



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00026

June 24, 2026

OWNER(S): SHAWN BYRNES, 2767-1 Belisle Drive, Val Caron, ON, Canada P3N1B3

AGENT(S): SHAWN BYRNES, 2767-1 Belisle Drive, Val Caron, ON, Canada P3N1B3

LOCATION: PIN(s) 733450521, 733450693, 733450565, Parcel 10281 SEC SWS, Part Lot 9, Concession 6, as in WP5819; Parcel 2112 ½ SEC SWS, South half of south half of Lot 9, Concession 6; and Parcel 9879 SEC SWS, Part Lot 9, Concession 6, as in WP5604, Township of Rayside, 1600 Fire Route V, Sudbury P0M 1L0

SUMMARY

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

Application: Approval to permit a main dwelling and additional dwelling providing no frontage onto an assumed road, location and distance at variance to the By-law.

Comments concerning this application were submitted as follows:

Conservation Sudbury, June 18, 2026

Conservation Sudbury cannot support PL-MV-2026-00026 at this point in time. The proposal is to allow a second dwelling on the property, however the primary dwelling is not legally in place. We are of the opinion that, until the first dwelling is legally in place it is premature to consider a Planning instrument to allow a second dwelling. Therefore we do not support this Minor Variance application at this time.

The entrance road to the primary single family dwelling crosses a watercourse. Alteration to a watercourse, and development adjacent to watercourses is regulated by Conservation Sudbury under the Conservation Authorities Act. The water crossing was constructed without the benefit of a permit. In early 2026 our office was unable to support a building permit to legalize this existing dwelling until safe access was demonstrated. Further review by Conservation Sudbury will be required to verify that the water crossing is safe, appropriate and will not aggravate flooding and erosion. A restoration plan may be required to bring the work into compliance with the Conservation Authorities Act. Pre-consultation with our office is suggested in order to provide an initial review and conduct a site visit. The application form can be found here: <https://www.conservationsudbury.ca/wp-content/uploads/2024/11/Pre-Submission-Consultation.pdf>. If you have further questions please email ndca@conservationsudbury.ca

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

Development Comments are uploaded to documents as PDF.

Development Engineering, June 18, 2026

No Concerns

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Building Services, June 17, 2026

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

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

Building Services recognizes BP-NEW-2026-00105 for construction of an SFD with attached garage.

A search of our records indicates additional structures constructed and/or placed on the property without benefit of a building permit. Building Permit applications with all required documents must be submitted to the satisfaction of the Chief Building Official.

Strategic and Environmental Planning, June 17, 2026

The subject lands contain wetland as per schedule 5 of the City of Greater Sudbury Official Plan and wildland fire hazard as per schedule 6b of the City of Greater Sudbury Official Plan. SEP staff have no objections to the application.

The applicant is advised that development and site alteration are not permitted on lands adjacent to a sensitive wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or ecological functions. Adjacent lands are considered to be within 50 metres of any sensitive wetland.

The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Fisheries Act, 1985; Migratory Bird Convention Act, 1994; and, Species At Risk Act, 2002 is their sole responsibility.

Sudbury Hydro, June 16, 2026

The following applications, are outside of our service territory – therefore we have no comments.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 The owner, Shawn Byrnes, appeared before Committee and provided a summary of the Application.

Committee Member Castanza advised Committee that she attended the property for a site visit and wanted to hear from the other Members.

Committee Member Goswell and Sawchuk expressed support for staff's recommendation.

Committee Member Murray requested the owner to provide Committee with a response to staff's comments.

The owner advised that the front dwelling was already built when he purchased the property. He advised that he built the rear dwelling with engineered drawings and to the standards required under the Building Code. He advised Committee that he required the variances in order obtain the necessary building permits. The Member requested staff to comment on main issues with the file and explain why the recommendation was to deny and staff provided an explanation and why a deferral would not likely address staff's concerns. The Member requested clarification on staff's comments regarding a deferral and staff advised that a deferral would not likely serve any purpose. The Member asked if addressing Conservation Sudbury's concerns regarding the water course crossing would have any effect on staff's recommendation and staff advised that it would still not change staff's recommendation. The Member advised Committee that he would support a deferral of the application but could not support an approval.

Committee Chair Dumont commented on the complexity of the Application and the owner's actions of building two dwellings without permits. The Chair remarked on the tests of a minor variance and how the application failed to meet the requirements of the Official Plan and Zoning By-law. The Chair expressed support for staff's recommendation.

