



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00008

March 18, 2026

OWNER(S): JOSH SHEPPARD, 67 Alice St, Garson, ON, Canada
CELINE SHEPPARD, 67 Alice St, Garson, ON, Canada

AGENT(S): A.L. PERMITS, 460 Boyce St, Sudbury, ON, Canada P3E2G7

LOCATION: PIN(s) 734960183, Parcel 27907 SEC SES, Part Lot 9, Concession 1, Part Lot 7, Plan M-252, as in LT178963, Township of Garson, 67 Alice Street, Garson P3L 1M3

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 garage providing a height at variance to the By-law and to permit an existing shed providing a setback at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, March 12, 2026

No Comment Received

Development Engineering, March 12, 2026

No Concerns

Hydro One, March 12, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), March 12, 2026

No Comment Received

Strategic and Environmental Planning, March 11, 2026

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

Building Services, March 9, 2026

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

1) A review of our records indicates that a Building Permit application has not yet been submitted for the proposed detached garage. A Building Permit application, including all required supporting documentation, must be submitted to the satisfaction of the Chief Building Official.

A review of the submitted elevation drawings identifies a unit number (i.e., "Unit 5") on the door shown on the North Elevation. The Owner/Applicant is advised that if the proposed construction is intended to be a detached accessory dwelling unit, a minor variance would not be required with respect to height. The intended use of the structure must be clearly confirmed at the time of Building Permit application. If, however, the proposed construction is for a detached garage, the reference to a unit number should be removed from the drawings to avoid confusion regarding the intended use.

A review of the submitted elevation drawings does not clearly indicate whether the proposed detached garage is to be constructed as slab on grade or with a full foundation. Owner to be aware that where a garage slab exceeds 55 m², the slab must be designed and stamped by a Professional Engineer licensed in the Province of Ontario.

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

2. A review of the submitted site plan and available records indicates that the rear deck may have been constructed without the benefit of a Building Permit. A complete Building Permit application, including all required supporting documentation, must be submitted to the satisfaction of the Chief Building Official.

Our records also suggest that a swimming pool may be located at the rear of the property. The Owner/Applicant is advised that pools holding more than 24" in depth require a building permit for enclosures.

In addition, a front deck may have been constructed without a permit. The Owner is advised that decks meeting the criteria outlined below require a Building Permit.

- All decks attached or detached, greater than 24" in height, require a permit regardless of size.
- All attached decks require a permit
- All decks with a roof or supporting another structure require a permit regardless of size.
- All decks serving above ground pools require a permit (pool enclosure).

Krista Deredin, Plans Examiner
Building Services

Development Approvals, March 9, 2026

The purpose and effect of the application is to permit the construction of a detached garage with a height of 6.7 m, where Section 4.2.4 a) of the Zoning By-law limits the maximum height to 5.0 m for any accessory building or structure on a residential lot. The applicant has stated that the intent of the second storey is for storage/entertainment space and not for an additional dwelling unit.

The subject property is currently developed with a single detached dwelling of approx. 72 m² with a deck in the rear yard and two storage sheds. The subject property is serviced by municipal sewer and water and is

accessed from Alice Street. Surrounding land uses are predominantly low density residential to the north of Falconbridge Road and predominantly industrial uses to the south.

The subject property is designated 'Living Area 1' in the City's Official Plan and is zoned 'R1-5', Low Density Residential One in the City of Greater Sudbury Zoning By-law. Based on most recent street view imaging, it appears that the abutting property to the southeast currently has an accessory structure in the rear yard with a similar style and roof structure to the proposed accessory structure on the subject property. Although the proposed accessory building on the subject property would exceed the permitted height for an accessory structure by approx. 1.7 m, Planning Staff is of the opinion that the proposed accessory structure would be appropriate for the property and area.

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

Conservation Sudbury, March 6, 2026

No Concerns

Ministry of Transportation, March 6, 2026

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

Sudbury Hydro, March 5, 2026

Outside of our service territory, therefore we have no concerns.

