project.

Corridor Management, June 19, 2025

No Comment Received

Development Approvals, June 19, 2025

The purpose and effect of the application is to permit the construction of an addition to the existing uncovered deck 1.7m in height to encroach into the required rear yard providing a 0.8m setback from the rear lot line, where uncovered decks greater than 1.2m in height may encroach 3.6m into the required rear yard but not closer than 3.0m to the rear lot line.

The subject lands contain one unit of a semi-detached dwelling and a deck. The subject lands are serviced by a municipal water and sanitary connection and have access from Bonaventure Drive.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2' Low Density Residential Two within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and future development in nature.

Staff understand that the existing deck is at walkout level from the dwelling being 1.7 m in height and that the applicant wishes to construct an addition to the existing deck. The intent of requiring that decks over 1.2 m in height be located no closer than 3 m to the rear lot line is for privacy reasons. The subject property abuts lands to the rear that are intended for future residential development. Although the abutting lands to the rear are not developed yet, the variance will have long term planning implications. Given the height of the deck, staff do have concerns with the proposed 0.8 m setback from a privacy perspective. It is noted that although a 0 m interior side yard is permitted as of right, extending the deck nearly the entire length of the rear yard will also negatively impact the abutting neighbours privacy.

Staff are of the opinion that the variance is not considered to be minor in nature, is not an appropriate use of the land, and does not meet the intent of the Official Plan and Zoning By-law. It is recommended that the application be denied.

Ministry of Natural Resources and Forestry (MNR), June 19, 2025

No Comment Received

Strategic and Environmental Planning, June 19, 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.

Development Engineering, June 18, 2025

No Concerns

Linear Infrastructure Services, June 18, 2025

No Concerns

Sudbury Hydro, June 18, 2025

No concerns - outside of our territory.

Ministry of Transportation, June 17, 2025

We have determined 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, June 12, 2025

No Concerns

Conservation Sudbury, June 11, 2025

No Concerns

Meeting Minutes:

06/25/2025 The applicant, Michelle Jacques, appeared before Committee and provided a summary of the Application.  
Committee Member Castanza asked the applicant what they were proposing for privacy and if they had discussed the deck with the neighbour. The applicant advised that they were proposing a privacy wall and that her spouse had spoken with the neighbour who had no objections. Committee Member Castanza advised Committee that she wanted to defer her comments to hear the other Committee Member's thoughts.  
Committee Member Murray had no questions or comments.

Committee Member Sawchuk asked the Chair if the applicant was aware of the staff recommendation and if there were any discussions with staff. Staff advised Committee that comments were provided and of Committee's option to defer the Application and suggested that the question be directed to the applicant. Committee Member Sawchuk asked the applicant if they would prefer a deferral to revise the proposal. The applicant requested clarification and Committee Chair Goswell explained the deferral option and confirmed the deferral fee with the Secretary-Treasurer.

The applicant Joel Jacque appeared before Committee and requested clarification on the deferral process and Committee Chair Goswell explained the deferral recommendation and the deferral option. The applicants advised Committee that a deferral would be ideal and requested information on staff's recommendation and staff provided the applicant with their concerns with the Application. The applicant requested that the Application be deferred.

Committee Member Murray requested staff to clarify the deferral fee and the Secretary-Treasurer clarified the requirement of the deferral fee and the process.

Committee Member Sawchuk put forward a motion that was seconded by Committee Member Castanza to defer the Application. The motion was supported and carried.

07/23/2025 The applicant, Michelle Jacques, appeared before Committee and provided a summary of the Application.

Committee Member Goswell expressed support for the Application.

Committee Member Sawchuk requested staff to clarify the changes to the Application and staff provided clarification and outlined their recommendation. 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:

JOEL JACQUES AND MICHELLE JACQUES

the owner(s) of PIN(s) 735043158, Part Lot 157, Plan M-1115, Parts 4-6, Plan 53R-21557, Part Lot 5, Concession 2, Township of Hanmer, 4157 Bonaventure Drive, Hanmer P3P 0E3

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the construction of an addition to the existing uncovered deck 1.8m in height to encroach into the required rear yard providing a 2.64m setback from the rear lot line, where uncovered decks greater than 1.2m in height may encroach 3.6m into the required rear yard but not closer than 3.0m to the rear 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.

<b>Member</b>	<b>Status</b>
CATHY CASTANZA	Absent
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring