



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00055

July 9, 2025

OWNER(S): KOMRI COMMERCIAL HOLDINGS INC, 243 Regent St, Sudbury, ON, Canada  
AGENT(S): KOMRI COMMERCIAL HOLDINGS INC, 166 Douglas St, Sudbury, ON, Canada  
LOCATION: PIN(s) 735860635, Lot 139, Plan 4-SC, Part Lot 7, Concession 3, Township of McKim, 243 Regent Street, Sudbury P3C 4C6

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SUMMARY

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

Application: Approval to convert the existing building from commercial space with four residential units to eight residential units providing reduced number of parking spaces, an increase in residential density and no landscaped area on the subject property all at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 4, 2025

The purpose and effect of the application is to permit the establishment of 4 additional residential dwelling units resulting in a multiple dwelling with a total of 8 dwelling units with the following variances:

1. a maximum net residential density of 137 units per hectare, where a maximum net residential density of 60 units per hectare is permitted;
2. a minimum of 6 parking spaces, where 11 is required; and
3. no landscaped area adjacent to Isabel Street, where a 3.0m wide landscaped area adjacent to the full length of a lot line shall be required abutting all public roads having a width greater than 10.0m is required.

The subject lands contain an existing building containing 4 residential dwelling units and a former commercial use (bank). The subject lands are serviced by a municipal water and sanitary connection and has vehicular access from Isabel Street and Primo Lane.

The subject lands are designated 'Mix Use Commercial' within the Greater City of Sudbury Official Plan and are zoned 'C2' General Commercial within the Greater City of Sudbury Zoning By-law.

Surrounding land uses are commercial and residential in nature.

The lands are subject to Minor Variance Application A0135/23, which was conditionally approved to permit the 4 additional units but lapsed. This application is a resubmission of the same application with the exception of relief being sought for landscaping.

Although 2 of the 8 units would not have a dedicated parking space, bicycle racking will be provided, and transit is located in close proximity to the building in terms of alternate modes of transportation. The lands about a GOVA transit route along Isabel Street and include bus stop locations within 50 m of the subject lands on Regent Street and within 200 m of the subject lands on Isabel Street. Additionally, there is on-street parking available on Isabel Street with a four-hour time limit.

Residential intensification is encouraged on sites that are no longer viable for the purpose for which they were intended, such as former commercial uses, subject to Official Plan criteria. It is noted that no outward expansion is proposed as a result of the additional units. The proposed units are to be located in an underutilized portion of an existing building. Staff advise that the applicant should consider including a clause within the rental agreement advising applicable tenants that there is no on-site parking available.

Roads identified a concern with drive aisle compliance, however, staff can confirm that the sightline triangle was included on the plan in error (not required for lanes) and therefore drive aisle width does conform to the zoning by-law.

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

Corridor Management, July 2, 2025

No Comment Received

Linear Infrastructure Services, July 2, 2025

We have reviewed the application and note that the proposed parking does not meet the minimum dimensions as set out in the zoning by-law. It is not feasible to accommodate the minimum required drive aisle width of 6.0 meters.

As such, we are unable to support this application in its current form

Ministry of Natural Resources and Forestry (MNRF), July 2, 2025

No Comment Received

Building Services, June 30, 2025

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

Owner to be informed of the following information:

1) Based on our search of our records Building Services acknowledges a Building Permit and building permit documents, to create 4 Units. Building Permit BP-NEW-2023-00532.

Sudbury Hydro, June 30, 2025

No Concerns

Development Engineering, June 27, 2025

No Concerns

Ministry of Transportation, June 26, 2025

We have determined that the property listed does not fall within the MTO's permit control area; therefore, we have no comments to provide at this time.

Site Plan, June 26, 2025

No Concerns

Strategic and Environmental Planning, June 26, 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, June 25, 2025

No Concerns

Meeting Minutes:

07/09/2025 The applicant's authorized representative, Karim Omri of Komri Commercial Holdings Inc., appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair expressed support for the Application and staff recommendation.

The following decision was reached:

DECISION:

THAT the application by:

KOMRI COMMERCIAL HOLDINGS INC

the owner(s) of PIN(s) 735860635, Lot 139, Plan 4-SC, Part Lot 7, Concession 3, Township of McKim, 243 Regent Street, Sudbury P3C 4C6

for relief from Part 4, Section 4.15, subsection 4.15.1 (e), Part 5, Section 5.5, Table 5.5 and Part 7, Section 7.2, Table 7.1, special provision 10 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of the existing building by removing the commercial component in favour of adding four residential dwelling units to the existing four residential dwelling units for a total of eight residential dwellings units all contained within the existing building, firstly, providing a maximum net residential density of 137 units per hectare, where a maximum net residential density of 60 units per hectare is permitted, secondly, to provide for a minimum of 6 parking spaces, where 11 is required, and thirdly, no landscaped area adjacent to Isabel Street, where a 3.0m wide landscaped area adjacent to the full length of a lot line shall be required abutting all public roads having a width greater than 10.0m is required, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the 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	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00076

July 9, 2025

OWNER(S): STEVEN HEAD, 18 Simon Lake Road, Naughton, ON, Canada

AGENT(S): DWAYNE HEAD, 31 Simon Lake Road, Naughton, ON, Canada P0M2M0

LOCATION: PIN(s) 733810306, Parcel 15720 SEC SWS, Lot 68, Plan M-193, Part Lot 1, Concession 3, Township of Graham, 18 Simon Lake Drive, Naughton P0M 2M0

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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 accessory lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 4, 2025

The purpose and effect of the application is to the construction of a 93.57 m<sup>2</sup> detached garage providing an accessory lot coverage of 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%.

The subject lands contain a 72m<sup>2</sup> single detached dwelling, a deck, and two accessory buildings. The subject lands are serviced by a municipal water and sanitary connection and have access from Simon Lake Drive.

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

The applicant has advised that the intended use of the accessory building is for storage of motorized vehicles and equipment. The accessory building is proposed to be located in the rear yard and will comply with all other accessory building standard provisions. Although the proposed accessory building will be larger in comparison to the dwelling, staff are satisfied that it will be used accessory to the residential use. The residential character of the subject lands is not anticipated to be compromised by the new proposed accessory building. The site appears to remain functional as a result of the additional 1% lot coverage being sought.

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.

Corridor Management, July 2, 2025

No Comment Received

Linear Infrastructure Services, July 2, 2025

No Concerns

Ministry of Natural Resources and Forestry (MNRF), July 2, 2025

No Comment Received

Building Services, June 30, 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-2025-00854) for the construction of a detached garage.

Sudbury Hydro, June 30, 2025

No concerns - outside of our service territory.

Development Engineering, June 26, 2025

No Concerns

Ministry of Transportation, June 26, 2025

We have determined that the property listed does not fall within the MTO's permit control area; therefore, we have no comments to provide at this time.

Site Plan, June 26, 2025

No Concerns

Strategic and Environmental Planning, June 26, 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, June 25, 2025

No Concerns

Meeting Minutes:

07/09/2025 The applicant, Steven Head and his father Dwayne Head, appeared before Committee and provided a summary of the Application. Committee Member Castanza asked the applicant if the sheds would be relocated, and the applicant confirmed that the sheds would remain on the property but moved to a different location. Committee Members Goswell, Sawchuk and Murray and Committee Chair Domont expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:  
STEVEN HEAD

the owner of PIN 733810306, Parcel 15720 SEC SWS, Lot 68, Plan M-193, Part Lot 1, Concession 3, Township of Graham, 18 Simon Lake Drive, Naughton P0M 2M0

for relief from Part 4, Section 4.2, subsection 4.2.3 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 an accessory lot coverage of 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, 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	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00081

July 9, 2025

OWNER(S): MIKE GRIER, 1576 Dearbourne Drive, Sudbury, ON, Canada P3A5A4  
KIANA WARDELL, 1576 Dearbourne Drive, Sudbury, Ontario, Canada P3A5A4

AGENT(S): B. NORTH CONTRACTING, 89 Kreko St., Garson, ON, Canada P3L1M7

LOCATION: PIN(s) 021150140, Parcel 42588 SEC SES SRO, Lot 138, Plan M-1014, Part Lot 2, Concession 6, Township of McKim, 1576 Dearbourne Drive, Sudbury P3A 5A4

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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 permit an addition with eaves on the existing dwelling providing a setback and encroachment at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, July 3, 2025

The purpose and effect of the application is to construct an 8.49 m<sup>2</sup> addition to the single detached dwelling with a front yard setback of 3.5 m, whereas a 6 m front yard setback is required. The application also is seeking an eaves encroachment of 0.15 m into the 3.5 m front yard setback, whereas eaves may encroach 1.2m into the required 6.0m yard but not closer than 0.6m to the lot line.

The subject lands contain a single detached dwelling and two accessory buildings. The subject lands are serviced by a municipal water and sanitary connection, and have an existing driveway from Dearbourne Drive.

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

Surrounding uses are low density residential, open space parks, and institutional in nature.

The applicant has advised that the proposed addition would comprise of an exterior open-air stairwell with a small portion having a covered roof. The stairwell is being proposed for independent access to the basement. The applicant's agent advised that the proposed location would be logical from a structural and financial perspective.

The subject lands are located on the curve of a street bulb and are pie shaped in nature. Due to the curve of the front lot line, the east portion of the addition would be located closer to the front lot line than the west side of the proposed addition. The Roads Department did not identify any sightline or traffic safety concerns as a result of the proposed addition. The 3 m wide landscaped area will also

be maintained as a result of the proposed addition. Given the context of the subject lands, staff do not anticipate negative impacts to surrounding land uses as a result of the proposed addition.

Building Services has advised that if the basement is proposed to be converted into an additional dwelling unit, a building permit and subsequent Minor Variance Application would be required to seek relief from Section 4.2.10.2 being:

#### Additions or Alterations to Main Building

An addition or exterior alteration to a main building to accommodate an additional dwelling unit is permitted provided that it does not result in the creation of:

- a) An additional entrance to the main building facade that faces a public road;
- b) An additional exterior entrance above the first storey; and
- c) Additional exterior stairs, or stairwells for entrances below finished grade along a wall facing a public road.

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.

Corridor Management, July 2, 2025

No Comment Received

Linear Infrastructure Services, July 2, 2025

No Concerns

Ministry of Natural Resources and Forestry (MNR), July 2, 2025

No Comment Received

Building Services, June 30, 2025

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

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

1. Building Services acknowledges an associated building permit application BP-NEW-2025-00393 for construction of a basement entrance addition.
2. In future, should the proposed basement entrance addition be used to access an additional dwelling unit, further minor variance would be required for Provision 4.210.2. of Zoning By-law 2010-100z for Additions or Alterations to Main Building. In future, should the use of the basement transition to an additional dwelling unit, a building permit would be required to the satisfaction of the Chief Building Official.
3. A search of our records indicates there is a Building Permit which has not been completed. Owner shall contact Building Services to discuss outstanding items. Building Permit No. B08-1260 for an attached garage.

Sudbury Hydro, June 30, 2025

Contact Ontario One call for locates.

Development Engineering, June 26, 2025

Eaves Encroachment Condition:

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

Ministry of Transportation, June 26, 2025

We have determined that the property listed does not fall within the MTO's permit control area; therefore, we have no comments to provide at this time.

Site Plan, June 26, 2025

No Concerns

Strategic and Environmental Planning, June 26, 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, June 25, 2025

No Concerns

Meeting Minutes:

07/09/2025 The applicant, Mike Grier, and his agent, Brian North, appeared before Committee and provided a summary of the Application.  
Committee Member Castanza advised Committee that she attended the site and expressed support for the Application.  
Committee Members Goswell, Sawchuk and Murray and Committee Chair Dumont expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

MIKE GRIER AND KIANA WARDELL

the owner(s) of PIN(s) 021150140, Parcel 42588 SEC SES SRO, Lot 138, Plan M-1014, Part Lot 2, Concession 6, Township of McKim, 1576 Dearbourne Drive, Sudbury

for relief from Part 4, Section 4.2, Table 4.1 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a basement entrance addition on the existing single detached dwelling providing a front yard setback of 3.5m with eaves encroaching an additional 0.15m into the proposed 3.5m front yard setback, where the minimum required front yard is 6.0m and where eaves may encroach 1.2m into the required 6.0m 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	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00082