Staff clarified Conservation Sudbury's comments regarding the watercourse.

Committee Members Castanza, Goswell and Sawchuk expressed support for staff's recommendation.

Committee Member Murray advised Committee that he would be open to a deferral to allow the owner the opportunity to at least to legalize the first unit. The Member expressed opposition to staff's recommendation.

The Chair commented on the lack of information provided by the owner.

The following decision was reached:

DECISION:

THAT the application by:

SHAWN BYRNES

the owner(s) of PIN(s) 733450521, 733450693, 733450565, Parcel 10281 SEC SWS, Part Lot 9, Concession 6, as in WP5819; Parcel 2112 ½ SEC SWS, South half of south half of Lot 9, Concession 6; and Parcel 9879 SEC SWS, Part Lot 9, Concession 6, as in WP5604, Township of Rayside, 1600 Fire Route V, Sudbury P0M 1L0

for relief from Part 4, Section 4.2, subsection 4.2.10 c), Section 4.3 and Part 9, Section 9.2, Table 9.1, special provision 11 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit two existing dwellings on the subject property providing, firstly, no frontage onto an assumed road, whereas no person shall erect any building on any lot that does not have frontage on an assumed road, secondly, for the dwelling unit located in building accessory to the main building to be located in the front yard, where a dwelling unit located in a building accessory to a main building shall only be permitted within the rear and/or interior side yards, and thirdly, for the dwelling unit located in the building accessory to the main building to provide a setback of 226.0m from the main building, where additional dwelling units shall be located no further than 30.0m from the main building, 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 variances are not minor in nature and are 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.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00056

June 24, 2026

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada P0M1L0

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: PIN(s) 735043251, SRO, Part Lot 107, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 4186 Bonaventure Drive, Hanmer P3P 0E2

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 lot identified as Side B on the Plot Plan and subject of a future Consent Application, providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

The purpose and effect of the application is to facilitate the construction of a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan submitted with the application and subject of a future Consent application, with the following variances:

1. To reduce the rear yard setback to 6.5 m, where 7.5 m is required.
2. To permit an eaves encroachment of 0.61 m into the proposed 6.5 m rear yard setback, where eaves may encroach 1.2 m into the required yard but not closer than 0.6 m to the lot line; and
3. To reduce the corner side yard setback of 4.0 m, where 4.5 m is required.

The property is also subject to minor variance application PL-MV-2026-00057 for Side A of the Plot Plan. The lands are currently vacant of any buildings or structures. The lands would be serviced by municipal water and sanitary connections. The property is located at the intersection of Bonaventure Drive and Schreyer Street. The property is proposed to be accessed from Bonaventure Drive.

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. Surrounding land uses generally include low to medium residential uses, with some vacant land zoned for future development to the south west of the subject lands. Based on aerial imagery, there are several semi-detached buildings located along Bonaventure Drive and Schreyer Street.

Therefore, it is staff's opinion that the proposed semi-detached building would be in character with the surrounding uses.

Building Services has provided no objection to the proposed application but noted that a building permit is required to be submitted to the satisfaction of the Chief Building Official. The subdivision is subject to soils issues and conditions contained in the subdivision agreement, which is to be addressed as part of the Building Permit.

Staff have no concerns with the requested rear and corner side yard variances, as sufficient rear yard amenity space will be maintained. Further, the applicant's concept plan demonstrates that the proposed reduction in the corner side yard setback will not impact the required sight triangle, and adequate visibility at the intersection will be maintained to ensure public safety.

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

Development Engineering, June 18, 2026

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 5.89m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, June 18, 2026

No Comment Received

Strategic and Environmental Planning, June 18, 2026

The subject lands contain wildland fire hazard as per schedule 6b of the City of Greater Sudbury Official Plan. SEP staff have no objections to the application.

The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

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

Building Services, June 17, 2026

Building Services has no objections to the proposed minor variances.

Owner to be aware that a building permit is required to be submitted to the satisfaction of the Chief Building Official. The subdivision is subject to soils issues and conditions contained in the subdivision agreement, ensure these conditions are addressed as part of the building permit application.

Comment Provided by A.Dittrich, Plans Examiner

Conservation Sudbury, June 16, 2026

No Concerns

Sudbury Hydro, June 16, 2026

The following applications, are outside of our service territory – therefore we have no comments.

Ministry of Natural Resources and Forestry (MNRF), June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Ministry of Transportation, June 12, 2026

This is confirmation that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 Committee unanimously agreed to hear PL-MV-2026-00056 and PL-MV-2026-00057 together.

The owner's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair 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) 735043251, SRO, Part Lot 107, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 4186 Bonaventure Drive, Hanmer P3P 0E2

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, 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 and subject of a future Consent application, providing firstly, a rear yard setback of 6.5m with eaves encroaching an additional 0.61m into the proposed 6.5m rear yard setback, where 7.5m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, and secondly, a corner side yard setback of 4.0m, where 4.5m is required, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including

written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00057

June 24, 2026

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON,
Canada P0M1L0

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: PIN(s) 735043251, SRO, Part Lot 107, Plan M-1114, Part Lot 5, Concession 2, Township of
Hanmer, 4190 Bonaventure Drive, Hanmer P3P 0E2

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 lot identified as Side A on the
Plot Plan and subject of a future Consent Application, providing setbacks, encroachments and
lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

The purpose and effect of the application is to facilitate the construction of a semi-detached dwelling on a
proposed lot identified as Side A on the Plot Plan submitted with the application and subject of a future
Consent application, with the following variances:

1. To reduce the rear yard setback to 6.5 m, where 7.5 m is required.
2. To permit an eaves encroachment of 0.61 m into the proposed 6.5 m rear yard setback, where eaves may
encroach 1.2 m into the required yard but not closer than 0.6 m to the lot line.
3. To increase the lot coverage to 53%, where a maximum of 45% is permitted.

The property is also subject to minor variance application PL-MV-2026-00056 for Side B of the Plot Plan. The
lands are currently vacant of any buildings or structures. The lands would be serviced by municipal water and
sanitary connections. The property is accessed from Bonaventure Drive.

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.

Surrounding land uses generally include low to medium residential uses, with some vacant land zoned for future development to the south west of the subject lands. Based on the aerial imagery, there are several semi-detached buildings located along Bonaventure Drive and Schreyer Street. Therefore, it is staff's opinion that the proposed semi-detached building would be in character with the surrounding uses.

Building Services has provided no objection to the proposed application but noted that a building permit is required to be submitted to the satisfaction of the Chief Building Official. The subdivision is subject to soils issues and conditions contained in the subdivision agreement, which is to be addressed as part of the Building Permit.

Staff have no concerns with the requested rear yard variances, as sufficient rear yard amenity space will be maintained. Staff have no concerns with the requested lot coverage as all other zone standards (with the exception of requested rear yard setback of 6.5 m) are being maintained. The proposed lot coverage does not appear to impact the functionality of the proposed lot.

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

Development Engineering, June 18, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 5.89m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Strategic and Environmental Planning, June 18, 2026

The subject lands contain wildland fire hazard as per schedule 6b of the City of Greater Sudbury Official Plan. SEP staff have no objections to the application.

The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

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

Building Services, June 17, 2026

Building Services has no objections to the proposed minor variances.

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

Official. The subdivision is subject to soils issues and conditions contained in the subdivision agreement, ensure these conditions are addressed as part of the building permit application.

Comments Provided by A.Dittrich, Plans Examiner

Conservation Sudbury, June 16, 2026

No Concerns

Sudbury Hydro, June 16, 2026

The following applications, are outside of our service territory – therefore we have no comments.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 Committee unanimously agreed to hear PL-MV-2026-00056 and PL-MV-2026-00057 together.

The owner's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair 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) 735043251, SRO, Part Lot 107, Plan M-1114, Part Lot 5, Concession 2, Township of Hanmer, 4190 Bonaventure Drive, Hanmer P3P 0E2

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, 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 and subject of a future Consent application, providing firstly, a rear yard setback of 6.5m with eaves encroaching an additional 0.61m into the proposed 6.5m rear yard setback, where 7.5m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, and secondly, a maximum lot coverage of 53%, where 45% 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 are

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00058

June 24, 2026

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada P0M1L0

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: PIN(s) 735041108, SRO, Part Lot 149, Plan M-1115, Part Lot 5, Concession 2, Township of Hanmer, 3089 Manon Street, Hanmer P3P 0E3

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 lot identified as Side B on the Plot Plan and subject of a future Consent Application, providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

The purpose and effect of the application is to facilitate the construction of a semi-detached dwelling on a proposed lot identified as Side B on the Plot Plan submitted with the application and subject of a future Consent application, with the following variances:

1. To reduce the rear yard setback to 6.5 m, where 7.5 m is required.
2. To permit an eaves encroachment of 0.61 m into the proposed 6.5 m rear yard setback, where eaves may encroach 1.2 m into the required yard but not closer than 0.6 m to the lot line.
3. To reduce the corner side yard to 4.0 m, where 4.5 m is required.

The property is also subject to minor variance application PL-MV-2026-00059 for Side A of the Plot Plan. The lands are currently vacant of any buildings or structures. The lands would be serviced by municipal water and sanitary connections. The property is located at the intersection of Manon Street and Schreyer Street. The property is to be accessed from Manon Street.

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. Surrounding land uses

generally include low to medium residential uses, with some vacant land zoned for future development to the south of the subject lands. Based on the aerial imagery, there are several semi-detached buildings located along Manon Street and Schreyer Street.

Therefore, it is staff's opinion that the proposed semi-detached building would be in character with the surrounding uses.

Staff have no concerns with the requested rear and corner side yard variances, as sufficient rear yard amenity space would be maintained. Further, the applicant's concept plan demonstrates that the proposed reduction in the corner side yard setback would not impact the required sight triangle, and adequate visibility at the intersection will be maintained to ensure public safety.

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

Development Engineering, June 18, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 5.89m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Strategic and Environmental Planning, June 18, 2026

SEP staff have no objections to the application.

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

Building Services, June 17, 2026

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

Applicant/Owner to be advised of 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 semi-detached dwelling.

Conservation Sudbury, June 16, 2026

No Concerns

Sudbury Hydro, June 16, 2026

The following applications, are outside of our service territory – therefore we have no comments.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 Committee unanimously agreed to hear PL-MV-2026-00058 and PL-MV-2026-00059 together.

The owner's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair 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, SRO, Part Lot 149, Plan M-1115, Part Lot 5, Concession 2, Township of Hanmer, 3089 Manon Street, Hanmer P3P 0E3

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, 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 and subject of a future Consent application, providing firstly, a rear yard set-back of 6.5m with eaves encroaching an additional 0.61m into the proposed 6.5m rear yard setback, where 7.5m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, and secondly, a corner side yard setback of 4.0m, where 4.5m is required, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00059

June 24, 2026

OWNER(S): DOMINION PARK DEVELOPMENTS CORP, 100 RADISSON, CHELMSFORD, ON, Canada P0M1L0

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: PIN(s) 735041108, SRO, Part Lot 149, Plan M-1115, Part Lot 5, Concession 2, Township of Hanmer, 3093 Manon Street, Hanmer P3P 0E3

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 lot identified as Side A on the Plot Plan and subject of a future Consent Application, providing setbacks, encroachments and lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

The purpose and effect of the application is to facilitate the construction of a semi-detached dwelling on a proposed lot identified as Side A on the Plot Plan submitted with the application and subject of a future Consent application, with the following variances:

- 1. To reduce the rear yard setback to 6.5 m, where 7.5 m is required.
2. To permit an eaves encroachment of 0.61 m into the proposed 6.5 m rear yard setback, where eaves may encroach 1.2 m into the required yard but not closer than 0.6 m to the lot line.
3. To increase the permitted lot coverage to 53%, where a maximum of 45% is permitted.

The property is also subject to minor variance application PL-MV-2026-00058 for Side B of the Plot Plan. The lands are currently vacant of any buildings or structures. The lands would be serviced by municipal water and sanitary connections. The subject property is accessed from Manon 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 land uses generally include low to medium residential uses, with some vacant land zoned for

future development to the south of the subject lands. Based on the aerial imagery, there are several semi-detached buildings located along Manon Street and Schreyer Street. Therefore, it is staff's opinion that the proposed semi-detached building would be in character with the surrounding uses.

Staff have no concerns with the requested rear yard variances, as sufficient rear yard amenity space would be maintained. Staff have no concerns with the requested lot coverage as all other zone standards (with the exception of requested rear yard setback of 6.5 m) are being maintained. The proposed lot coverage does not appear to impact the functionality of the proposed lot.

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

Development Engineering, June 18, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 5.89m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Strategic and Environmental Planning, June 18, 2026

SEP staff have no objections to the application.

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

Building Services, June 17, 2026

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

Applicant/Owner to be advised of 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 semi-detached dwelling.

Conservation Sudbury, June 16, 2026

No Concerns

Sudbury Hydro, June 16, 2026

The following applications, are outside of our service territory – therefore we have no comments.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 Committee unanimously agreed to hear PL-MV-2026-00058 and PL-MV-2026-00059 together.

The owner's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair 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, SRO, Part Lot 149, Plan M-1115, Part Lot 5, Concession 2, Township of Hanmer, 3093 Manon Street, Hanmer P3P 0E3

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, 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 and subject of a future Consent application, providing firstly, a rear yard set-back of 6.5m with eaves encroaching an additional 0.61m into the proposed 6.5m rear yard setback, where 7.5m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, and secondly, a maximum lot coverage of 53%, where 45% 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 are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00078

June 24, 2026

OWNER(S): YOUSSEF NAJEM, 39 CARLOS WAY, SUDBURY, ON, Canada

AGENT(S): BORTOLUSSI SURVEYING, 144 Elm Street, Sudbury, ON, Canada

LOCATION: PIN(s) 734751795, Lot 22, Plan 53M-1436, Part Lot 6, Concession 5, Township of Broder, 14 Teravista Way, Sudbury P3E 0H9

SUMMARY

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

Application: Approval to permit a dwelling containing two dwellings on the subject property providing a setback and encroachment at variance to the By-law.

Comments concerning this application were submitted as follows:

Building Services, June 18, 2026

Based on the information provided, Applicant/Owner to be advised of the following comments:

A search of our records indicates an open building permit for the subject property for the Single Family Dwelling with an Additional Dwelling Unit (BP-NEW-2025-00086).

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

The purpose and effect of the application is to permit a structure containing two (2) dwelling units providing an interior side yard setback of 1.34 m with eaves encroaching an additional 0.6 m into the proposed 1.34 m setback, where 1.8 m is required and where eaves may encroach 0.6 m into the 1.8 m required yard but not closer than 0.6 m to the lot line.

The subject property is developed with a structure with two (2) dwelling units, is serviced by municipal water and sewer and is accessed from Terra Vista Way. The subject property is designated 'Living Area I' within the City of Greater Sudbury Official Plan and is zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law.

Building Services Staff has advised that there is an open Building Permit on the property for a single family dwelling with an additional dwelling unit.

Staff have no concerns with the requested setback reduction as all other zone standards are being maintained. The proposed reduction of the interior side yard setback does not appear to impact the functionality of the subject property or the abutting property. Staff is of the opinion that the variances requested 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.

Development Engineering, June 18, 2026

Eaves Encroachment:

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

Development Engineering, June 18, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.74m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Strategic and Environmental Planning, June 18, 2026

SEP staff have no objections to the application.

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

Sudbury Hydro, June 16, 2026

No objection.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, June 10, 2026

No Concerns

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 The owner’s agent, Adrian Bortolussi, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair expressed support for the Application and staff’s recommendation.

The following decision was reached:

DECISION:

THAT the application by:
YOUSSEF NAJEM

the owner(s) of PIN(s) 734751795, Lot 22, Plan 53M-1436, Part Lot 6, Concession 5, Township of Broder, 14 Teravista Way, Sudbury P3E 0H9

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a dwelling containing two dwelling units providing an interior side yard setback of 1.34m with eaves encroaching an additional 0.6m into the proposed 1.34m setback, where 1.8m is required and where eaves may encroach 0.6m into the 1.8m 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 are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00081

June 24, 2026

OWNER(S): HUIBIN CHEN, 121 Hillside ave, Sudbury, ON, Canada P3B3C9

AGENT(S): HUIBIN CHEN, 121 Hillside ave, Sudbury, ON, Canada P3B3C9
JUSTIN LIN, 44 Boland Ave, Sudbury, ON, Canada P3E1X7

LOCATION: PIN(s) 735810290, Parcel 13774 SEC SES, Lot 145, Plan M-129, Part Lot 2, Concession 3, Township of McKim, 121 Hillside Avenue, Sudbury P3B 3C9

SUMMARY

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

Application: Approval to permit a retaining wall on the subject property providing a setback at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, June 18, 2026

No Comment Received

Development Approvals, June 18, 2026

The purpose and effect of the application is to facilitate the construction of a 3.7 m (12 ft) high retaining wall providing a front yard setback of 0.9 m, where 6.0 m is required.

The subject property is currently developed with a single detached dwelling. The property is serviced by municipal water and sanitary connections and is accessed from Hillside Avenue. The subject property is designated 'Living Area I' within the City of Greater Sudbury Official Plan, is zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law and is within the Ramsey Lake Intake Protection Zone 3.

Building Services Staff have noted that the applicant has obtained the required Building Permit for the proposed retaining wall.

Staff is of the opinion that the variance requested for the proposed development would be an improvement to the subject property. The subject property, as it exists today, does not appear to provide any parking on site given the grade and existing wooden stairs providing access to the property from Hillside Avenue. Due to the challenging grade changes for several properties on the northside of Hillside Avenue, most properties in the

general area have combinations of retaining walls, stairs and in some cases, garages that are in proximity to Hillside Avenue.

Staff have no concerns with the requested variance as the proposed development would be an improvement to the subject property and would allow parking on the subject property. Staff is of the opinion that the variances are considered to be minor in nature, are an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Development Engineering, June 18, 2026

No Concerns

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Source Water Protection, June 18, 2026

Parcel located within Ramsey Lake IPZ-3. Proposed construction of retaining wall extending front yard set back. There is no significant drinking water threat identified at this time.

Strategic and Environmental Planning, June 18, 2026

SEP staff have no objections to the application.

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

Building Services, June 17, 2026

Building Services has reviewed the application. Applicant / Owner to be advised of the following:

- 1) Building Services acknowledges the submission of building permit documents and building permit BP-NEW-2026-00287, to construct a retaining wall.
- 2) Approved engineered pedestrian guards are required on proposed retaining wall.
- 3) With respect to additional considerations related to this development, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

Sudbury Hydro, June 16, 2026

No objection.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, June 10, 2026

No Concerns

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 The owner's son, Justin Lin, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

HUIBIN CHEN

the owner(s) of PIN(s) 735810290, Parcel 13774 SEC SES, Lot 145, Plan M-129, Part Lot 2, Concession 3, Township of McKim, 121 Hillside Avenue, Sudbury P3B 3C9

for relief from 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 3.7m high retaining wall providing a front yard setback of 0.9m, where 6.0m is required, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00082

June 24, 2026

OWNER(S): STEPHANE PERROUTY, 1059 Ramsey Lake Road, Sudbury, ON, Canada

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: PIN(s) 735920242, Parcel 25107 SEC SES, Part Lot 3, Concession 2, as in LT157399, Township of McKim, 1059 Ramsey Lake Road, Sudbury P3E 6J7

SUMMARY

Zoning: The property is zoned R1-3 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a garage addition on the existing dwelling providing a high water mark setback and shoreline structure at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, June 19, 2026

The purpose and effect of the application is to facilitate the construction of a garage addition on the existing dwelling, providing a setback from the high water mark of 12.62 m, where no person shall erect any residential building or other accessory building or structure closer than 30.0 m to the high water mark of a lake and where the only permitted structures within 20.0 m of the high water mark of a lake are the permitted accessory structures set out in 4.41.2 of the Zoning By-law, boat launches, marine railways, waterlines and heat pump loops.

The subject property is developed with a single detached dwelling and retaining wall on the Bethel Lake side of the property and a garage on the Ramsey Lake Road side, which is proposed to be demolished. The property is serviced by municipal sewer and water connections and has access from Ramsey Lake Road. The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R1-3', Low Density Residential One within the City of Greater Sudbury Zoning By-law, are located in the Ramsey Lake Intake Protection Zone IV of the Source Water Protection Plan, are regulated by Conservation Sudbury (NDCA) and are partially in the flood plain. Surrounding uses are a mix of low density residential and institutional uses related to Laurentian University.

The proposed garage addition is 49.26 m² in area and would be located at the rear of the existing single detached dwelling. The convex shape of the shoreline of the subject property results in a 'v' shaped 20 m buffer area and 30 m high water mark setback. Staff notes that the proposed garage addition would be fully located within the 30 m highwater setback and 20 m shoreline buffer area as defined by Sections 4.41.2 a) and 4.41.3 a), respectively, of Zoning By-law 2010-100Z.

Conservation Sudbury (NDCA) provided no objections to the proposed application but advised that the proposed attached garage is located in an erosion hazard regulated by Conservation Sudbury and that a permit from Conservation Sudbury will be required prior to issuance of the building permit.

Strategic and Environmental Planning (SEP) provided the following comments:

Staff rely on Section 8.4.1.3 of the City's Official Plan when considering reductions to highwater mark setback, which may permit a reduction if only if:

- a) sufficient lot depth is not available;
- b) terrain or soil conditions exist which make other locations on the lot less suitable;
- c) the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced; or
- d) redevelopment is proposed on an existing lot and a net improvement is achieved.

SEP Staff are of the opinion that subsection c) above is being met as the existing dwelling has a highwater mark setback of 7.5 m and the addition would have a 12.6 m highwater mark setback. Staff acknowledge that the applicant has also confirmed that shoreline buffer clearance would be maintained as a result of the proposed addition. SEP staff therefore have no objections to the application.

Staff is of the opinion that the proposed minor variance application 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, June 18, 2026

No Comment Received

Development Engineering, June 18, 2026

No Concerns

Hydro One, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Source Water Protection, June 18, 2026

Parcel located withing Ramsey Lake IPZ-3. Proposed demolition of existing garage and construction of new attached garage. No significant drinking water threat identified at this time.

Strategic and Environmental Planning, June 18, 2026

SEP staff rely on Section 8.4.1.3 of the City's Official Plan when considering reductions to highwater mark setback, which may permit a reduction if only if:

- a) sufficient lot depth is not available;
- b) terrain or soil conditions exist which make other locations on the lot less suitable;
- c) the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is

not further reduced; or
d) redevelopment is proposed on an existing lot and a net improvement is achieved.

Staff are of the opinion that subsection c) above is being met as the existing dwelling has a highwater mark setback of 7.5 m and the addition would have a 12.6 m highwater mark setback. Staff acknowledge that the applicant has also confirmed that shoreline buffer clearance would be maintained as a result of the proposed addition. SEP staff therefore have no objections to the application.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Fisheries Act, 1985; Migratory Bird Convention Act, 1994; and, Species At Risk Act, 2002 is their sole responsibility.

Building Services, June 17, 2026

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

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

- 1) A demolition permit will be required for the removal of the existing detached garage, to the satisfaction of the Chief Building Official.
- 2) A building permit application, together with all required supporting documentation, is required for the proposed construction of a new attached garage, to the satisfaction of the Chief Building Official.

Krista Deredin, Plans Examiner
Building Services

Conservation Sudbury, June 16, 2026

No Concerns

Sudbury Hydro, June 16, 2026

Maintain proper clearance from overhead lines. Contact Greater Sudbury Hydro Inc., if a disconnect is required.

Ministry of Transportation, June 12, 2026

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, June 10, 2026

No Concerns

Meeting Minutes:

06/24/2026 The owner's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.

The Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
STEPHANE PERROUTY
the owner(s) of PIN(s) 735920242, Parcel 25107 SEC SES, Part Lot 3, Concession 2, as in LT157399, Township of McKim, 1059 Ramsey Lake Road, Sudbury P3E 6J7

for relief from Part 4, Section 4.41, subsections 4.41.2 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an attached garage on the existing dwelling providing a setback from the high water mark of 12.62m, where no person shall erect any residential building or other accessory building or structure closer than 30.0m to the high water mark of a lake and where the only permitted structures within 20.0m of the high water mark of a lake are the permitted accessory structures set out in 4.41.2 of the Zoning By-law, boat launches, marine railways, waterlines and heat pump loops, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00084

June 24, 2026

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, June 19, 2026

Comments have been uploaded as PDF document.

Development Engineering, June 19, 2026

Development Engineering does not support parking and fences over 1m in height within the sight triangle. Additionally, we do not support fencing over 1m in height adjacent to the parking spaces, as this restricts sightlines for oncoming traffic along Edmund and for vehicles exiting the parking spaces.

Strategic and Environmental Planning, June 19, 2026

SEP staff have no objections to the application.

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

Corridor Management, June 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 18, 2026

No Comment Received

Source Water Protection, June 18, 2026

Parcel located within Ramsey Lake IPZ-2. No significant drinking water threat identified at this time with proposed work.

Building Services, June 17, 2026

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

- 1) Building Services has made best efforts to review and understand the requested relief, however, the submitted site plan is difficult to interpret. While the variances appear to be identified, some setbacks and dimensions are not clearly legible.
- 2) Building Services acknowledges an issued building permit application (BP-NEW-2025-00867) for a 16 ft x 8 ft attached lower front deck (accessing side door), 12 ft x 6 ft attached lower front deck (accessing side door), 12 ft x 6 ft attached upper front deck (accessing upper side door) and 22 ft x 20 ft detached front yard deck (abutting lower front deck, accessing side door) . Owner/Applicant to ensure a copy of the revised plot plan for this Minor Variance application is uploaded via Pronto for the building permit.
- 3) A review of our records indicates that there are multiple active permits associated with the property. Please contact Building Services to arrange any required inspections and ensure that all permit requirements are satisfied and the permits are closed in a timely manner.
- 4) A review of our records also indicates an outstanding Building Code Order (BP-BCO-2024-00149) unrelated to this minor variance that requires resolution.

Krista Deredin, Plans Examiner
Building Services

Sudbury Hydro, June 16, 2026

Maintain proper clearance from overhead lines. Contact Greater Sudbury Hydro Inc., if a disconnect is required.

Ministry of Transportation, June 12, 2026

REVISED

The subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, June 10, 2026

No Concerns

Site Plan, June 10, 2026

No Concerns

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 (MNRF), 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.

06/24/2026 The owner, Anthony Farrugia, appeared before Committee and provided a summary of the Application.

Committee Member Castanza advised Committee that she attended the property for a site visit and asked if the parking space could be moved further into the lot and expressed support for most of the Application.

Committee Member Goswell asked staff if they could provide additional information on the requirements of a sight triangle and staff provided an explanation on the purpose of sight triangles. The Member asked the owner if the fence was new and Committee Chair Dumont requested the owner to also speak to the structures that were legal non-conforming. The owner spoke to what was legal non-conforming but could not accurately identify all of the legal non-conforming structures. The owner advised that the parking spaces were approximately 40 inches from the building and could not be moved. The owner commented on the use of the accessory structure in the front yard. The Chair asked staff to show the survey and requested the owner what the date of the survey was and the owner advised that it was from 1984. The Chair commented on the differences between what exists and what was shown on the survey. The Chair asked staff when Zoning came into effect and staff advised that this was pre-amalgamation but there were zoning standards in place. Committee Member Goswell asked the owner if the fence existed and the owner advised that a 1m high fence exists and they would like to increase the height for privacy purposes. The owner also commented on the property's setback from the edge of the road, advised that there was no sidewalk on their side of the road and the distance of the City's right of way. Committee Member Goswell expressed support for staff's recommendation.

Committee Member Sawchuk asked the owner the height of the proposed fence and the owner advised that it would be 2.0m (6ft). The Member questioned the location of the sight triangle and staff referred to the Zoning By-law requirements of a sight triangle. The owner read the definition of a sight triangle from the Zoning By-law. The Member expressed support for a deferral.

Committee Member Murray asked the owner if the vegetation be removed near the fence and the owner advised that the vegetation was on the City's side. The Member advised that the City has more in the sight triangle and expressed support for a deferral.

Committee Chair Dumont expressed support for the first, third and fourth variance and a deferral of the second, fifth and sixth variances. The Chair suggested that the owner explore the possibility of what is legal non-conforming.

Committee Chair Dumont put forward a motion to grant the fence within the required front yard and defer the variances to permit the fence, detached accessory structure and parking space #2 within the sight triangle and Committee Member Sawchuk seconded the motion. The motion was supported 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 6, Section 6.3, Table 6.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the reconstruction of two existing detached accessory structures providing the following, firstly, to permit the reconstruction of the existing detached accessory structure located in the southeast corner of the subject property providing no setback (0.0m) to the rear lot line, a 0.2m setback from the interior side lot line and a 0.6m setback from the main building, where accessory buildings and structures 2.5m and less in height shall be no closer than 0.6m from the rear or side lot line and where saunas shall be no closer than 2.0m to the main building, and secondly, to permit the reconstruction of the existing detached accessory structure located on the west side in the front yard to provide a front yard setback of 0.2m, where 6.0m is required, and thirdly, for the fence greater than 1.0m to be located in the required front yard providing no setback (0.0m) from the front lot line, where fences more than 1.0m in height are not permitted in the required front yard and where a 6.0m setback is required, be granted.

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

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

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