Site Plan, March 4, 2026

No Concerns

Meeting Minutes:

03/18/2026 The applicant's agent, Angela Lanteigne of A.L. Permits, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

JOSH SHEPPARD AND CELINE SHEPPARD

the owner(s) of PIN(s) 734960183, Parcel 27907 SEC SES, Part Lot 9, Concession 1, Part Lot 7, Plan M-252, as in LT178963, Township of Garson, 67 Alice Street, Garson P3L 1M3

for relief from Part 4, Section 4.2, subsection 4.2.4 a) and Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 6.71m, where the maximum height of any accessory building or structure on a residential lot

shall be 5.0m, and, to permit an existing shed providing an interior side yard setback of 0.47m, where accessory buildings and structures greater than 2.5m in height may be no closer than 1.2m from the side lot line, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00009

March 18, 2026

OWNER(S): JEREMY MANNELLA, 528 Second Ave. S, Sudbury, ON, Canada
HEATHER SCOTT, 528 Second Avenue, Sudbury, Ontario, Canada P3B 3L5

AGENT(S): JEREMY MANNELLA, 528 Second Ave. S, Sudbury, ON, Canada
CENTRELINE ARCHITECTURE, 158 Elgin Street, Suite 201, Sudbury, ON, Canada P3E3N5

LOCATION: PIN(s) 735780168, Parcel 4171 SEC SES, Part Lot 12, Concession 3, as in LT22114, Township of Neelon, 528 Second Avenue, Sudbury P3B 3L5

SUMMARY

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

Application: Approval to construct an addition on the existing home, and reconstruct a detached garage, three-season sunroom, decks, porch and sauna on the subject property providing setbacks, encroachments, high water mark setbacks, shoreline structures, shoreline buffer clearance, landscaped area and landscaped open space at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, March 13, 2026

See document labeled "PL-MV-2026-00009 - 528 Second Ave. - Development Approvals Comments" in the enhanced documents.

Corridor Management, March 12, 2026

No Comment Received

Hydro One, March 12, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), March 12, 2026

No Comment Received

Strategic and Environmental Planning, March 12, 2026

The proposed development shows the replacement of a number of accessory structures, including a sauna and decks, as well as the reconstruction of a sunroom. When proposing structures within the 30 metre highwater mark setback to a lake, the City's Official Plan policy states "A lesser setback may be considered by way of a change to the zoning by-law in the following circumstances:

- 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."

It appears that the proposed sunroom is no closer than the existing and therefore complies with item c. above.

With regards to the request for 100% clearance of the required 20 metre vegetated shoreline buffer, the City's Official Plan has the following relevant policies in 8.4.5 Vegetative Buffers:

"1. New development along shorelines, such as boathouses, docks or other accessory structures, will be integrated, where possible, into the landscape such that vegetation is maintained and enhanced within the shoreline buffer area to:

- a. protect the riparian and littoral zones and associated habitat;
- b. protect the quality of the water by preventing erosion, siltation and nutrient migration;
- c. maintain shoreline character and appearance; and,
- d. minimize the visual impact of development."

"2. It is the intent of this Plan to maximize the amount of natural vegetation within the shoreline buffer area. As such, the City may implement controls on the removal of vegetation by establishing limits on clearing, changes to the grade, and the placement of impervious surfaces along shorelines and stream banks."

Staff acknowledge that some of the existing buffer contains structures, as well as sod, which is not considered natural vegetation and does not form part of the shoreline buffer. However, allowing 100% of the shoreline buffer area to be removed would allow for additional loss of mature vegetation (trees) and replacement with impervious landscaping, which is contrary to the above policies. Sod, when not mowed or otherwise landscaped, will renaturalize over time, allowing a greater shoreline buffer to be established. As such, staff acknowledge that greater than 25% of the required 20 metre shoreline buffer area has been cleared, and is presumably legal non-conforming, but are not supportive of increasing that number through the minor variance process.

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

Building Services, March 11, 2026

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

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

1. Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official, is required for the proposed construction.

Conservation Sudbury, March 11, 2026

The location of the proposed new garage with loft and deck is outside of both the flood and erosion hazards, and Conservation Sudbury does not object to the proposed Minor Variance for these structures.

The existing dwelling is located within the erosion hazard and as such would qualify as an existing non-conforming structure. The proposed addition at the road-side of the dwelling is in the area of least risk and appears could be permitted under Conservation Sudbury's regulatory policies. Conservation Sudbury does not object to the Minor Variance for this addition.