July 9, 2025

OWNER(S): ALEXANDER HAYWOOD, 27 Cobalt Street, Copper Cliff, ON, Canada

AGENT(S): ALEXANDER HAYWOOD, 27 Cobalt Street, Copper Cliff, ON, Canada

LOCATION: PIN(s) 735990624, Parcel 40674 SEC SES SRO, Lot 21, Plan M-1023, Part Lot 1, Concession 2, Township of Snider, 27 Cobalt Street, Copper Cliff P0M 1N0

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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:

Building Services, July 4, 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 permit and building permit documents for the exterior alteration of the existing garage will be required to the satisfaction of the Chief Building Official. The alteration from a shared garage to a singular garage will require compliance with current Zoning By-law setbacks for the remaining singular garage, further minor variance will be required. Additionally an encroachment agreement/letter of tolerance may be required. Owner to also be aware that spatial separation requirements may be required. With limited information in this application to further evaluate, additional requirements may be identified at the time of building permit.

2. Building permit and building permit documents for the proposed detached garage are required to be submitted to the satisfaction of the Chief Building Official, for the proposed detached garage. 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. A review of the site plan provided indicates two rear yard decks. Based on a review of our records, it does not appear that building permits have been submitted for the decks. Owner to be advised that decks attached to the dwelling and/or, 10m<sup>2</sup> (108 ft<sup>2</sup>) in area or more, and/or greater than 24" above grade require a building permit. Building permits may be required.

4. A review of the site plan provided indicates a shed located within an easement. Applicant/Owner to be aware that structures are not permitted within an easement without written consent (Encroachment Agreement/Letter of Tolerance).

Ryan Russell

Development Approvals, July 4, 2025

The purpose and effect of the application is to construct a 44.6 m<sup>2</sup> accessory building with a height of 7 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 96 m<sup>2</sup> and a height of 7 m, a deck, and three accessory buildings. The subject lands are serviced by a municipal water and sanitary connection, and have an existing shared driveway from Cobalt Street.

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

Surrounding uses are low density residential in nature.

The accessory building is proposed to be located in the rear yard with a setback of 25 m from the front lot line. The proposed accessory building will be subordinate in area in comparison to the single detached dwelling and will not exceed the height of the single detached dwelling. The applicant advised that the proposed second storey would be utilized for storage and recreational amenity space. Staff note that although two storey accessory buildings are uncommon for the area, the street consists of primarily two storey dwellings and therefore would not be out of character from a height perspective.

The applicant has identified that they wish to demolish their half of an existing shared garage in place of the new proposed accessory building. Demolishing half of a shared garage results in a detached accessory building on the neighboring property which would no longer be in compliance with the interior side yard setback provisions. As such, staff have included a condition which would require obtaining a variance for the deficient interior lot line setback as a result of no longer being a shared garage OR relocate the accessory building on 25 Cobalt to comply with the Zoning By-law, OR demolish the entire shared garage. Should the applicant wish to proceed with a Minor Variance, staff will also require that an access easement be established over 27 Cobalt in favour of 25 Cobalt to allow for maintenance of the detached accessory building with a 0 m lot line setback.

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 Minor Variance Application be obtained for a 0 m interior setback for the detached garage located at 25 Cobalt Street as a result of demolition of one half of a shared garage located at 27 Cobalt Street OR the accessory building on 25 Cobalt be relocated to conform with the Zoning By-law, OR the entire shared garage be demolished within a one-year period to the satisfaction of the Director of Planning.

Corridor Management, July 2, 2025

No Comment Received

Linear Infrastructure Services, July 2, 2025

No Concerns

Ministry of Natural Resources and Forestry (MNR), July 2, 2025

No Comment Received

Sudbury Hydro, June 30, 2025

Contact if disconnect/reconnect is required. Maintain proper clearance from energized electrical conductors.

Development Engineering, June 26, 2025

No Concerns

Ministry of Transportation, June 26, 2025

We have determined that the property listed does not fall within the MTO's permit control area; therefore, we have no comments to provide at this time.

Site Plan, June 26, 2025

No Concerns

Strategic and Environmental Planning, June 26, 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, June 25, 2025

No Concerns

Meeting Minutes:

07/09/2025 The applicant appeared before Committee and provided a summary of the Application. Committee Chair Dumont confirmed with the applicant that they were aware of the condition and the applicant acknowledged the condition but commented that they did not want to burden their neighbour. The applicant advised Committee that he contacted hydro and the City regarding the shed in the easement. Committee Member Castanza requested staff to explain the impacts on the neighbouring lot and staff advised that the remaining garage would not be considered legal non-conforming and as the use was changing to detached structure and would be subject to other setback requirements. Committee Member Castanza confirmed that once the applicant's garage was removed the remaining would become non-compliant and would need a minor variance for a setback. Staff advised Committee that there were different options available in the condition, but the minor variance would be easier to pursue with an access easement. Committee Member Castanza asked the applicant if they would apply for the minor variance on behalf of the neighbour. The applicant advised Committee that he would

like to pursue access over the other options. Committee Member Castanza advised the applicant that Committee couldn't grant easements.

Committee Member Goswell requested staff to read the condition being proposed and the Secretary-Treasurer read the condition. Committee Member Goswell expressed support for staff's recommendation.

Committee Member Sawchuk expressed understanding of the applicant's request, staff comments and the intent of the condition but disagreed with imposing it.

Committee Member Murray requested staff to explain the reason for the minor variance on the abutting property and staff provided an explanation. Committee Member Murray expressed opposition to the condition. Committee Member Murray advised Committee that he felt the condition was not appropriate and staff advised Committee that the condition was recommended to address the impact on the neighbouring property.

Committee Chair Dumont expressed his opinion on the Application and clarified the Application with staff.

Committee Member Murray expressed concern that the discussion was being had without the neighbour being present.

Committee Chair Dumont requested staff to explain the change in use and staff provided an explanation. Committee Chair Dumont reiterated staff's comments and the impact on the neighbouring lot.

Committee Member Goswell asked staff if the applicant could apply for a minor variance on the neighbouring property and staff advised that the applicant could apply on behalf of the neighbours with their permission.

The applicant expressed concern that the minor variance could be denied, and Committee Chair Dumont advised the applicant that staff's recommendation was supportive and suggested that the applicant reach out to staff to discuss the options. The applicant advised that he could not afford to relocate the remaining garage but could apply for a minor variance.

Committee Member Murray asked staff if the application could be deferred to add the minor variance for the neighbouring property. Committee Member Sawchuk expressed concern with the proposal.

Committee Chair Dumont explained the comments and the condition to the applicant. Staff advised Committee that a separate application would need to be made.

Committee Member Castanza expressed support for staff's recommendation.

Committee Chair Dumont asked staff if there was a definition for a shared garage on behalf of the applicant and staff read the definition of a mutual garage.

Committee Member Murray opposed the condition.

Committee Chair Dumont expressed support for staff's recommendation.

Committee Member Murray put forward a motion to remove the condition and

Committee Member Sawchuk seconded the motion. The motion was defeated.

The following decision was reached:

**DECISION:**

THAT the application by:  
ALEXANDER HAYWOOD

the owner(s) of PIN(s) 735990624, Parcel 40674 SEC SES SRO, Lot 21, Plan M-1023, Part Lot 1, Concession 2, Township of Snider, 27 Cobalt Street, Copper Cliff

for relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of detached garage providing a maximum height of 7.0m, where the maximum height of any accessory building on a residential lot shall be 5.0m, be granted, subject to the following condition:

1. That a Minor Variance Application be obtained for a 0 m interior setback for the detached garage located at 25 Cobalt Street as a result of demolition of one half of a shared garage located at 27 Cobalt Street OR the accessory building on 25 Cobalt be relocated to conform with the Zoning By-law, OR the entire shared garage be demolished 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	Concurring
DAVID MURRAY	Non-Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00086

July 9, 2025

OWNER(S): KEVIN CRONIER, 1225 Radar Road, Hanmer, ON, Canada

AGENT(S): SHIELD EA LTD, 130 Paris Street, Sudbury, ON, Canada P3E3E1

LOCATION: PIN(s) 735090064, Parcel 44857 SEC SES, Part Lot 8, Concession1, Part 2, Plan 53R-8261, Township of Capreol, 1225 Radar Road, Hanmer P3P 0B4

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SUMMARY

Zoning: The property is zoned RU 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:

Building Services, July 3, 2025

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

- 1) For the Applicants information, a building permit application and associated documents will be required for the proposed detached garage to the satisfaction of the Chief Building Official.
- 2) Based on our research, it appears there may be a covered structure between the existing detached garage and the existing dwelling. As the structure appears to have been excluded from the plot plan provided, Applicant/Owner to verify whether or not the structure remains on the property as this will impact lot coverage calculations. Should the structure remain on the property, the plot plan shall be updated accordingly. A building permit may be required for the construction of this structure, to the satisfaction of the Chief Building Official.