The location of the new sauna is within a flood and erosion hazard. The plans submitted with the application indicate that no grading or fill placement is required to facilitate this structure. As per the PPS, development is to "generally be directed" away from the erosion hazard. Strict application of this policy may not be appropriate for this structure, considering that it is a small, non-habitable, accessory structure which appears to be exempt from the need for a permit under Ontario Regulation 41/24. (Please note that, if this structure was a habitable building or designed for overnight occupancy, Conservation Sudbury would recommend against the Minor Variance).

The proposed sunroom as well as the attached upper and lower decks are located within the erosion hazard associated with Ramsey Lake. The plans indicate the intention of mitigating the erosion hazard by anchoring to bedrock. While this approach satisfies concerns related to the erosion hazard, the presence of bedrock has not been confirmed at this time. Proceeding based on this assumption is at the risk of the owner. It should be noted that alternative foundation design to mitigate the erosion hazard would not be permitted. Conservation Sudbury's sign off on the building permit will not be provided until it could be demonstrated that these structures are outside of the erosion hazard, through a site-specific study, or demonstration of consolidated bedrock.

Conservation Sudbury does not object to the proposed Minor Variances. Please note that a Section 28 permit is required prior to the issuance of the building permit for the addition, sunroom and decks. It should be understood that granting of the Minor Variance does not constitute or imply approval under the Conservation Authorities Act.

Source Water Protection, March 11, 2026

Property is located within the Ramsey Lake IPZ-3 and the Ramsey Lake ICA. Proposed construction of a 3-season sunroom, a deck, a new sauna, an addition containing an entry to a laundry room and a new detached garage containing a secondary dwelling unit. No significant drinking water threat identified at this time.

Development Engineering, March 10, 2026

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, March 6, 2026

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

Sudbury Hydro, March 5, 2026

If breaking soil, locates would be required. Contact GSHI if a disconnect/reconnect is required.

Site Plan, March 4, 2026

No Concerns

Meeting Minutes:

03/18/2026 The applicant's agent, Dan Guillemette of Centreline Architecture, appeared before Committee and provided a summary of the Application. Committee Member Castanza confirmed the new location of the proposed garage with the agent. Committee Member Goswell clarified with the Secretary-Treasurer the resolution that would be read to Committee and requested the agent to speak to the buffer clearance. The agent shared photos of the buffer with Committee. Committee Member Sawchuk requested staff to speak to the buffer and staff advised that based on the images shared by the agent, the buffer was not 100% cleared. Committee Member Sawchuk suggested the buffer variance be deferred. Committee Member Murray asked staff if a variance was required if it was existing. Staff explained the potential result if the variance were granted and suggested that the buffer didn't appear to be 100% cleared. Committee Member Murray asked the agent if the Application would impact the buffer and the agent advised that it wouldn't. Committee Member Murray asked staff if the Application could proceed without the buffer variance and staff advised that they didn't know what the actual vegetation was today and advised that the percentage of what has been permanently cleared should be identified. Committee Chair Dumont spoke to staff comments and asked the agent why they sought 100% clearance and the agent advised that naturalizing would not be possible and advised Committee that he misunderstood the intent of the variance. Committee Chair Dumont commented on the potential result if 100% clearance was approved and requested the Secretary-Treasurer to clarify the resolution. The Secretary-Treasurer clarified the resolution as recommended by staff and advised that if the variance was denied a new minor variance application would be required if it was determined at a later date that a variance was required. At the request of the Chair, the Secretary-Treasurer suggested that a motion could be brought forward to defer the variance. Committee Member Sawchuk and Murray expressed support for a deferral. The agent expressed support for a deferral. Committee Chair Dumont put forward a motion to defer the buffer clearance variance and Committee Member Murray seconded the motion. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:
JEREMY MANNELLA AND HEATHER SCOTT
the owner(s) of PIN(s) 735780168, Parcel 4171 SEC SES, Part Lot 12, Concession 3, as in LT22114, Township of Neelon, 528 Second Avenue, Sudbury P3B 3L5

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1, Section 4.15, subsections 4.15.1 e) and 4.15.2, and

Section 4.41, subsections 4.41.2 and 4.41.4, 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, firstly, the construction of an addition on the existing single detached dwelling providing a high water mark setback of 28.7m, where no person shall erect any residential building closer than 30.0m to the high water mark of a lake, secondly, the reconstruction of a detached garage containing an additional dwelling unit and attached deck providing a front yard setback of 1.0m with eaves encroaching an additional 0.61m, where 6.0m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, thirdly, the reconstruction of a sauna providing an interior side yard setback of 0.61m, where the sauna shall be no closer than 3.0m to the interior side yard located above the high water mark, fourthly, the reconstruction of a sunroom and porch providing high water mark setbacks of 13.6m, 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, fifthly, a 1.0m-wide landscaped area adjacent to the full length of Second Avenue, 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 in all Zones, and sixthly, a minimum of 19% of the required front yard to be landscaped open space, where a minimum of 50% of all required front yards shall be maintained as landscaped open space in Low Density Residential One (R1) Zones, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00017

March 18, 2026

OWNER(S): 2768750 ONTARIO INC, 809 CONNAUGHT AVENUE, SUDBURY, ON, Canada

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

LOCATION: PIN(s) 735860250, Lot 20, Plan 48S, Part Lot 7, Concession 3, Township of McKim, 495 Elm Street, Sudbury, Ontario P3C 1W4

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 dwelling containing 4-dwelling units and attached uncovered deck on the subject property providing encroachments, setbacks, parking area, landscaped area and landscaped open space at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, March 13, 2026

The purpose and effect of the application is to facilitate the construction of a structure having four (4) dwelling units and an attached deck in the rear yard, with the following variances:

- 1.Reduce the rear yard setback from the required 7.5 m to 3.05 m (Table 6.2)
- 2.Increase the encroachment permitted into the rear yard for a deck greater than 1.2 m in height, to 1.22 m from the rear lot line, where the setback cannot be closer than 3 m. (Table 4.1)
3. Increase the encroachment permitted to 4.95 m into the rear yard, where a maximum of 1.2 m is permitted. (Table 4.1)
4. Increase parking area width to 11 m in the required front yard, where the outdoor parking area for the subject property is permitted in the required front yard, to a maximum width of 7.5m (Section 5.4.2 (d))
5. Reduce the landscape area, adjacent to the full length of a lot line abutting a public road, having a width greater than 10 m to 2.22 m, where 3 m is required. (Section 4.15.1)
6. Reduce landscape open space requirement in the front yard to 29.4%, where 50% is required. (Section 4.15.2)

The subject lands are currently vacant, would be serviced by municipal water and sanitary connections and would be accessed from primary arterial road, Elm Street. The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2', within the City of Greater Sudbury Zoning By-law.

Staff is of the opinion that intensification, in the form of four (4) dwelling units is appropriate for this subject

property and location. While it would be preferred that the proposed development maintain more landscaping space than proposed in the front yard, it is imperative for the functionality of this site that vehicles enter and exit in a forward-facing motion given that the subject property is on a primary arterial road. While tandem parking would achieve the goal of maintaining required landscaping space and reducing the width of parking spaces for the proposed development, it would also prevent vehicles from entering and exiting the site in a forward-facing motion.

Staff also acknowledge that the applicant is proposing an attached deck to be utilized for private amenity space in the rear yard, which directly abuts a city-owned laneway. Staff is generally supportive of the location of the proposed deck in the rear yard given that the subject property is directly abutting a city-owned laneway rather than a residential property. For context, Planning Staff would note that there may be an opportunity for the property owner to purchase part (s) of the abutting laneway through the City's Real Estate Section.

Staff recommend that the variances, as shown above be granted as they are minor in nature, are an appropriate use of the land, and meet the intent of the Official Plan and Zoning By-law

Corridor Management, March 12, 2026

No Comment Received

Development Engineering, March 12, 2026

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 0.6 m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, March 12, 2026

No Comment Received

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

No Comment Received

Strategic and Environmental Planning, March 12, 2026

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

Building Services, March 10, 2026

We have no concerns with the requested consent as listed.

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

1) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for proposed construction. Additional relief may be requested at that time.

Conservation Sudbury, March 6, 2026

No Concerns

Ministry of Transportation, March 6, 2026

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

Sudbury Hydro, March 5, 2026

No objection.

Site Plan, March 4, 2026

No Concerns

Meeting Minutes:

03/18/2026 The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.
The Secretary-Treasurer advised Committee that an email was received from Shawn Willis of 491 Elm Street expressing concern with snow removal and confirmed Committee's receipt of the email.
Committee Member Sawchuk asked staff if snow was considered in the recommendation and staff confirmed that it was.
Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
2768750 ONTARIO INC
the owner(s) of PIN(s) 735860250, Lot 20, Plan 48S, Part Lot 7, Concession 3, Township of McKim, 495 Elm Street, Sudbury, Ontario P3C 1W4

for relief from Part 4, Section 4.2, Table 4.1, Section 4.15, subsections 4.15.1 e) and 4.15.2, Part 5, Section 5.4, subsection 5.4.2 d) and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a dwelling containing 4-dwelling units and an attached uncovered deck on the subject property providing, firstly, for the rear attached uncovered deck to provide a rear yard setback of 1.22m, where uncovered decks greater than 1.2m in height may encroach 3.6m into the required rear yard but not closer than 3.0m to the rear lot line, secondly, a 2.22m-wide landscaped area adjacent to the full length of the lot line abutting Elm Street, where a 3.0m-wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m in all Zones, thirdly, a minimum of 29% of the required front yard to be maintained as landscaped open space, where 50% is required, fourthly, a parking area width of 11.0m in the required front yard, where the outdoor parking area for the subject property is permitted in the required front yard to a maximum width of 7.5m, and fifthly, a minimum required rear yard setback of 3.05m with eaves encroaching an additional 0.5m, 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, be granted.

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

Public comment has been received and considered and had no effect on Committee of Adjustment's decision as the application represents good planning.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00018

March 18, 2026

OWNER(S): 2768750 ONTARIO INC, 809 CONNAUGHT AVENUE, SUDBURY, ON, Canada

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

LOCATION: PIN(s) 735860250, Lot 21, Plan 48S, Part Lot 7, Concession 3, Township of McKim, 0 Elm Street, Sudbury, Ontario

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 dwelling containing 4-dwelling units and attached uncovered deck on the subject property providing encroachments, setbacks, parking area, landscaped area and landscaped open space at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, March 13, 2026

The purpose and effect of the application is to facilitate the construction of a structure having four (4) dwelling units and an attached deck in the rear yard, with the following variances:

- 1.Reduce the rear yard setback from the required 7.5 m to 3.05 m (Table 6.2)
- 2.Increase the encroachment permitted into the rear yard for a deck greater than 1.2 m in height, to 1.22 m from the rear lot line, where the setback cannot be closer than 3 m. (Table 4.1)
3. Increase the encroachment permitted to 4.95 m into the rear yard, where a maximum of 1.2 m is permitted. (Table 4.1)
4. Increase parking area width to 11 m in the required front yard, where the outdoor parking area for the subject property is permitted in the required front yard, to a maximum width of 7.5m (Section 5.4.2 (d))
5. Reduce the landscape area, adjacent to the full length of a lot line abutting a public road, having a width greater than 10 m to 2.22 m, where 3 m is required. (Section 4.15.1)
6. Reduce landscape open space requirement in the front yard to 29.4%, where 50% is required. (Section 4.15.2)

The subject lands are currently vacant, would be serviced by municipal water and sanitary connections and would be accessed from primary arterial road, Elm Street. The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R2-2', within the City of Greater Sudbury Zoning By-law. Staff is of the opinion that intensification, in the form of four (4) dwelling units is appropriate for this subject property and location. While it would be preferred that the proposed development maintain more landscaping space than proposed in the front yard, it is imperative for the functionality of this site that vehicles

enter and exit in a forward-facing motion given that the subject property is on a primary arterial road. While tandem parking would achieve the goal of maintaining required landscaping space and reducing the width of parking spaces for the proposed development, it would also prevent vehicles from entering and exiting the site in a forward-facing motion.

Staff also acknowledge that the applicant is proposing an attached deck to be utilized for private amenity space in the rear yard, which directly abuts a city-owned laneway. Staff is generally supportive of the location of the proposed deck in the rear yard given that the subject property is directly abutting a city-owned laneway rather than a residential property. For context, Planning Staff would note that there may be an opportunity for the property owner to purchase part (s) of the abutting laneway through the City's Real Estate Section.

Staff recommend that the variances, as shown above be granted as they are minor in nature, are an appropriate use of the land, and meet the intent of the Official Plan and Zoning By-law

Corridor Management, March 12, 2026

No Comment Received

Development Engineering, March 12, 2026

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 0.6 m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Hydro One, March 12, 2026

No Comment Received

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

No Comment Received

Strategic and Environmental Planning, March 12, 2026

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

Building Services, March 10, 2026

We have no concerns with the requested consent as listed.

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

1) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for proposed construction. Additional relief may be requested at that time.

Conservation Sudbury, March 6, 2026

No Concerns

Ministry of Transportation, March 6, 2026

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

Sudbury Hydro, March 5, 2026

No objection.

Site Plan, March 4, 2026

No Concerns

Meeting Minutes:

03/18/2026 The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
2768750 ONTARIO INC
the owner(s) of PIN(s) 735860250, Lot 21, Plan 48S, Part Lot 7, Concession 3, Township of McKim, 0 Elm Street, Sudbury, Ontario

for relief from Part 4, Section 4.2, Table 4.1, Section 4.15, subsections 4.15.1 e) and 4.15.2, Part 5, Section 5.4, subsection 5.4.2 d) and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a dwelling containing 4-dwelling units and an attached uncovered deck on the subject property providing, firstly, for the rear attached uncovered deck to provide a rear yard setback of 1.22m, where uncovered decks greater than 1.2m in height may encroach 3.6m into the required rear yard but not closer than 3.0m to the rear lot line, secondly, a 2.22m-wide landscaped area adjacent to the full length of the lot line abutting Elm Street, where a 3.0m-wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m in all Zones, thirdly, a minimum of 29% of the required front yard to be maintained as landscaped open space, where 50% is required, fourthly, a parking area width of 11.0m in the required front yard, where the outdoor parking area for the subject property is permitted in the required front yard to a maximum width of 7.5m, and fifthly, a minimum required rear yard setback of 3.05m with eaves encroaching an additional 0.5m, 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, be granted.

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

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

decision.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00020

March 18, 2026

OWNER(S): JOSEE LEGAULT, 5507 Desmarais Rd., Hanmer, ON, Canada P3P1R3
KOREY LEGAULT, 5507 Desmarais Rd., Hanmer, ON, Canada P3P1R3

AGENT(S): JOSEE LEGAULT, 5507 Desmarais Rd., Hanmer, ON, Canada P3P1R3

LOCATION: PIN(s) 735060519, SRO, Part Lot 7, Concession 4, being Parts 4-5, Plan 53R-19964,
Township of Hanmer, 5507 Desmarais Road, Hanmer P3P 1R3

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 detached accessory structure providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, March 12, 2026

No Comment Received

Hydro One, March 12, 2026

No Comment Received

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

No Comment Received

Strategic and Environmental Planning, March 12, 2026

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

Building Services, March 11, 2026

For relief from Part 4, Section 4.2, subsection 4.2.4 b) of By-law 2010-100Z, being the By-law for the City of

Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 7.1m, where the maximum height of any accessory building or structure accessory to a residential dwelling shall be 6.5m within a Rural (RU) Zone.

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

For the applicants' information:

- 1) Building Services acknowledges building permit application # BP-NEW-2026-00078 (Detached Garage).

Conservation Sudbury, March 6, 2026

No Concerns

Ministry of Transportation, March 6, 2026

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

Development Approvals, March 5, 2026

The purpose and effect of the application is to permit the construction of a detached garage with a height of 7.1 m, where Section 4.2.4 b) of the Zoning By-law limits the maximum height to 6.5 m for any building or structure accessory to a residential dwelling in the RU zone.

The subject property contains single detached dwelling of approx. 160 m², a frame barn of approx. 93 m², and a storage shed of approx. 9 m². The subject lands are serviced by a private septic system and have access from Desmarais Road. Surrounding land uses are rural residential in nature.

The subject property is designated 'Rural' in the City's Official Plan and is zoned 'RU', Rural in the City of Greater Sudbury Zoning By-law. The RU zone permits a range of residential and non-residential uses. Single detached dwellings and detached garages are permitted uses in the RU zone. Although the proposed accessory building would exceed the permitted height for an accessory structure by approx. 0.6 m, the proposed structure would be in excess of 45 m from the front property line where dense, mature vegetation exists along Desmarais Road which would act as a visual buffer from the road.

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

Sudbury Hydro, March 5, 2026

Outside of our service territory, therefore we have no concerns.

Development Engineering, March 4, 2026

No Concerns

Site Plan, March 4, 2026

No Concerns

Meeting Minutes:

03/18/2026 The applicants appeared before Committee and Josee Legault provided a summary of the Application. Committee Members and the Chair expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
JOSEE LEGAULT AND KOREY LEGAULT
the owner(s) of PIN(s) 735060519, SRO, Part Lot 7, Concession 4, being Parts 4-5, Plan 53R-19964, Township of Hanmer, 5507 Desmarais Road, Hanmer P3P 1R3

for relief from Part 4, Section 4.2, subsection 4.2.4 b) of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 7.1m, where the maximum height of any accessory building or structure accessory to a residential dwelling shall be 6.5m within a Rural (RU) Zone, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00167

March 18, 2026

OWNER(S): DANIEL PLANTE, 2299 Lynn Street, Val Caron, ON, Canada P3N1A9
DENISE PLANTE, 2299 Lynn St, Val Caron, ON, Canada P3N 1A2

AGENT(S): DANIEL PLANTE, 2299 Lynn Street, Val Caron, ON, Canada P3N1A9

LOCATION: PIN(s) 735670335, Parcel 33376 SEC SES SRO, Part Lot 12, Concession 6, Part Lot 14, Plan M-287, Part 1, Plan SR-1862, Township of Neelon, 1282 Paquette Street, Sudbury P3A 3Y2

SUMMARY

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

Application: Approval to permit two existing dwelling units within the existing two-unit dwelling for a total of four-dwelling units providing an access driveway at variance to the By-law.

Comments concerning this application were submitted as follows:

Building Services, March 11, 2026

Building Services has no objections to the proposed minor variances.

Building Services acknowledges receipt of Building Permit Application BP-NEW-2025-00789 for an interior alteration to create two (2) additional dwelling units within an existing duplex.

Please be advised that, should the associated minor variance be granted, a copy of the site plan submitted in support of the minor variance application must also be provided as part of the building permit application.

We also recognize an accompanying Building Code Order (BP-BCO-2025-00019) related to the above noted building permit application.

Development Approvals, March 10, 2026

REVISED:

The purpose and effect of the application is to legalize an existing lot containing no more than 4 dwelling units with the following variances:

- 1. a driveway accessing a parking area to be a minimum width of 3.0m for two-way traffic, where a minimum width of 6.0m is required.

The subject lands contain a duplex dwelling and an accessory building. The subject lands are serviced by a municipal water and sanitary connection and have existing access from Paquette Street.

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

Surrounding uses are low density residential in nature.

The applicant has requested to legalize an additional two dwelling units that were established without benefit of a building permit, resulting in a building with a total of four dwelling units.

Subsequent to the previous hearing, the applicant has revised the application to relocate 3 parking spaces in the rear yard, resulting in demonstration of compliance with landscaping and driveway width provisions. Staff's previous comments have been addressed.

Staff are of the opinion that the variance is minor in nature and an appropriate use of the land as the applicant has demonstrated that the subject lands are able to intensify while remaining functional and maintaining residential character. Staff are of the opinion that intent of the Official Plan and Zoning By-law are also being maintained.

It is recommended that the application be granted.

Development Engineering, March 4, 2026

No Concerns

Corridor Management, January 16, 2026

No Comment Received

Hydro One, January 16, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), January 16, 2026

No Comment Received

Development Engineering, January 15, 2026

It appears that the proposed front yard parking spaces are within the CGS Right-of-Way, which not permitted. We do not support the Minor Variance at this time. Application is to note the Right-of-Way property line on their proposed plan and revise the location of the front yard parking spaces outside of the Right-of-Way, for further review.

Building Services, January 14, 2026

Building Services has no objections to the proposed minor variances.

Building Services acknowledges the receipt of building permit application BP-NEW-2025-00789 for an Interior Alteration to Create 2 ADU's in a Duplex. We also recognize the accompanying building code order, BP-

BCO-2025-00019, relating to the above mentioned building permit application.

Development Approvals, January 14, 2026

The purpose and effect of the application is to legalize an existing lot containing no more than 4 dwelling units with the following variances:

1. a minimum 21% of the required front yard to be maintained as landscaped open space, where 50% is required;
2. a driveway accessing a parking area to be a minimum width of 3.0m for two-way traffic, where a minimum width of 6.0m is required;
3. an outdoor parking area in the required front yard to a maximum width of 12.0m, where 7.62m is permitted.

The subject lands contain a duplex dwelling and an accessory building. The subject lands are serviced by a municipal water and sanitary connection and have existing access from Paquette Street.

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

Surrounding uses are low density residential in nature.

The applicant has requested to legalize an additional two dwelling units that were established without benefit of a building permit, resulting in a building with a total of four dwelling units.

The intent of requiring a 6 m wide driveway/parking aisle is to accommodate two-way traffic with safe vehicular maneuverability. Staff recognize that the 3 m driveway/parking aisle is an existing condition for one parking space. Adequate spacing appears to be provided for the additional parking space in the rear yard to turn around.

The intent of having standards for landscaped areas and parking areas in the front yard is to maintain residential character. Staff are not supportive of the further reduction of landscaped open space and increase in parking area in the front yard as it would further alter the residential character of the neighborhood. There appears to be adequate space in the front yard to accommodate one parking space, reinstate the landscaped area to the extent of the curb, and accommodate three parking spaces in the rear yard.

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

Strategic and Environmental Planning, January 13, 2026

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

Sudbury Hydro, January 13, 2026

No objection.

Conservation Sudbury, January 9, 2026

No Concerns

Ministry of Transportation, January 7, 2026

I can confirm this application is located outside the MTO's permit control area; therefore, we have no comments to provide at this time.

Site Plan, January 7, 2026

No Concerns

Meeting Minutes:

- 01/21/2026 This Application was deferred to the next Committee of Adjustment meeting at the request of the applicant as they would not be available January 21, 2026.
- 02/04/2026 The applicant, Daniel Plante, appeared before Committee and provided a summary of the Application.
Committee Member Castanza expressed support for the deferral.
Committee Member Goswell expressed support for staff's recommendation and requested the Chair to advise the applicant of the importance of a deferral.
Committee Member Sawchuk expressed appreciation for the applicant's comments and their intent to improve and expressed support for staff's recommendation.
Committee Member Murray expressed support for the deferral.
Committee Chair Dumont explained to the applicant Development Approval's comments regarding landscaping, suggested the applicant connect with staff, spoke to the deferral process, expressed support for staff's recommendation and asked the applicant when the two units were added. The applicant advised that based on the heating system the two units have always been there. The applicant advised that he was going through the Building Permit process and would like to have two parking spaces in the front but was willing to move them. Committee Chair Dumont explained to the applicant the four tests of a minor variance and Committee's role and scope.
- 03/18/2026 The applicant, Daniel Plante, appeared before Committee and provided a summary of the Application.
Committee Members and the Chair expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

DANIEL PLANTE AND DENISE PLANTE

the owner(s) of PIN(s) 735670335, Parcel 33376 SEC SES SRO, Part Lot 12, Concession 6, Part Lot 14, Plan M-287, Part 1, Plan SR-1862, Township of Neelon, 1282 Paquette Street, Sudbury P3A 3Y2

for relief from Part 5, Section 5.2, subsection 5.2.9.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit two existing dwelling units within the existing two-unit dwelling for a total of four-dwelling units providing a driveway accessing a parking area to be a minimum width of 3.0m for two-way traffic, where a minimum width of 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 variances are minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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