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

- 1) A review of the plot plan provided indicates a dimension of 53'-2" x 25'-11½" for the existing detached garage. Based on a review of the information provided and a review of our permit history, it appears the existing garage was enlarged without the benefit of a building permit. We note the existing garage had issued and completed permits as follows:
  - a) Permit #80-6418 – 16' x 24' (original detached garage)
  - b) Permit #84-0451 – 16' x 10' (addition to original detached garage)

A building permit shall be required for the enlarged portion of the existing detached, to the satisfaction of the Chief Building Official.

## Development Approvals, July 3, 2025

The purpose and effect of the application is to construct a 260 m<sup>2</sup> accessory building with a height of 6.92 m, whereas the maximum height permitted for accessory buildings is 6.5 m.

The subject lands contain a single detached dwelling with a ground floor area of 114.5 m<sup>2</sup> and a height of 9 m, and three accessory buildings. The subject lands are serviced by a private well and septic system, and have an existing access from Radar Road.

It is noted that the existing driveway is to the east of the single detached dwelling. 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 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'RU' Rural within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are rural in nature.

The accessory building is proposed to be located in the rear yard with a setback of 23 m from the front lot line. The proposed accessory building will be subordinate in height in comparison to the single detached dwelling. The applicant advised that the additional 0.42 m height is structurally required due to the size of the building. Vegetative buffer currently exists along the western portion of the subject lands where the accessory building is proposed to be located. As an advisory note, staff would encourage the applicant to retain vegetation between the accessory building and the western interior lot line to maintain a visual buffer if possible.

Building Services has advised that based on their research there may be another covered building on the property that was not identified on the concept plan which may impact lot coverage. As an advisory comment, Building Services will be unable to issue a building permit for the proposed accessory building if it is determined that lot coverage is exceeded, and another Minor Variance Application would be required. It is however noted that based on the concept plan provided the total lot coverage as a result of the accessory building would be 7%, where a maximum of 10% is permitted.

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.

## Conservation Sudbury, July 2, 2025

Conservation Sudbury has no objection to the Minor Variance for the height variance.

Please note that southern portions of the property are located within areas regulated by Conservation Sudbury, including floodplain. Future development in these areas requires permission of Conservation Sudbury.

## Corridor Management, July 2, 2025

No Comment Received

Linear Infrastructure Services, July 2, 2025

No Concerns

Ministry of Natural Resources and Forestry (MNRF), July 2, 2025

No Comment Received

Sudbury Hydro, June 30, 2025

No concerns - outside of our service territory.

Development Engineering, June 26, 2025

No Concerns

Ministry of Transportation, June 26, 2025

We have determined that the property listed does not fall within the MTO's permit control area; therefore, we have no comments to provide at this time.

Site Plan, June 26, 2025

No Concerns

Strategic and Environmental Planning, June 26, 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.

Meeting Minutes:

07/09/2025 The applicant's agent, Kristin Beites of Shield Engineering, appeared before Committee and provided a summary of the Application and addressed comments regarding the existing garage and driveway access. Committee Member Castanza advised Committee that she attended the site and had a question about a second driveway which was addressed by the agent in her opening remarks. Committee Member Castanza expressed support for the Application. Committee Members Goswell, Sawchuk and Murray and Committee Chair Dumont expressed support for the Application and staff's recommendation.

The following decision was reached:

**DECISION:**

THAT the application by:

KEVIN CRONIER

the owner(s) of PIN(s) 735090064, Parcel 44857 SEC SES, Part Lot 8, Concession1, Part 2, Plan 53R-8261, Township of Capreol, 1225 Radar Road, Hanmer P3P 0B4

for relief from Part 4, Section 4.2, subsection 4.2.4 b) 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 6.92m, where the height of any building or structure accessory to a residential dwelling shall be 6.5 metres, 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	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring